



# **Rules of Racing of Racing NSW**

**as amended 1 October 2017**

[including amendments LR51(6), LR106 & LR107 effective 10.4.17, TOR Rules (AR's) effective 1.8.17, LR110C & LR115 effective 1.9.17, LR80A, LR106, LR107 effective 20.9.17, AR103 & LR114 effective 1.10.17, LR51(2) effective 1.11.17 & LR5 effective 3.12.17]

In this Rule Book –  
**The Australian Rules of Racing**  
appear first,  
and are preceded by the letters “AR”

**The Local Rules of Racing**  
follow the Australian Rules,  
and are preceded by the letters “LR”

**The Rules of Betting**  
which are part of the Local Rules,  
follow the other Local Rules,  
and are preceded by the letters “BR”

The Australian Rules of Racing and the Local Rules (including the Rules of Betting),  
Are to be read, interpreted and construed together, and as so combined shall be and be  
known as “The Rules of Racing NSW”.

Any person who takes part in any matter coming within the Rules in this book contained thereby agrees with Racing NSW to be bound by them.



# **Rules of Racing of Racing NSW**

Constituted by –

The Australian Rules of Racing as adopted by the Australian Racing Board  
and the Local Rules and Rules of Betting of Racing NSW.

Produced by order of the Board.

Mr P N V'landys (AM)  
CHIEF EXECUTIVE

Racing NSW Board Members

Mr R Balding (AO) (Chairman)  
Mrs S Cooke  
Hon Mr K P Greene  
Mr A G Hodgson (AM)  
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# AUSTRALIAN RULES OF RACING

## DEFINITIONS

**AR 1.** In the interpretation of these Rules, (and of any programme of a race meeting held thereunder), the following words unless the context otherwise requires, shall have or include meanings as follows:-

**“Advertised”** or **“Advertisement”** includes publication in any newspaper or *Racing Calendar* or in any printed, typewritten, or written placard, circular, or poster.

**“Anabolic Androgenic Steroid Clearing Certificate”** means means a certificate from an Official Racing Laboratory stating that a sample (taken under the supervision of the Stewards or other official appointed by the Principal Racing Authority to do so) is free of anabolic androgenic steroids or that any anabolic androgenic steroids that are present are at or below the relevant concentrations set out in AR.178C(1). *[added 1.11.13]*

**“Apprentice”** means a person who is duly bound to a trainer or owner in accordance with the Local Rules of the Principal Racing Authority with jurisdiction over the territory in which such trainer or owner resides.

**“Association”** means any association of Clubs holding registered meetings, the articles or rules of which have been approved by the Principal Racing Authority, and any Registration Board the constitution of which has been approved by the said Principal Racing Authority.

**“Australian Racing Board”** and **“Board”** means the "Australian Racing Board Limited" constituted in accordance with AR 208. *[replaced 1.8.03]*

**“Authorised Agent”** means a person who has produced to the Principal Racing Authority, Committee of the Club or the Stewards or other relevant official a satisfactory written authority signed by his principal.

**“Banned Substance”** means a substance declared as a banned substance in riders by AR 81B.

**“Beneficial Interest”** means a person who by agreement or other legal arrangement has the right to some profit distribution or other like benefit from ownership of a horse even though title to the horse is in another’s name or any individual or group of individuals that either directly or indirectly has the power to vote or influence business decisions in respect of the horse.  
*[added 1.8.16]*

**“Chairmen of Stewards”** means the National Chairmen of Stewards Advisory Group to the Australian Racing Board Limited.

**“Clear Day”** means a 24 hour period from 12.01am to 12 midnight.  
*[added 1.9.13]*

**“Club”** includes any person or body holding or proposing to hold a race meeting in the Commonwealth.

**“Cruelty”** includes any act or omission as a consequence of which a horse is mistreated.  
*[added 1.2.00]*

**“The Committee of the Club”** means the Committee of any Club which is registered with a Principal Racing Authority or whose meetings are registered with a Principal Racing Authority.

**“Company”** means -

- (a) a company incorporated or registered under any Act or Ordinance of any state or territory of the Commonwealth of Australia whilst it remains so incorporated or registered; and
- (b) a 'foreign company' within the meaning of the Corporations Law or any replacement or successor legislation.  
*[amended 1.7.00]*

**“Correct Weight”** means a declaration by the Stewards officiating at a race meeting that the result of a race is official.

**“Deputy Registrar of Racehorses”** and **“Deputy Registrar”** means any person appointed to act as such by a Principal Racing Authority provided that the name of the appointed person is notified as soon as practicable to the Registrar of Racehorses.  
*[amended 1.7.05]*

**“Disqualification”** includes the adoption or confirmation in accordance with these Rules of any disqualification and "Disqualify" has a corresponding meaning.

**“Document of Description”** means the document which bears that name and which has been issued by the Registrar of Racehorses or a recognised turf authority in relation to the identity of the racehorse described therein and shall include a Certificate of Registration issued by the Registrar of Racehorses or a recognised turf authority.

**“Eligible Horse”** means a horse which is eligible to be registered under these Rules but has not yet been registered under these Rules.  
*[added 1.8.16]*

**“Executive Officer”** means the person appointed by the Board as the executive officer of the Board.

*[added 1.8.98]*

**“Firm”** means any individual or any number of individuals not exceeding twenty (excluding companies) carrying on business in Australia under a firm or business name which name is and remains registered under any statute or ordinance of any State or Territory of the Commonwealth of Australia relating to "Business Names" or such-like.

**“Foal Identification Card”** means the card which bears that name and which has been issued by the Australian Stud Book or a recognised turf authority in relation to the identity of the horse described thereon.

*[added 1.7.05]*

**“Foal Ownership Declaration”** means the form required to be lodged by the Manager, or his or her Authorised Agent, with the Registrar within 30 days of the Mare Return lodgement. The Declaration must set out the names of each person with a Beneficial Interest in that foal from its birth to the date of the Declaration.

*[added 1.8.16]*

**“Forfeits”** includes all overdue and unpaid acceptances or qualification fees, or moneys, stakes, fines, subscriptions, course, track, and other fees not being entrance fees due by or imposed upon any person or due in respect of or imposed upon any horse, or which shall be published in the *Racing Calendar* as so due or imposed.

**“Group Races, Listed Races and Restricted Listed Races”**, for races run in Australia, shall mean those races which are published as such in the schedule of races described as “Group Races, Listed Races and Restricted Listed Races” by the Australian Racing Board.

*[added 1.8.16]*

**“Group and Listed Races”**, for races run outside Australia, shall mean those races which are published by the International Cataloguing Standards Committee.

**“Helmet”**, means a protective riding helmet the standard of which is approved by the Australian Racing Board.

*[added 1.10.06]*

**“Horse handler”** means any licensed person who handles any horse at any meetings, trial, jump out or in training and includes but is not limited to stable hands, trainers, veterinarians, farriers and barrier attendants.

*[added 1.7.14][amended 1.4.15]*

**“Interest”** in respect of a horse for purposes of AR 53, AR 166(c) and AR 182 and (subject to this definition) for any other purposes under these Rules includes membership of a Syndicate which owns or leases a horse, and for the purpose of AR 84, AR 85 and AR 175(e) includes membership of a Company, Firm or Syndicate which owns or leases a horse or has any interest direct or indirect in a horse or in a Company, Firm or Syndicate which owns or leases a horse and the word “Interested” and all other derivatives and applications of the word “Interest” shall be construed accordingly.

A **“Jockey”** is a person licensed by a Principal Racing Authority or an Association to ride for hire.

**“The Judge”** means the person duly appointed as such and includes any Assistant Judge similarly appointed and any substitute appointed in accordance with these Rules.

**“Jump-out”** means a trial, other than an official trial, organised, supervised and controlled by a Club or the management of a recognised training track, which is started from barrier stalls, and is conducted in accordance with any conditions set by the Principal Racing Authority.  
*[added 1.9.09]*

**“Lease”** includes any agreement whereby the owner of a horse permits another person to race the horse.  
*[added 19.10.06]*

**“Licence”** includes any approval or permit.

**“Licensed”** A person is licensed if he has the requisite licence required by the Rules.

**“Licensed wagering operator”** means a wagering operator that holds a licence or authority however described under the legislation of any State or Territory in Australia to carry out wagering operations whether in that State or Territory or elsewhere.  
*[added 15.6.12]*

**“Local Rules”** are those rules made from time to time by a Principal Racing Authority and in force within its territory.

A **“Maiden”** with respect to a flat race means a horse which at the time of starting has never won on the flat a race at a registered meeting or an advertised race in any country, and, with respect to a steeplechase or hurdle race means a horse which at the time of starting has never won such a steeplechase or hurdle race in any country.

**“Manager”** means the first named person recorded by the Registrar of Racehorses in the official ownership records including the Foal Ownership Declaration, transfer or lease (if leased) of a horse or if the horse is owned or leased by a syndicate, the person first named in the certificate of registration of the syndicate, subject always to the provisions of AR.57(1). If the horse is owned or leased by more than one syndicate, the first named person appearing in the certificate of registration of the first named syndicate shall be deemed to be the manager.  
*[amended 1.7.05 & 1.8.16]*

**“Mare Return”** means a return lodged with the Australian Stud Book for each mare declaring (a) the outcome of the mare’s covering by a stallion, or (b) the decision not to have the mare covered.  
*[added 1.8.16]*

**“Medication”** means any treatment with drugs or other substances.  
*[added 3.2.03]*

**“Member”** for the purposes of AR 69A to AR 69N inclusive and for any other purposes of these Rules includes any person who has an interest of any kind and to any extent in any Company, Firm, Syndicate or other association of persons, whether such interest be by way of membership, individual or part-ownership, sharing or stockholding, and an "officer" of a Company (within the

meaning of a Companies Act under which it is incorporated or registered) shall be deemed to have an interest in that Company; and "membership" and all other derivatives and applications of the word "member" shall be construed accordingly.

**“Metropolitan Area”** and **“Suburban Radius”** means any Area so designated by the Local Rules of a Principal Racing Authority.

**“Microchip”** means an electronic identifier transponder encoded with a unique unalterable number approved by the Registrar of Racehorses for implantation in a horse.

*[added 1.7.05]*

**“Month”** means a calendar month.

**“Named Horse”** means an Eligible Horse that has been registered to race pursuant to AR.15.

*[added 1.8.16]*

**“National Gear Register”** means the register of all gear approved by the Chairmen of Stewards, together with conditions for the use of such gear approved by the Chairmen of Stewards.

*[added 14.6.07]*

**“National Stewards Embargo Register”** means a record, maintained by the Stewards Australia-wide, of embargos imposed on horses.

*[added 1.7.05]*

**“Nominator”** means any owner or if the horse is leased any lessee by or on whose behalf a horse is entered and includes any Registered Manager for a Company and any trustee for a Syndicate and any person exercising the rights of a nominator under the Rules by reason of the death of a nominator, the sale of a horse with engagements, the termination of a lease or otherwise.

**“Official Racing Laboratory”** means an analytical racing laboratory that is accredited by the National Association of Testing Authorities or by a similar authority in an overseas country, and is approved by the Australian Racing Board and published in the *Racing Calendar*.

**Note:** *The following have been approved by the Australian Racing Board:*

*Australian Racing Forensic Laboratory, Sydney*

*Queensland Government Racing Science Centre, Brisbane*

*Racing Analytical Services Limited, Melbourne*

*Racing Chemistry Laboratory, Chemistry Centre (W.A.), Perth*

*The Hong Kong Jockey Club Racing Laboratory, Sha Tin, Hong Kong*

*New Zealand Racing Laboratory Services Limited, Avondale, Auckland, New Zealand*

*Horseracing Forensic Laboratory, Fordham, Ely, Cambridgeshire, United Kingdom*

*Australian Sports Drug Testing Laboratory, Sydney*

*ChemCentre, Western Australia*

*National Measurement Institute (NMI), Sydney ) (trace element analysis)*

*Institute of Biochemistry, German Sport University, Cologne, Germany*

*[amended 1.10.12, 11.6.14 &*

*11.9.14][30.3.15]*

**“Official Trial”** means a trial –

- (a) that is approved and advertised by the Principal Racing Authority;



- (b) that is conducted in accordance with the conditions set by the Principal Racing Authority;
- (c) that is supervised by the Stewards; and
- (d) for which official entries are taken and results are officially recorded.  
[added 1.9.09]

**“Overseas Authority”** means a body, whether statutory or otherwise, that has the control or general supervision of racing within a country, territory or province other than Australia.

**“Participant in racing”** includes:

- (a) a trainer
- (b) any person employed by a trainer in connection with the training or care of horses
- (c) a nominator
- (d) a rider
- (e) a riders agent
- (f) any person who provides a service or services connected with the keeping, training or racing of a horse.  
[added 19.10.06]

**“Penalty”** includes the suspension or partial suspension of any licence, disqualification and the imposition of a fine, and “penalise” has a corresponding meaning. [added 1.9.09]

**“Person”** includes any Syndicate, Company, combination of persons, firm, or Stud owning or racing a horse or horses.

**“Possession”** for the purposes of the Rules means:

- (a) an article or thing is in the custody of a person;
- (b) the person has and exercises access to the article or thing; or
- (c) the article or thing is found at any time on premises used in any manner in relation to the training or racing of horses and the person occupies or has the care, control or management of those premises or owns, trains or is in charge of horses at those premises,

provided that sub-paragraph (c) does not apply if the person proves that he did not know of the existence or the identity of the article or thing. [added 1.8.16]

**“Premises”** includes land, buildings or any fixed or moveable structure, including any vehicle. [added 20.11.02]

The expression **“Principal Racing Authority”** means:-

- (a) a body, statutory or otherwise, that has the control and general supervision of racing within a State or Territory (provided any Member thereof is not a direct Government appointee), and means in the State of New South Wales, the NSW Thoroughbred Racing Board; in the State of Victoria, Racing Victoria Limited; in the State of Queensland, Racing Queensland Limited; in the State of South Australia, Thoroughbred Racing S.A. Limited; in the

State of Western Australia, Racing and Wagering Western Australia; in the State of Tasmania, the Tasmanian Thoroughbred Racing Council; in the Northern Territory, Thoroughbred Racing NT; and in the Australian Capital Territory, the Committee of the Canberra Racing Club Incorporated; and, *[amended 24.10.03, 8.5.06 & 1.7.06]*

- (b) a body recognised as a Principal Racing Authority by the Australian Racing Board pursuant to the Board's Constitution under the *Corporations Act*. *[amended 8.5.06]*

- (c) Provided that all references in these Rules to a Principal Racing Authority shall, in the case of a body that on and before 30<sup>th</sup> April, 2003 was a Principal Club under the Australian Rules of Racing and which continues to be referred to as a Principal Club under an Act of Parliament or a company constitution, continue to have effect as a reference to a Principal Club. *[definition replaced 30.4.03]*

**“Prize”** includes any moneys, cups, trophies or any material gain or benefit capable of being valued in money (but not including the value of any stallion services) from whatever source awarded to the nominator or trainer or jockey of a horse or to any other person in accordance with the conditions of a race as a result of the horse winning or being placed second, third, fourth, fifth, sixth, seventh, eighth, ninth or tenth in such race. *[amended 1.7.00 & 1.7.05]*

**“Prohibited Substance”** means a substance declared by these Rules to be a prohibited substance, or which falls within any of the groups of substances declared by these Rules to be prohibited substances unless it is specifically excepted.

**“Promoter”** means any person or Corporation who for valuable consideration offers or invites any other person or Corporation to subscribe for shares or participate in any manner in any scheme, the objects of which include the breeding and/or racing of a thoroughbred horse or horses. *[added 20.11.02]*

**“Punishment”** *[Definition deleted 1.9.09]*

**“Race”** includes each division of a divided race.

**“Racing Calendar”** means the publication published under that name or any similar name by or under the authority of a Principal Racing Authority.

**“Registered Club”** means a Club registered by a Principal Racing Authority in accordance with the Rules.

**“Registered Manager”** means a person who is appointed to be the Registered Manager for a Company by instrument under the common seal of the Company and who has been approved by the Principal Racing Authority by which the Company has been registered as a Syndicate.

**“Registered Meeting”** or **“Registered Race Meeting”** includes any race meeting held under the Management of a Principal Racing Authority or of any registered Club.

**“Registrar of Racehorses”** and the **“Registrar”** means RISA or any agent appointed by it.  
*[replaced 11.3.04]*

**“Restricted Race Conditions”** means those conditions for Restricted Races as prescribed by AR 1A.

**“Rider”** means a jockey, apprentice jockey, amateur rider, approved rider, or any other person who rides a horse in a race, official trial or jump-out during trackwork. *[added 1.5.02]*

**“Riders Agent”** means a person licensed by a Principal Racing Authority who by contract or any other arrangement or agreement assists a jockey or the master of an apprentice jockey in the organisation and/or the obtaining of riding engagements.

**“RISA”** means Racing Information Services Australia Proprietary Limited.

**“Sample”** means a specimen of saliva, urine, perspiration, breath, blood, tissue, hide, hair, or any other excretion product or body fluid taken from a horse or person.  
*[added 1.5.02]*

**“screening limit”** means the concentration of a therapeutic substance or its specified metabolite present in a sample during a screening test or analysis as specified in AR.178EA(2), above which the therapeutic substance will be notified as a prohibited substance.  
*[added 1.10.12]*

**“Sexual harassment”** means

- (a) subjecting a person to an unsolicited act of physical intimacy; or
- (b) making an unsolicited demand or request (whether directly or by implication) for sexual favours from a person; or
- (c) making a remark with sexual connotations relating to a person; or
- (d) engaging in any other unwelcome conduct of a sexual nature in relation to a person; and the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so—
- (e) with the intention of offending, humiliating or intimidating the other person; or
- (f) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Conduct described in paragraphs (b), (c) and (d) includes, without limitation, conduct involving the internet, mobile phone or any other electronic mode of communication.  
*[added 1.12.10]*

**“Stable Return”** means a notification submitted by a trainer, containing such information required by the Rules in respect of each horse under his care, control and superintendence; and thereafter from time to time supplemented by amending notifications in the event of any alterations to the information previously submitted.  
*[added 1.7.05]*

**“Stewards”** means the persons appointed as such in accordance with the Local Rules of a Principal Racing Authority and includes Deputy Stewards duly appointed.

**“Stud”** means a person, Firm or Company engaged in the breeding of horses for racing and which during the period of 12 calendar months immediately preceding any relevant point of time has returned to and had accepted five or more mares by the Australian Stud Book and/or the Australian Register of Non Stud Book Mares.

**“Suspension”** means the temporary withdrawal in whole or in part of any licence, permit, permission, right or privilege granted under the Rules. *[replaced 1.11.99]*

**“Syndicate”** means a Syndicate as defined by AR 69A and registered pursuant to these Rules.

**“therapeutic substance”** means a prohibited substance to which a screening limit applies, and which is promulgated as such from time to time by the Australian Racing Board and published in the Racing Calendar. *[added 1.10.12]*

**“These Rules”** mean the Australian Rules of Racing and **“The Rules”** mean these Rules together with the Local Rules of the Principal Racing Authority concerned.

**“Thoroughbred Identification Card”** means the card which bears that name and which has been issued by the Registrar of Racehorses or a recognised overseas turf authority in relation to the identity of the racehorse described thereon. *[added 1.7.05]*

**“Trackwork”** means any training activity, excluding an official trial or jump-out, undertaken by a racehorse in the care of a trainer on a racecourse, recognised training track, private training establishment or elsewhere. *[added 1.9.09]*

**“Trainer”** means a person licensed or granted a permit by a Principal Racing Authority to train horses, and includes any persons licensed to train as a training partnership. *[added 1.8.08]*

**“Trustees”** means the natural persons being members of a Syndicate who have been nominated to represent it as such trustees.

**“Unnamed Horse”** means an Eligible Horse that has not been registered to race pursuant to AR.15. *[added 1.8.16]*

**“Warned off.” “Warning off.”** A person warned off a racecourse is one who is not permitted to enter a racecourse under the control of the Club or body warning him off.

**“Workplace harassment”** means behaviour of one person towards another person with whom he has a workplace connection which:

- (a) is unwelcome to and unsolicited by the person who is the subject of the behaviour;

- (b) the person subject to the behaviour considers to be offensive, intimidating, humiliating or threatening; and
- (c) a reasonable person would consider to be offensive, humiliating, intimidating or threatening

However, reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment is not workplace harassment.

*[added 1.12.10]*

**Marginal notes and headings**, where they appear, are for reference purposes only and shall not be regarded as being part of the Rules.

**Words importing the singular** include the plural and the plural the singular, unless the context requires otherwise; and words importing the masculine gender shall be deemed and taken to include females unless the contrary is expressly provided; and words importing the feminine shall be deemed and taken to include the masculine unless the contrary is expressly provided.

**Expression of distances and weights:** As from 1st August 1972, distances of races and weights shall be expressed in metres and kilograms as directed by Principal Racing Authorities in their respective territories.

*[added 1.8.98]*

## **RESTRICTED RACES**

**AR 1A.** A **Maiden Race** is one restricted to horses which at the time of starting have never won on the flat a race at a registered meeting or any advertised race in any country.

A **Trophy Race** is a race in which the prizemoney and/or value of any trophy to the winner does not exceed \$3,500.

*[added 1.10.00] [amended 20.11.02 & 9.5.07]*

A **Class A Race\*** is one restricted to horses which, at the time of starting, have not generated prizes in the aggregate worth more than \$6,000 for wins in races on the flat and have never won a race on the flat outside Australia.

*[amended 9.5.07]*

A **Class B Race\*** is one restricted to horses which, at the time of starting, have not generated prizes in the aggregate worth more than \$10,000 for wins in races on the flat and have never won a race on the flat outside Australia.

- \* The value of the prize to the winner shall not exceed:
  - in a Class A Race - \$6,000
  - in a Class B Race - \$10,000.

Provided that Class A and/or Class B races shall not be programmed for TAB meetings, except in the Northern Territory, King Island and approved country areas of Western Australia, and that each Principal Racing Authority should restrict Class A and Class B races to "remote/minor" race meetings, as determined by the Principal Racing Authority.

For the purposes of determining the value of the prize to the winner and the eligibility of any horse for any Class A or Class B race, no account shall be taken of prizes won after 30<sup>th</sup> September 1991 which were not, at the time of entry for a race or series of races, available to be won by every horse eligible to be entered therein.

For the purposes of determining the eligibility of any horse for any Class 1 to Class 6 race, no account shall be taken of any wins in the former Class C or Class D races run before 1st August 2003 other than a win as a Maiden Horse. *[amended 9.5.07]*

*[Note: Former Class A-D Races replaced by Class A and Class B Races on 1st August 2003]  
[Note: Provisions for Class One to Class Six Races; and for definitions of  
"Special Condition Race" and "Restricted Race" replaced 1.9.04;  
and for the amendment of Class One to Class Six Races  
& the deletion of definitions of "Special Condition Race" & "Restricted Race on 1.1.08]*

A **CLASS ONE RACE** is one restricted to horses which, at the time of starting, have not won more than one race on the flat provided that, in determining the eligibility of any horse, no account shall be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of any Group Race, Listed Race or Restricted Listed Race shall be ineligible.

A **CLASS TWO RACE** is one restricted to horses which, at the time of starting, have not won more than two races on the flat provided that, in determining the eligibility of any horse, no account shall be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of any Group Race, Listed Race or Restricted Listed Race shall be ineligible.

A **CLASS THREE RACE** is one restricted to horses which, at the time of starting, have not won more than three races on the flat provided that, in determining the eligibility of any horse, no account shall be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of any Group Race, Listed Race or Restricted Listed Race shall be ineligible.

A **CLASS FOUR RACE** is one restricted to horses which, at the time of starting, have not won more than four races on the flat provided that, in determining the eligibility of any horse, no account shall be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of any Group Race, Listed Race or Restricted Listed Race shall be ineligible.

A **CLASS FIVE RACE** is one restricted to horses which, at the time of starting, have not won more than five races on the flat provided that, in determining the eligibility of any horse, no account shall be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of the following races shall be ineligible:

- (a) Any Group Race;
- (b) Any Listed Race or Restricted Listed Race in which horses older than 2yo could run; or
- (c) More than one Listed Race or Restricted Listed Race in which 2yos only could run.

*[amended 1.1.17]*

A **CLASS SIX RACE** is one restricted to horses which, at the time of starting, have not won more than six races on the flat provided that, in determining the eligibility of any horse, no account shall be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of the following races shall be ineligible:

- (a) Any Group Race; or
- (b) Any Listed Race or Restricted Listed Race in which horses older than 2yo could run; or
- (c) More than one Listed Race or Restricted Listed Race in which 2yos only could run.”

*[rule amended 1.1.08, 1.10.12 & 1.8.16]*

## **APPLICATION OF THESE RULES**

**AR 2.** Any person who takes part in any matter coming within these Rules thereby agrees with the Australian Racing Board and each and every Principal Racing Authority to be bound by them.

*[amended 1.8.03]*

**AR 3.** Subject to the conditions of any race when the last day for doing any act under the Rules falls on a Sunday or holiday such act may be done on the next succeeding day not being a Sunday or holiday, unless the race to which such act relates is appointed for that day.

**AR 4.** Any act done or decision made by a Committee of a Club or by Stewards in the exercise or intended exercise of any right power or authority conferred by or under any of the Rules shall except where otherwise provided in the Rules be final and conclusive.

**AR 5.** These Rules shall come into operation on the First day of August, 1965, and any other Rules of Racing repugnant to or inconsistent with these Rules shall be annulled as from that day, but such annulment shall not-

- (a) Affect the previous operation of any rule so annulled or anything duly done or suffered thereunder, or
- (b) Affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any Rule so annulled, or
- (c) Affect any penalty or disqualification incurred in respect of any offence committed against any rule so annulled, or
- (d) Affect any investigation, proceeding, or remedy in respect of any such right, privilege, obligation, liability, or penalty as aforesaid.

Any such investigation, proceeding, or remedy may be instituted, continued, or enforced, and any such penalty or disqualification may be imposed as if these Rules had not been passed.

**AR 6.** (1) These Rules apply to all races held under the management or control of a Principal Racing Authority, and shall, together with such Rules (not being repugnant to or inconsistent with these Rules) as may from time to time be made by the Principal Racing Authority in its territory, be read and construed as the rules of the Principal Racing Authority in such territory and, subject to the provisions of A.R. 35, shall apply to all races held under the management of a Principal Racing Authority or any registered Club and to all meetings registered by a Principal Racing Authority.

(2) Unless the Principal Racing Authority otherwise determines, if any race or race meeting is not held under these Rules - *[amended 1.10.06]*

- (a) any horse taking part shall ipso facto be disqualified;
- (b) any person taking part therein shall be ineligible to enter a horse for any race, or to hold or continue to hold any licence or registration under these Rules;
- (c) any person who acts in connection therewith as promoter, organiser, president, chairman, secretary, treasurer, committee member, or in any advisory or official capacity, shall be debarred from acting in any official capacity at any



race meeting, and any horse in which he has an interest shall be ineligible to race at any registered meeting.

(3) Paragraphs (b) and (c) of subrule (2) shall not apply to any race or race meeting in which thoroughbreds do not take part and which are held under the management or regulation of an organisation formally recognised by the Government of the State or Territory in which the race meeting is conducted.  
*[amended 1.10.06]*

(4) Any question not provided for by these Rules shall be determined by the Principal Racing Authority concerned.  
*[replaced 1.7.05]*

### **POWERS OF A PRINCIPAL RACING AUTHORITY**

**AR 7.** A Principal Racing Authority shall:

- (i) not have reserved to it the right to make new Rules (other than Local Rules) or to rescind or alter these Rules, and a Principal Racing Authority which does not comply with this requirement shall *ipso facto* cease to be a Principal Racing Authority;
- (ii) have the control and general supervision of racing within its territory;
- (iii) in furtherance and not in limitation of all powers conferred on it or implied by these Rules, have power, in its discretion:-
  - (a) To hear and decide appeals as provided for in its Rules or by law.
  - (b) To license jockeys, trainers and others on such terms and conditions as it shall think fit, and at any time to suspend, vary or revoke any such licence without giving any reason therefore.
  - (c) To inquire into and deal with any matter relating to racing and to refer report and/or for hearing and determination and, without prejudice to the and/or delegate any such matter to stewards or others for investigation and generality of the foregoing power, to inquire at any time into the running of any horse upon any course or courses, whether a report concerning the same has been made or decision arrived at by any Stewards or not.
  - (d) To penalise:-
    - (i) any person contravening the Rules or disobeying any proper direction of any official, or

- (ii) any licensed person or official whose conduct or negligence in the performance of his duties has led, or could have led, to a breach of the Rules.
- (e) At any time to exercise any power conferred on Stewards by the Rules.
- (f) To confirm, adopt or enforce any penalty imposed upon any person by the Committee or Stewards of any Club in the Commonwealth.
- (g) To make reciprocal arrangements with any Club for the recognition or enforcement of each other's penalties.
- (h) To confirm, adopt or enforce, in accordance with the provisions of Rule 179A, any suspension, disqualification, ban, or other similar penalty imposed by an Overseas Racing Authority upon any person.
- (i) To annul or mitigate any punishment incurred within its territory.
- (j) To publish in the "*Racing Calendar*" or in any newspaper or otherwise any penalty imposed or any decision made by itself or the Stewards or by any Club or Association or any other Racing Body within its territory.
- (k) To recognise any Association of Registered Clubs or Race Meetings, or other Racing Body approved by it, and approve of its rules, articles or constitution.
- (l) To register clubs, race meetings, owners, bookmakers, horses, jockeys and other riders, trainers and the employees of them or any of them and any other persons.
- (m) To allot dates on which race meetings may be held within its territory.
- (n) To prescribe the forms to be used under the Rules.
- (o) To delegate to the Committee of an Association or, with the consent of the Australian Racing Board, to a registered racing club, all or any of its powers under these Rules.
- (p) To appoint a Subcommittee or Subcommittees of its Members and to delegate to any Subcommittee so appointed all or any of its powers under these Rules.
- (q) To appoint such persons as the Principal Racing Authority thinks fit for the purpose of hearing and deciding appeals and applications as provided for in its Rules or by law, and for that purpose to delegate to such persons any of the Principal Racing Authority's powers under these Rules.

- (r) Notwithstanding the provisions of AR.10 and AR.10A, to appoint such person or persons as the Principal Racing Authority thinks fit to hear and adjudicate upon any matter or charge brought by the Stewards relating to a breach of such of the Rules as may be specified by the Principal Racing Authority; and to delegate to any appointee or appointees so much of its Principal Racing Authority powers as would enable them to discharge the responsibilities of their appointment.
- (s) To investigate alleged breaches of a Code of Practice published by the Australian Racing Board and to warn-off or penalise any person it finds to have committed a breach of such a Code of Practice.  
*[amended 19.3.09]*
- (t) To appoint or to approve the appointment by any Club of any official, any deputy or assistant official. For the purposes of this provision the term “official” means a person appointed to carry out official duties at a race meeting, but does not include the Club Secretary. *[added 1.9.09]*
- (u) If in the opinion of a Principal Racing Authority a thoroughbred horse selling agent or organisation has in place satisfactory arrangements (including as between a buyer and seller of a horse) for taking samples from horses at horse sales for the purpose of testing for anabolic androgenic steroids, to officially approve as a “Principal Racing Authority approved vet” (which approval can be withdrawn at the discretion of a Principal Racing Authority) a veterinary surgeon employed, engaged or authorised by a selling agent, to take a sample from a horse for that purpose. *[added 1.1.15]*
- (v) To declare either before or after a sample is taken by a PRA approved vet pursuant to AR.7(u) that the sample is to be treated as a sample for the purpose of these Rules. *[added 1.1.15]*

**AR 7A.** Without limiting in any way the powers of the Principal Racing Authority under these Rules, the Principal Racing Authority may in its absolute discretion in respect of any person who has been warned-off or who is or has been subject to any suspension or disqualification or embargo imposed by a committee or stewards of any racing or harness racing or greyhound racing club, racing authority or racing appeals tribunal in Australia or in any other country –

- (a) refuse to grant any licence or permit to, or to register, any such person under these Rules, or
- (b) warn-off, suspend or disqualify or place a like embargo on any such person under these Rules. *[added 1.8.99] [amended 30.4.03]*

## STEWARDS

**AR 8.** To assist in the control of racing, Stewards shall be appointed according to the Rules of the respective Principal Racing Authorities, with the following powers:-

- (a) To make, alter, or vary all or any of the arrangements for the conduct of any race meeting under their control.
- (b) To require and obtain production and take possession of any mobile phones, computers, electronic devices, books, documents and records, including any telephone or financial records relating to any meeting or inquiry. *[amended 20.11.02 & 1.3.05]*
- (c) To enter upon and control all lands, booths, buildings, stands, enclosures, and other places used for the purposes of the meeting, and to expel or exclude any person from the same.
- (d) To regulate and control, inquire into and adjudicate upon the conduct of all officials and licensed persons, persons attendant on or connected with a horse and all other persons attending a racecourse. *[amended 20.11.02]*
- (e) To penalise any person committing a breach of the Rules.
- (f) To determine all questions arising or objections made in reference to racing at the meeting.
- (g) To order the examination of any horse for the purpose of ascertaining its age or identity, or for any other purpose connected with the Rules.
- (h) To disqualify any horse entered for any race at a meeting which is removed from the course contrary to the orders of the Committee of the Club or the Stewards, or which is not produced at their request. *[amended 20.11.02]*
- (i) To require any nominator to satisfy them that he and any horse nominated by him is subject to no disability under the Rules.
- (j) To take or cause to be taken any sample from any horse and to make or cause to be made any test to determine whether any prohibited substance is present in the system of the horse. *[replaced 20.11.02]*
- (jj) To take any sample or to cause such sample to be taken from any rider either prior to or after riding in any race, official trial, jump-out or trackwork, and/or to appoint officials or other persons to take such sample. Further, to make or to cause to be made any test to determine whether any substance banned by AR 81B is present in such sample. *[replaced 1.5.02] [amended 20.11.02, 14.6.07 & 1.10.08] [amended 1.9.09]*

- (jjj) To take or cause to be taken any sample from any horse handler either prior to or after handling any horse at any race meeting, official trial, jump out or in training, provided that this power may only be exercised where a Steward reasonably suspects that a horse handler is affected by a substance banned by AR.81BB. Reasonably suspects means suspects on grounds which are reasonable in the circumstances.  
*[added 1.7.14]*
- (jjjj) to make or cause to be made any test to determine whether any substance banned by AR.81BB is present in a sample taken pursuant to (jjj) above. *[added 1.7.14]*
- (k)
  - (i) To take possession on the course or elsewhere of any horse, whether dead or alive, and to detain and/or remove such horse in order to have conducted whatever tests and/or examinations as they consider necessary. *[amended 1.12.05]*
  - (ii) On any course (whether a race meeting is being conducted thereon or not) to search any licensed person or any gear or equipment used by or about to be used by him and to take possession of any article or thing found as a result of such search which the Steward or Stewards making such search believe could afford evidence of a breach of or an offence under these Rules.
- (l) To order down any rider without assigning any reason and if they think fit to substitute another rider.
- (ll) To adjudicate on the claim by any rider that a nominator or trainer of a horse had refused to honour a riding engagement, and to make an order regarding the engagement and/or any compensation considered appropriate. *[added 1.2.01]*
- (m) To prohibit any horse from starting in any race.
- (n) To order the removal from any horse of any shoes, racing plates, equipment or gear which has not been approved or is in their opinion unsuitable, unsafe or ineffective.  
*[amended 20.11.02]*
- (o) To order any rider to alter the length of his stirrups. *[amended 20.11.02]*
- (p) In exceptional cases to extend the time allowed for weighing-out, declaring weight, for starting or for any other thing required by the Rules, or conditions of a race.
- (q) If the conditions are in their opinion unsafe for racing, or in case of urgent necessity, or with the permission of the Committee of the Club for any other reason,
  - (i) to postpone any race or races whether before or after the commencement of the meeting to a later time on that day, or to such other day as the Committee of the Club may decide subject to the approval of the body responsible for allotting race dates in the area; and/or

- (ii) to alter the distance of any race. *[amended 20.11.02 & 30.6.03]*
- (r) To remove at any time during the hours of racing in their discretion the Judge, Starter, Clerk of Scales, Clerk of Course, Timekeeper, or other official and appoint a substitute for any such official.
- (s) To appoint any official or any deputy or assistant necessary for the conduct of a meeting if the Committee of the Club have failed or omitted to do so. *[amended 20.11.02]*
- (t) To refuse or reject the nomination of any horse at any time for any period and/or until such horse has participated to their satisfaction in an official trial or a jump-out or passed any required veterinary examination. *[added 30.6.03][amended 1.9.09]*
- (u) To order the withdrawal of a horse from any race at any time before the start if in their opinion it is unfit to run or unable to start without unreasonable delay.
- (v) To inquire at any time into the running of any horse in a race upon any course or courses within the jurisdiction of the same Principal Racing Authority whether or not a report concerning the same has been made or a decision arrived at by the Stewards. *[replaced 20.11.02]*
- (w) To report within fourteen days of the holding of any race meeting to the Principal Racing Authority the running of any horse at such meeting which in their judgment is inconsistent with any previous or subsequent performance or performances of such horse.
- (x) To publish in any newspaper or elsewhere any penalty imposed or any decision made by them in the exercise of their powers under these Rules.
- (y) To exercise any other powers and duties laid down for them by the Principal Racing Authority concerned.
- (z) Notwithstanding anything contained within these Rules, and not in limitation of any power conferred by these Rules, where a person has been charged with a breach of these Rules (or a local rule of a Principal Racing Authority) or a person has been charged with the commission of an indictable criminal offence, the **Stewards pursuant to the authority delegated by the Principal Racing Authority**, if of the opinion that the continued participation of that person in racing might pose an unacceptable risk to, prejudice or undermine the image, interests or integrity of racing, may:
  - (a) suspend any licence, registration, right, or privilege granted under these Rules to that person;
  - (b) prevent any horse owned (or part-owned) or leased by that person from participating in any race or official trial;

(c) order that any registration of the transfer of ownership and/or training of a horse related to that person not be effected;

(d) make any other direction or order related to the person which is in the interests of racing,

pending the hearing and determination of the charge under these Rules, the relevant local rule or the relevant criminal charge. *[deleted 20.11.02] [added 1.10.13]*

**AR 8A.** The powers given the Stewards under AR 8 (j), (l), (n), (o) and (u) may be exercised by the Chairman of Stewards, or the Steward acting as such, at any meeting, save and except that the power to penalise under AR 8 (e) may be exercised only by the Stewards.

*[amended 20.11.02][amended 1.9.09]*

**AR 8B.** The Stewards shall have the power at any time to enter upon the premises occupied by or under the control of a licensed person and used in any manner in relation to any licence (hereinafter referred to as the premises) to:

(i) Inspect, observe and search the premises and also search any licensed person thereon. *[amended 1.10.07]*

(ii) Examine any horse, take possession thereof and cause such horse to be-

(a) removed from the premises and detained ; or

(b) confined to, or otherwise detained at, or within, the premises –

for such period and on such terms and for such purposes as they consider necessary. *[replaced 20.11.02]*

(iii) Examine the premises and any article or thing situated thereon and take possession of any article or thing found as the result of such search and remove from the premises any article or thing of which possession has been taken and retain the same for such period as Stewards consider necessary under these rules.

Provided that the onus of proof that the premises are not being used in any manner relating to any licence shall be upon the licensed person who has the occupation or control of the premises and the use thereof.

**AR 8C.** Stewards entering on the premises under the provisions of Rule 8B shall have the right to take thereto such persons, articles and things as they consider necessary to exercise the powers laid down by that Rule and to carry out their duties as stewards.

**AR 8D.** Any licensed person who, whilst the stewards are exercising the powers vested in them by Rule 8B or carrying out their duties, refuses to obey any reasonable direction of stewards or obstructs, hinders or delays stewards in exercising such powers or carrying out their duties, or incites any other person or persons to obstruct, hinder or delay stewards from exercising such

powers, or carrying out their duties, or does not act to prevent any other person or persons on the premises from so doing, may be penalised.

**AR 8E** (1) The Principal Racing Authority may from time to time appoint one or more persons to undertake investigations at the direction of the Principal Racing Authority and such investigators shall have and may exercise all the powers, duties and authorities conferred on Stewards by AR8(b),(c), (jj), (k)(ii), AR8B and AR8C.

(2) Any licensed person, owner or any other person engaged in or associated with racing who, whilst the investigators are exercising such powers, duties and authorities, refuses to obey any reasonable direction of investigators or obstructs, hinders or delays investigators in exercising such powers or carrying out their duties, or incites any other person or person to obstruct, hinder or delay investigators from exercising such powers or carrying out their duties, may be penalised.

*[Rule added 1.2.14]*

**AR 9.** A majority of the Stewards present at any meeting of the Stewards shall have all the powers hereby given to the Stewards, and a Deputy Steward shall be considered to be a Steward. If voting is equal the Chairman shall have a casting vote.

**AR 10.** The Stewards may at any time inquire into, adjudicate upon and deal with any matter in connection with any race meeting or any matter or incident related to racing.

**AR 10A.** (1) The Stewards may inquire into, and adjudicate upon, any incident or occurrence arising at any official trial or training facility.

*[amended 1.9.09]*

(2) Without limiting the provisions of subrule (1) of this rule, the Stewards may -

- (a) inquire into and adjudicate on any misconduct occurring at any official trial, jump-out, trackwork, or associated activity;
- (b) inquire into and adjudicate upon any suspected breach of the Rules or of any regulations, by-laws or conditions established by a race club or other responsible body for the conduct of official trials, jump-outs or the use of any training facility;
- (c) take any action deemed necessary in respect of any horse involved in any inquiry conducted under this rule.

*[amended 1.9.09]*

*[amended 1.9.09]*

*[added 1.2.01][amended 1.9.09]*

## **REGISTRATION OF CLUBS AND MEETINGS**

**AR 11.** There shall be kept at the office of each Principal Racing Authority a register of every Club in its territory applying to hold race meetings under the Rules. Every such application shall be made in writing by the Secretary or other official on behalf of such Club to the Secretary of the Principal Racing Authority and shall be accompanied by a copy of its constitution and rules.



**AR 12.** There shall also be kept a register of all race meetings approved to be held under these Rules other than those held by registered Clubs. Every application for such registration accompanied by the proposed programme shall be made in writing to the Secretary of the Principal Racing Authority by some person authorised by the organisers of the meeting before the programme is published.

**AR 13.** The Principal Racing Authority may in its discretion accept or refuse registration of any such Club or meeting, or having granted it may at any time revoke it.

## **REGISTRATION OF HORSES**

**AR 14.** No horse if in Australia shall be entered for and no horse shall run in any race or official trial unless it has been registered with the Registrar of Racehorses, provided that the Principal Racing Authority or Stewards, after conferring with the Registrar, may allow a horse registered abroad to start upon such conditions as they see fit; further provided that an unregistered foal or yearling may be entered for a race if the conditions so provide.

**AR 14A.** The Certificate of Registration of any horse registered in a country other than Australia may be endorsed to race in Australia for a twelve months period by the Registrar or Deputy Registrar, upon payment of the prescribed fee and provided a declaration is received by the Registrar or Deputy Registrar from the Principal Racing Authority of that country stating that none of the owners is a jockey and that none is under any disability under the Rules of Racing of that country.  
*[amended 11.3.04]*

**AR 14B.**

(a) This Rule applies to all Eligible Horses.

(b) An Eligible Horse cannot be registered under these Rules unless, within 30 days of the Mare Return lodgement, the Foal Ownership Declaration has been lodged by the Manager, or his or her Authorised Agent, with the Registrar.

(c) Save that in its sole and absolute discretion the Registrar may extend the time specified in subrule (b) to no greater than 90 days including but not limited to a case where a legally qualified veterinary surgeon certifies in writing that such extension is in the best interests of the health of the Eligible Horse.

(d) Between the time specified in subrule (b) (or any extension of same) and the time an Eligible Horse is first registered under these Rules, all transfers of ownership of such Eligible Horse must be submitted by the transferee, within four weeks of each such transfer taking place, by lodging the prescribed form and paying the prescribed fee.

(e) Any transfer of ownership application by a syndicate under subrule (d) shall be sufficient if signed by a majority of the members or by the registered manager thereof.

(f) It is a condition precedent to any application or lodgement under this rule that the Manager, or his or her Authorised Agent, lodging the Foal Ownership Declaration or making application undertakes to be bound by the Rules and, upon action being taken in compliance with this rule (including a syndicate as applicable), the Eligible Horse and its owners thereby become subject to, and agree to be bound by, the Rules for the following purposes only (as a consequence of, and relating to, the lodgement of the Foal Ownership Declaration):

- (i) The testing of a Named Horse which has not been retired from racing pursuant to AR.64JA for the presence of substances that are prohibited at any time by the Rules;
- (ii) The testing of an Unnamed Horse for the presence of anabolic androgenic steroids;
- (iii) The observation of other horses for health and welfare reasons only where there is a concern for their health and welfare based on reasonable grounds; and
- (iv) The Rules that relate to traceability (AR.54A, AR.64J, AR.64JA and any relevant Local Rules).

*[amended 1.10.16]*

(g) Nothing in this Rule 14B affects, or releases a person from, any requirement to be bound by the Rules that arises other than by the lodgement of the Foal Ownership Declaration Form, including but not limited to any requirement to be bound by the Rules that arises as a result of the lodgement of any other form, the making of any other declaration or the operation of any of the Rules.

*[Rule added 1.8.16 & amended 1.10.16]*

**AR 15.** (1) Every application to register any horse to race, which has complied with AR.14B, shall contain or be accompanied by the following particulars, viz.:

(a) in respect of the horse's ownership –

- (i) name and signature of each owner, his date of birth and usual address;  
or
- (ii) if the horse is owned by a Company, the name of the Company and its registered address; or
- (iii) in the case of a horse owned by a syndicate, the name of the syndicate and the names of the trustees or registered manager thereof and the usual address of each of them; and

(b) in respect of a horse, its –

- (i) age;
- (ii) sex;
- (iii) colour;
- (iv) pedigree;
- (v) brands and markings;
- (vi) microchip number if applicable;
- (vii) Veterinary Identification Certificate or Foal Identification Card;
- (viii) any disqualification incurred;

- (ix) such other information as the Registrar or Deputy Registrar may consider necessary.

Provided that any of these particulars shall, if required by the Registrar, be verified by statutory declaration.

(2) The Registrar may allow or reject any application for registration of any horse. The fees payable for registration of a horse shall be such as are determined from time to time by the Board of RISA. *[amended 1.11.11 & 1.8.16]*

**AR 15A.** A horse born on or after the 1st August, 1980, cannot be registered unless it has been-

- (i) Accepted for inclusion as a foal in the Australian Stud Book or the Stud Book of a recognised turf authority, or
- (ii) Accepted for inclusion in the Australian Non-Stud Book Register or Non-Stud Book Register of a recognised turf authority.

**AR 15B.** Non-Stud Book mares born prior to 1st August, 1986 are ineligible for registration.

**AR 15C.** A horse cannot be registered unless its chromosomes are derived, unmodified by human manipulation, from the normal complement of chromosomes, usually 32 pairs, in the zygote (the fertilised egg cell which becomes the embryo), each pair having received one chromosome from the sire's sperm and one chromosome from the dam's ovum. *[added 1.8.03]*

**AR 15D.**

- (1) This rule applies to all horses which are eligible to be registered under these Rules but have not yet been registered under these Rules. *[sub-rule replaced 1.1.15]*
- (2) The Stewards or other official appointed by the Principal Racing Authority may, at any time, direct that a horse be produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.
- (3) Where a horse is not produced to provide a sample as directed pursuant to AR 15D(2), that horse is ineligible to start in any race or official trial:
  - (a) until at least 12 months after the latter of:
    - (i) the date on which the horse, having been registered under these Rules, is allowed to start in a race under AR 45A (subject to any further conditions imposed by the Stewards in their discretion); and
    - (ii) the date on which the horse is in fact produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in

respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.

- (4) Where a sample taken at any time from a horse has detected in it an anabolic androgenic steroid (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in AR.178C(1)), that horse is ineligible to start in any race or official trial:

(a) until at least 12 months after the latter of:

- (i) the date on which the horse, having been registered under these Rules, is allowed to start in a race under AR.45A (subject to any further conditions imposed by the Stewards in their discretion); and

(ii) the date the relevant sample was taken; and

(b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.

- (5) Any person must, when directed by the Stewards or other official appointed by the Principal Racing Authority, produce, or otherwise give full access to, the horse so that the Stewards or other official appointed by the Principal Racing Authority may take or cause a sample to be taken and analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.

- (6) For the avoidance of doubt and without limitation, sub-rule (5) requires an owner, lessee, nominator and/or trainer to produce the horse, or otherwise give full access to the horse, even if the horse is:

- (a) under the care or control of another person; and/or  
(b) located at the property of another person.

- (7) Any person who fails to produce, or give full access to, a horse to provide a sample as required by sub-rule (5) may be penalised.

*[Rule added 1.11.13]*

**AR 16.** Unless otherwise permitted by the Registrar of Racehorses, no horse shall be registered unless –

(a) it is branded with an identifying brand and, subject to any State legislation, with a brand that consists of a distinguishing foaling numeral over the last figure of the foaling year determined by the provisions of AR.46; and

(b) it has been implanted with a microchip in accordance with the requirements of the Registrar of Racehorses.

*[replaced 1.7.05]*

**AR 17.** If any incorrect information be furnished on the application for registration of a racehorse, the stewards may penalise the applicant and may suspend the horse from racing pending a decision by the Registrar of Racehorses as to whether or not the registration of the horse should be cancelled.

**AR 18.** (a) The Registrar may refuse to register any name which for any reason he may deem undesirable.

(b) The Registrar may cancel any horse's registered name for whatever reason he deems necessary.

(c) Without limiting paragraphs (a) and (b) above, the Registrar may refuse to register any name, or cancel any horse's registered name, if any owner of the horse breaches AR.18A in any way. *[amended 1.10.12]*

**AR 18A.** (1) As a condition of the registration of a horse, and in consideration for registration of the horse, each owner (including future owners) of the horse:

(a) acknowledges that the Registrar, the Principal Racing Authorities and race clubs use the names, images, jockey silks and other indicia of horses for the purpose of administering, promoting and reporting on thoroughbred horse racing;

(b) agrees that the Registrar owns all right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks and any other indicia associated with the horse, whether existing before or after the horse is registered;

(c) assigns to the Registrar – to the extent that the owner owns, by force of law, any right, title or interest (including but not limited to copyright) in the name, image, jockey silks and any other indicia associated with the horse, whether existing before or after the horse is registered – any and all such intellectual property rights;

(d) undertakes not to apply, or to authorise any other person to apply, to register the name, image, jockey silks or any other indicia associated with the horse as a trade mark; and

(e) undertakes not to assert or bring, or to authorise any other person to assert or bring, any claim of ownership of any intellectual property rights in the name, image, jockey silks or other indicia associated with the horse.

(2) In consideration for the assignment and undertakings in AR.18A(1), RISA grants to the owner(s) a non-exclusive, royalty-free and non-transferable licence to:

(a) use the name, image, jockey silks and other indicia associated with the horse the subject of this form where RISA owns the intellectual property in such indicia for any purpose related to racing, training, promoting and otherwise dealing with the horse, including merchandising; and

(b) sub-license the same to any other person.

*[rule added 1.10.12]*

**AR 19.** (1) Except with the approval of the Registrar, no horse shall be registered with the same name as any other horse previously registered in Australia until 17 years after the year of birth of the horse with the same name.

(2) No horse shall be registered by the Registrar until 20 years after the year of birth of the youngest produce of the horse with the same name.

(3) At the discretion of the Registrar a horse imported from outside Australia may be registered under its existing name with the addition of a numeral or letters indicating the name of the country in which it was bred and such numeral or letters shall form part of its name.

**AR 20.** An owner may apply in writing to the Registrar for permission to change the name of a registered horse and, if permission be granted, the horse shall not be run under the new name until the Document of Description or Thoroughbred Identification Card in the new name has been issued. Each such application shall be accompanied by a fee as determined from time to time by Board of RISA, and shall be paid to the Registrar. Provided that no fee need be paid on an alteration made by direction of the Registrar.

*[amended 1.11.11]*

**AR 21.** In any case of change of name, the old name as well as the new name must be given in every entry until the horse has run in six races in the territory of one Principal Racing Authority or two races within its Metropolitan Area or Suburban Radius.

**AR 22.** If a registered horse be transferred to a new owner, the transferee shall apply for registration of the transfer to the Registrar or a Deputy Registrar on the prescribed form. Any such application by a syndicate shall be sufficient if signed by a majority of the trustees or by the registered manager thereof.

The Registrar or Deputy Registrar or the Stewards may, whether or not the transfer has been effected, inquire into the bona fides of the transaction or proposed transaction and the identity of the persons or horses concerned, and whether they or any of them are under any disability under the Rules. If the Registrar, Deputy Registrar or the Stewards is or are not satisfied as to the bona fides of the transaction or the identity of the persons or horses concerned, or determine that they or any of them are subject to a disability under the Rules, the Registrar, Deputy Registrar or the Stewards may reject the application for transfer or, if it is already effected, set aside that transfer. Until such transfer is registered the horse shall not be permitted to start in any race without the leave of the Principal Racing Authority or the Stewards who may impose such conditions as they see fit.

*[amended 1.6.08]*

**AR 23.** Any Principal Racing Authority may make rules with reference to the registration or naming of hacks and/or ponies in its own territory or exempting them from registration.

**AR 24.** The Registrar or a Deputy Registrar may approve or reject any application for the transfer of ownership of a horse. If he allows such an application he shall forthwith, on payment of the prescribed fee, amend the official ownership records: provided that any action under this Rule by a Deputy Registrar shall be subject to the approval of the Registrar, and any amendment made may be withdrawn or cancelled if such approval be not given. The fees payable for the transfer of ownership shall be such as are determined from time to time by the Board of RISA. *[amended 1.11.11]*

**AR 25.** Any Deputy Registrar who registers a horse or a transfer shall notify the same to the Registrar within fourteen days.

**AR 26.** No horse foaled in a country other than Australia shall be registered unless there shall have been produced -

- (a) a certificate of pedigree stating where it was foaled, the name (if any), age, sex, colour, pedigree, microchip number (if any) of the horse and any brands and markings by which it may be distinguished, certified by the official Stud Book Authority of the country in which the horse was foaled, and such other evidence as may be prescribed by the Registrar; and
- (b) a certificate of identification stating the age, sex, colour, microchip number (if any) and any brands and markings by which the horse may be identified, certified by a veterinary surgeon approved for this purpose by the Stewards. *[replaced 1.7.05]*

**AR 27.** A duplicate Document of Description or Thoroughbred Identification Card may, on payment of the fee prescribed by the Board of RISA, be issued by the Registrar if he is satisfied on the evidence received that such Document of Description or Thoroughbred Identification Card was lost, destroyed or for some other reason cannot be produced. *[amended 1.11.11]*

**AR 28.**

1. This rule applies to:

- (a) any person bound by these Rules (person); and
- (b) any Named Horse or Unnamed Horse (for the purpose of this rule, “relevant horse”).

2. Any person who is in any way party to or involved in the sale of a relevant horse, must not, directly or indirectly:

- (a) seek or solicit from any person for himself or herself or for any other person any benefit;

(b) receive for himself or herself or for any other person or entity any benefit,

unless the person has first:

(i) fully disclosed, in writing, to the registered owner(s) of the relevant horse that the person:

A. will be seeking or soliciting for himself or herself or for any other person a benefit;

B. will receive for himself or herself or for any other person a benefit; and

(ii) obtained the written consent of more than 75% of the registered ownership to seek or solicit, and/or to receive, the benefit.

3. Any person who is in any way party to or involved in the purchase of a relevant horse, must not, directly or indirectly:

(a) seek or solicit from any person for himself or herself or for any other person any benefit;

(b) receive for himself or herself or for any other person or entity any benefit;

(c) offer to provide, or provide, to any vendor of the relevant horse, or to any other person (including a person acting, or purporting to act, on behalf of the vendor), any benefit in connection with the sale of the horse;

unless the person has first:

(i) fully disclosed, in writing, to the prospective purchaser(s) of the relevant horse that the person will:

A. be seeking or soliciting for himself or herself or for any other person a benefit;

B. receive for himself or herself or for any other person a benefit;

C. be offering to provide to any vendor of the relevant horse, or to any other person (including a person acting, or purporting to act, on behalf of the vendor), a benefit in connection with the sale of the horse; and

(ii) obtained the written consent of more than 75% of the prospective purchasers to seek or solicit, to receive and/or to provide, the benefit.



4. Where, in the course of one transaction, a person acts, or purports to act, on behalf of both:
- (a) a registered owner (or owners) of a relevant horse in connection with the sale of a relevant horse; and
  - (b) a purchaser (or purchasers) of a relevant horse in connection with the purchase of the same relevant horse,
- that person must comply with the provisions of both sub-rules (2) and (3).
5. For the purpose of the consent required by AR.28(2)(ii) and AR.28(3)(ii), consent shall be deemed to have been given by a person where that person fails to provide reasonable notice of dissent in writing within 72 hours of receiving the written disclosure pursuant to AR.28(2)(a)(i) or AR.28(3)(i).
6. For the purpose of this rule:
- (a) “benefit” includes any valuable consideration, rebate, commission, gratuity, profit, fee, benefit or payment of any kind, whether direct or indirect, and to be provided at any time;
  - (b) a reference to the sale and/or purchase of a relevant horse includes the sale or purchase of a share or beneficial interest in that horse.
7. The purchase price of a relevant horse must be disclosed on the relevant Transfer of Ownership form lodged with the relevant Principal Racing Authority, with such disclosure being made on the Transfer of Ownership form prior to any of the outgoing or incoming owners signing that form.
8. The Principal Racing Authority (or in the case of Tasracing, the delegated Stewards) may, at any time, require any person who is party to or involved, directly or indirectly, in the sale or purchase of a relevant horse to provide full details as they may require of such sale including, without limitation, the purchase price and any benefits.
9. Any person who refuses or fails to comply with any requirement of this rule may be penalised.

[Rule added

1.1.17]

## **ASSUMED NAMES**

*AR 28 - AR 31 rescinded from 1.8.86.*

Note: Existing assumed names unaffected by rescission

## LEASES

**AR 32.** The lessee of any horse leased for racing shall, before entering such horse for any race at a registered meeting lodge for registration with the Secretary of a Principal Racing Authority the lease or other documents under which he claims to be entitled to the possession or control of such horse, or a true copy thereof, and, if a copy only is lodged, he shall if so required produce the original to the office of the said Principal Racing Authority. A lease document shall be sealed on behalf of a Company and in the case of a syndicate signed by its trustees.

**AR 33.** If a lease be determined before the due date notice thereof shall be given in writing to the Secretary of the Principal Racing Authority with whom the lease or a copy was lodged before the horse is thereafter nominated for any race.

**AR 34.** The Principal Racing Authority may refuse to accept for registration any lease, and may insist on the inclusion in a lease of provisions it considers essential, and may prohibit the inclusion of provisions considered undesirable, and may prescribe a general form of lease which may be adopted with or without modification.

## RACE MEETINGS

**AR 35.** The Principal Racing Authority may in its absolute discretion exempt such meetings or races as they think fit from the provisions of all or any of the Rules on such conditions as they think fit.

**AR 36.** (1) Before being advertised or otherwise published, the conditions of and the name of every race and the full programme of every meeting shall be lodged with the Secretary of the Principal Racing Authority for approval at such time or times as may be prescribed by the Principal Racing Authority or by Local Rule. The Principal Racing Authority may in its absolute discretion and without assigning any reason therefor refuse approval of any race or the name of any race or the conditions of any race.

(2) Notwithstanding the provisions of subrule (1), no name of any race shall, without the written permission of the Australian Racing Board, contain any one or more of the following words: (a) Derby; (b) Oaks; (c) Slipper; (d) Doncaster; (e) Rose. Provided that the names of races containing one or more of these proscribed words that are in existence on the day before the date of the operation of this subrule, shall be deemed to have the approval of the Australian Racing Board.

*[subrule added 1.3.06]*

**AR 36A.** Except where the Principal Racing Authority otherwise determines, a race meeting conducted by a Club on a racecourse other than that on which the Club usually conducts its race

meetings, shall be deemed to be a race meeting of the same status as the race meeting would have had but for the transfer of venue. *[added 1.8.98] [amended 30.4.03]*

**AR 36B.** No alteration shall be made after the declaration of acceptances to the weight allotted to any horse as a consequence of -

- (a) any alteration to race distance approved by the Stewards; or
- (b) any race postponement for which the original fields are unaltered. *[added 1.11.99]*

**AR 37.** The value of prizes not in money must be advertised.

**AR 38.** The Committee of any Club may with the approval of the Principal Racing Authority cancel or abandon any race or meeting, or may postpone the same to a day approved by the Principal Racing Authority, or other body authorised by it to allot race dates, either before or after the commencement of the meeting. In the event of cancellation or abandonment all entry and acceptance fees not already forfeited shall be returned. The Principal Racing Authority may appoint an official for the purpose of giving any approval required by this Rule and the approval of such official shall be deemed to be the approval of the Principal Racing Authority.

**AR 39.** No person shall act in an official capacity as Steward, Veterinary Surgeon, Handicapper, Judge, Starter, Clerk of the Course, Clerk of the Scales, Farrier, Barrier Attendant or Timekeeper, or as Assistants or Deputies of any of the above in respect of any race in the result of which he has a pecuniary interest.

**AR 40.** After every race meeting the Secretary of the Club holding the meeting shall forthwith forward to the Secretary of the Principal Racing Authority a report containing:-

- (a) Names of horses which started in each race.
- (b) Particulars of age, colour and sex.
- (c) Weights carried.
- (d) Names of owners, trainers and riders and the pedigrees when known of the placed horses.
- (e) Positions of horses placed in the race.
- (f) A statement of all fines inflicted and all complaints to and decisions of the Stewards.
- (g) The name of all horses sold or claimed in any selling or claiming race.
- (h) Any overweight carried, whether it has been duly declared or not.

**AR 41.** The Stewards of every race meeting shall forward a report to the Secretary of the Principal Racing Authority which shall include a statement of any action taken by them.

**AR 42.** The Principal Racing Authority may divide, or authorise the Committee of a Club or the Stewards to divide, any race into two or more divisions in such circumstances and upon such terms as the Principal Racing Authority thinks fit.

**AR 43.** No race shall be less than 800 metres.

**AR 44.** Yearlings shall not run in any race or official trial. *[amended 15.6.12]*

**AR 45A.** Two-year-olds shall not be allowed to start in any race before the First day of October, or such other date as the Principal Racing Authority concerned shall determine, and thereafter two-year-olds shall not be allowed to start:-

- (a) In a race over a distance exceeding 2,000 metres.
- (b) In a handicap for which horses over the age of two years are eligible run before the first day of January, or such other date as the Principal Racing Authority concerned shall determine.

*[re-numbered 1.6.11]*

**AR 45B.**

(1) Subject to AR 45B(2), a horse that is aged 12 years is not permitted to race.

(2) The Stewards may give their express permission for a horse aged 12 to start in a race or races during its 12 year old racing season, if:

- (a) the trainer provides to the Stewards a veterinary report in respect of the horse's condition and suitability to race, and any other information, examination or report as required by the Stewards; and
- (b) the Stewards are satisfied that the horse is suitable to race.

(3) Any permission granted by the Stewards pursuant to AR 45B(2) expires at the conclusion of the horse's 12 year old racing season, or earlier as provided by the Stewards.

(4) Upon a horse turning 13 years of age, it is immediately retired and de-registered under these Rules and is ineligible to race, trial or be trained.

(5) If a horse aged 12 participates in any race without permission given by the Stewards in accordance with this rule or if a horse over 12 years participates in a race:

- (a) the trainer and any other relevant person may be penalised; and/or
- (b) the horse may be disqualified for the relevant race.

*[Rule added 1.6.11][amended 1.8.15]*

**AR 46.** The age of a horse shall be reckoned as follows:

- (a) If it was foaled between the first day of July and the thirty-first day of December
  - (i) from the first day of August in the year in which it was foaled if its dam was first covered on or after the first day of September in the previous year, as that covering is recorded by the Stud Book.
  - (ii) from the first day of August in the year previous to the year in which it was foaled if its dam was first covered before the first day of September in the year previous to the year in which it was foaled, as that covering is recorded in the Stud Book.

- (b) If it was foaled between the first day of January and the thirtieth day of June, from the first day of August in the year previous to the year in which it was foaled. *[paragraph replaced 1.8.00]*

Provided that the Australian Racing Board, in exceptional circumstances, may by Order vary the conditions provided by this Rule. *[paragraph added 27.8.07]*

**Orders of the Australian Racing Board:**

Pursuant to the proviso to AR 46 the Board ordered and declared that the breeding season for the year 2007 commence on 27<sup>th</sup> August 2007 instead of 1st September 2007.

**AR 46A.** Group Races, Listed Races and Restricted Listed Races are those considered by the Australian Racing Board to reflect the highest standard of racing. The only Group Races, Listed Races and Restricted Listed Races which will be officially recognised for races run under these Rules are those approved and adopted from time to time by the Australian Racing Board. These races will be published in a schedule approved by the said Board. *[amended 1.8.16]*

**AR 46B.** The official results and horse performance records for races run under These Rules are those recorded by RISA. *[added 11.3.04]*

## **NOMINATIONS AND ENTRIES**

**AR 47.** (1) No horse shall be entered for or run in any race except for one for which it is eligible under these Rules.

(2) A horse shall be eligible for any race only if it possesses the qualifications (if any) imposed by the conditions of the race.

(3) Any horse that runs in a race:

- (a) for which it is ineligible, may be disqualified;
- (b) in which it carries less weight than the weight it should carry, shall be disqualified for the race, provided that a rider shall be allowed by the Clerk of the Scales a half kilogram for the weight of his bridle.

*[subrule amended 1.8.16]*

(4) Any person who enters or runs a horse in a race for which it was ineligible may be penalised.

*[rule amended 1.10.2007]*

**AR 48.** (a) The Secretary of the Club shall from time to time publish the days on which entries may be lodged with him or with any other person on his behalf to be named in such notice, and all entries shall be subject to the provisions of the Rules.

(b) Entries for all races shall be made in the name of the owner (or, if the horse is leased, the lessee) and shall be in writing signed by the owner (or, if the horse is leased, the lessee) or the trainer of the horse or the authorised agent of any of them, provided that a lessor may enter a horse under lease by him for any race to be run after the expiration of the lease. In the event of the lessee entering a horse for a race to be run after the expiration of the lease, the lessee shall not scratch such horse without the consent of the lessor (which consent shall be in writing), unless otherwise directed by the Principal Racing Authority provided that if such consent is refused, the lessor and not the lessee shall be liable for all future payment of fees or forfeits in connection with such entry.

(c) All entries shall be made as prescribed and, if required by the race conditions or the Local Rules or any regulations or arrangements established by the Principal Racing Authority, be accompanied by the necessary fee. *[subrule (c) amended 24.8.00]*

(d) If no other hour be fixed the list of entries shall close at 4 p.m.

**AR 49.** (1) A person under the age of 18 years shall not have an interest whether by lease or a share in ownership or outright ownership in any racehorse.

(2) No person shall enter or cause to be entered in any race, official trial or jump-out a racehorse in which a person under the age of 18 years has an interest whether by lease or a share in ownership or outright ownership.

(3) Should any horse start in an official trial or race in contravention of subrule (2) then it may be disqualified for such official trial or race. *[rule amended 1.12.10]*

**AR 50.** All nominations and entries are subject to approval, and the Committee of any Club, or the Stewards, may decline to receive, or at any time after having received, reject any nomination or entry without giving any reason for so doing. If any nomination or entry be rejected under this Rule, the fees paid in respect thereof shall be refunded.

**AR 51.** All declarations of forfeit, acceptance, non-acceptance, or withdrawal (sometimes called "scratching") shall be made before such time on such day as may be prescribed by the Committee of the Club. Unless varied by or in accordance with any Local Rule and except to the extent of any such variation, every such declaration shall be accompanied by the necessary fee or payment (if any) in cash paid to the Secretary of the Club or person authorised by him. Any such declaration once made may not be withdrawn subject to any Local Rule in respect of postponed meetings. *[amended 24.8.00]*

**AR 51A.** If permission to withdraw a horse is given after the scratching deadline time and before the release of the final list of scratchings, the Stewards may at their discretion permit the next available emergency acceptor to be included in the field. *[added 1.9.09]*

**AR 52.** If the Secretary of the Club accept any entry without payment of the necessary fee or allow a horse whose subscription or stake has not been paid to start in a race he may be fined.

**AR 53.** The Principal Racing Authority may direct that no Club shall receive:-

- (a) Nominations by any person, or of any horse in which he is interested at the time of nomination.
- (b) Nominations of any horse or horses owned by any person at the time of such direction,

and may further direct that any such nominations already received be rejected.

A horse the subject of any such direction shall not be eligible to run in any race in Australia without the permission of the Principal Racing Authority making the direction. Provided that any Principal Racing Authority may waive the application of this Rule within its own area in favour of a bona-fide lessee of a horse owned by a person suffering disabilities under this Rule, in which case the provisions of Rule 185 shall apply in the same manner as if such owner was a disqualified person.

**AR 53A.** (1) An attack of bleeding shall be the appearance of blood at both nostrils, irrespective of quantity, unless in the opinion of the Stewards such bleeding was caused by external trauma.

(2) If a horse suffers an attack of bleeding at any time the fact of such bleeding shall be reported by the Trainer without delay to the Stewards.

(3) If any Principal Racing Authority advises in writing that any horse has suffered an attack or attacks of bleeding such advice shall be prima facie evidence that such horse has suffered an attack or attacks of bleeding.

(4) A horse which has in the opinion of the Stewards suffered an attack of bleeding shall not without permission of the Stewards -

- (a) be trained, exercised or galloped on any racecourse for a period of two months thereafter;

- (b) start in any race for a period of three months, and then only after a satisfactory gallop of at least 1,000 metres in the presence of a Steward.

(5) If a horse suffers more than one attack of bleeding such horse shall be ineligible to start in any race.

(6) If a horse displays blood at one nostril, the trainer shall without delay report such occurrence to the Stewards.

(7) Unless the Stewards are satisfied that the presence of blood provided for in subrule (6) was attributable to external trauma, the horse shall before racing again be required to undergo a satisfactory gallop of at least 1,000 metres in the presence of a Steward.

**AR 53B.** Following a horse suffering a bleeding attack the Stewards shall -:

- (a) record such bleeding attack and any related embargo imposed on the horse in the National Stewards Embargo Register; and also, if applicable, record such bleeding

attack and any related embargo imposed on the horse in the horse's Document of Description, which shall be presented by the trainer to the Stewards as soon as possible after the bleeding attack; and

(b) record in the National Stewards Embargo Register any subsequent permission given for the horse to resume racing; and also, if applicable, in the horse's Document of Description, which shall be presented as soon as possible by the trainer to the Stewards for that purpose. *[replaced 1.7.05]*

**AR.53C.** In the event of an entire horse being gelded or a female horse being spayed the owner of such horse or his agent shall, prior to nominating such horse for a race or official trial, or transferring the ownership of such horse -

(a) notify the trainer, who shall submit a stable return reporting such change if a gelding; and

(b) notify the Stewards or the Registrar, who shall –

(i) record such amendment in the records of the Registrar of Racehorses; and,

(ii) if applicable, amend the Document of Description of the horse concerned. *[rule replaced 1.7.05][amended 1.9.09]*

**AR 54.** (1) The trainer of a horse must within 48 hours of its entering or leaving his stable lodge a stable return containing such information as is required by the Principal Racing Authority; provided that if such horse has been or is to be nominated for a race or official trial such stable return must be lodged immediately. *[amended 1.9.09]*

(2) If a horse trained outside Australia is entered for a race or official trial, a stable return for such horse must be lodged with the Principal Racing Authority no later than the time for the declaration of final acceptances for such race or the time for the closing of entries for such official trial. *[amended 1.9.09]*

(3) When a stable return for a horse has been duly lodged the trainer shall immediately lodge an amended stable return when any particulars on the previous return have changed.

(4) Any trainer who fails to lodge, in whole or in part, a stable return or any amendment thereof in accordance with the provisions of this rule may be penalised and the entry of such horse for any race or official trial may be rejected or cancelled.

*[rule deleted 1.7.05] [new rule added 1.10.06] [amended 1.9.09]*

**AR 54A.** (1) The Manager of an Unnamed Horse (or his or her Authorised Agent) must disclose:

(a) the location of the Unnamed Horse upon request by Racing Australia and/or the relevant Principal Racing Authority, including as required under any registration, ownership transfer or other form; and



(b) any change in the previously notified location of the Unnamed Horse, to the satisfaction of the relevant Principal Racing Authority, within seven days of that change occurring.

(2) Any person who fails to provide details as to knowledge of the location in accordance with the provisions of the Rules may be penalised. *[Rule added 1.8.16]*

**AR 55.** In entering a horse in several races closing simultaneously, it will be sufficient to give its name and description in one of the nominations and the name only in the others.

**AR 56.** Every entry form or the stable return forming part thereof shall state -

- (i) the name or names of every person or persons having any share or interest in the ownership or lease of the horse shown therein.
- (ii) the name of the horse.
- (iii) the name of the trainer (if any).

Provided that in the case of a leased horse it shall be sufficient to show the name or names of all the lessees of the horse and provided further that in the case of a horse nominated by a syndicate, the name of the syndicate and the nominated trustees or registered manager of the syndicate. The nominator, trainer or any other person contravening this rule may be penalised by the Stewards.

**AR 56A.** No horse, if in Australia, shall be entered for or run in any race or official trial or jump-out unless it is trained by a person with a licence or permit to train. Provided that this rule shall not apply to a horse entered for a race the entries for which close more than 60 days prior to the advertised date for the running of such race. Further provided that this Rule shall not apply to any other race exempted under the Rules. *[amended 1.8.08] [amended 1.9.09]*

**AR 56B.** Any person who, in the opinion of the Stewards, fails to declare any share or interest in, misrepresents or provides any misleading or inaccurate information regarding the ownership of a horse, or is a party to any breach of this rule, may be penalised by the Stewards and the horse may be disqualified.

**AR 57.** (1) The manager may be removed or replaced by a memorandum signed by the joint owners or lessees or syndicate members representing a majority interest in the horse.

(2) The manager of a horse shall, alone of the joint owners, lessees or syndicate members be entitled to:

- (a) enter, nominate, accept or scratch such horse for any race;
- (b) engage a jockey to ride such horse for any race;
- (c) receive any prize money or trophy won by such horse; or

(d) act for and represent the joint owners, lessees or syndicate members in relation to the horse in all respects for the purpose of these Rules.

(3) The entry or nomination of every such horse for any race shall state thereon the name of the manager.

(4) The trainer of any such horse who enters, nominates, accepts or scratches such horse shall be deemed to have done so with the authority of the manager and all other nominators.

**AR 58.** Full particulars in writing of every dealing or change of interest in respect of such horse or any appointment or change of trainer occurring after the entry and before the race for which such horse is entered shall be forthwith furnished by the nominator to the person with whom such entry was made.

**AR 59.** (1) The trainer of a horse and/or the trainer's authorised representative must ensure, including by reference to the horse's Thoroughbred Identity Card, that where a horse is engaged to run in any race or official trial, the horse that:

- (a) is brought to the racecourse;
  - (b) is presented to start in the relevant race or official trial; or
  - (c) starts in the relevant race or official trial,
- is the correct horse.

(2) A trainer and/or the trainer's authorised representative who fails to comply with AR 59(1) commits an offence and may be penalised.

*[deleted 1.7.05][new rule added 1.9.13]*

**AR 59A.** (1) No horse shall be permitted to start in a race or official trial unless one hour prior to the start the Document of Description or the Thoroughbred Identification Card of the horse is produced, if required, to the Stewards.

(2) Notwithstanding the provisions of subrule (1) of this rule, the Stewards, in their absolute discretion, if otherwise satisfied as to the identity of the horse may permit it to start in the race or official trial.

*[rule replaced 1.7.05][Sub-rules (3) & (4) deleted 1.9.13]*

**AR 59B.** (a) A licensed person who wishes to participate in racing in the territory of a Principal Racing Authority or a racing association other than that in which he last participated, shall obtain from the Principal Racing Authority or racing association concerned, or the stewards thereof, a certificate to the effect that he is under no disability.

(b) A trainer wishing to race, official trial or jump-out a horse in a territory of a Principal Racing Authority or racing association other than that in which the horse last raced, shall obtain from the Principal Racing Authority or racing association where the horse last raced or the Stewards thereof, a certificate to the effect that such horse is clear to race. *[paragraph amended 1.9.09]*

(c) The certificate provided for in sub-rule (a) of this rule shall be submitted to the stewards as soon as possible after the person concerned has arrived in the territory of the Principal Racing Authority to which he has been cleared, and the certificate provided for in subrule (b) of this rule shall be submitted to the stewards at least one hour before the horse concerned is to take part in its first race, official trial or jump-out in the new area. *[amended 1.9.09]*

(d) In the event of any non-compliance with the provisions of subrule (c) of this rule, the stewards may prevent the licensed person concerned from taking part in racing activities in their area, or may prevent the horse concerned from taking part in any race, official trial or jump-out in their area.

(e) The stewards, in their absolute discretion, if otherwise satisfied as to the bona fides of a licensed person or horse, may waive the requirements of subrule (d) of this rule.

(f) The stewards may penalise any person who has not conformed to the requirements of this rule.

**AR 60.** The nominator of a horse which has been registered as a racehorse outside Australia must provide in writing by entry closing time to the Principal Racing Authority in the area in which the horse is entered in to race:

(a) In the case of a horse which has never started in a race, a statement to that effect:

(b) In the case of a horse which had its last start in a race in an overseas country, a statement advising –

(i) the total number of starts,

(ii) the racecourse and date of each start,

(iii) the type of race and the distance,

(iv) the finishing position and the weight carried,

(v) the total of the prizemoney offered for each race and the amount received for winning or being placed in any such race.

Details of performance in overseas countries must be certified by an official of the controlling body of racing in the territory overseas in which such horse last raced.

**AR 61.** No alteration or addition shall be made in any entry after the time fixed for closing without the authority of the Committee of the Club, or the Stewards as hereinafter provided.

**AR 62.** (a) Any nomination or entry made contrary to these Rules shall be rejected as invalid, and the Committee of the Club or the Stewards may make such order as they think fit in respect of any stake or fee paid or payable; provided that the Committee of the Club or Stewards (if satisfied that the horse intended to be nominated or entered is sufficiently identified) may permit or order any error or omission whenever made in or from or relating to or affecting any

nomination or entry to be corrected or made good at any time before the race in respect of which such nomination or entry was made.

(b) Any such permission may be given and any such order may be made retrospectively.

(c) Any person responsible for a nomination or entry contrary to these Rules may be penalised by the Principal Racing Authority or Stewards.

**AR 63.** The nominator of a horse for a Group Race, Listed Race or Restricted Listed Race which is to be run within the next 30 days who decides that his horse will not start in such race shall withdraw the horse from the race concerned immediately after that decision is made.  
*[Deleted 1.10.07] [Rule added 1.9.09][amended 1.8.16]*

**AR 64.** (1) Without limiting any power contained in these Rules, the Stewards may prevent or suspend a horse from participating in track work, or from starting in any jump-out, official trial or race, for any period and upon any conditions that the Stewards consider appropriate if, in the Stewards' opinion:

(a) the horse has a galloping action or races in a manner which is likely to pose a safety risk to either itself, any other horse, or to any person;

(b) the horse has barrier manners which are considered to be unruly or intractable and/or which may pose a safety risk to itself or any other horse in a race or to any person.

(2) Where the Stewards suspend or prevent a horse from starting in any jump-out, official trial or race for a temporary period in accordance with AR 64(1), the Stewards may also order that the horse not be permitted to be nominated or entered for any official trial or race (as applicable) until the horse has:

(a) participated to the satisfaction of the Stewards in any test, jump-out or official trial (or series of tests, jump-outs or official trials); and/or

(b) passed any veterinary examination or any other examination considered appropriate.

*[Rule deleted 1.10.07] [Rule added 1.2.14]*

**AR 64A.** (1) A horse that is totally blind in one eye is ineligible for any race, official trial, jump-out or trackwork.  
*[amended 1.9.09]*

(2) A horse that has partially impaired vision is ineligible for any race, official trial, jump-out or trackwork unless the Stewards are satisfied on specialist veterinary evidence that the impairment does not constitute a danger to such horse or other participants in a race, official trial or trackwork.  
*[amended 1.9.09]*

(3) In the event of a horse being suspected of being blind or having impaired vision the owner of the horse or his agent shall as soon as practicable notify the Stewards, who shall then ensure that –

(a) details of the horse's impaired vision and any related embargo are recorded in the National Stewards Embargo Register; and,

(b) if applicable, details of the horse's impaired vision and any related embargo are recorded and are certified by the relevant veterinary surgeon on its Document of Description.

(4) Any person who, in contravention of subrules (1) or (2) of this rule, enters or runs a horse in a race, official trial or jump-out or permits a horse to engage in trackwork, or fails to notify the Stewards as required by subrule (3), commits a breach of these Rules unless he proves to the satisfaction of the Stewards that he was not aware, and should not reasonably have been aware, that the horse has the blindness or impaired vision specified in this rule. *[rule replaced 1.11.99 & 1.7.05] [amended 1.9.09]*

**AR 64B.** (1) A horse that has had a limb neurectomy or any artificial form of permanent limb desensitisation is ineligible for any race, official trial, jump-out or trackwork. *[amended 1.9.09]*

(2) A horse that has had any artificial form of temporary limb desensitisation is ineligible for any race, official trial, jump-out or to participate in trackwork for such time as the Stewards may specify. *[amended 1.9.09]*

(3) Notwithstanding the provisions of subrule (1) of this rule, a horse that had a palmar neurectomy prior to 1st September 1999 is eligible to race provided that prior to 1st September 1999 the details of the surgery undergone have been endorsed on the Document of Description for the horse, and the Stewards have received and accepted from a qualified veterinarian a written certificate of fitness of the horse to race.

(4) In the event of a horse undergoing neurectomy surgery or any artificial form of permanent limb desensitisation the owner of the horse or his agent shall as soon as practicable notify the details to the Stewards, who shall then ensure that:

(a) details of the surgery or artificial desensitisation and the horse's ineligibility to race are recorded in the National Stewards Embargo Register; and,

(c) if applicable, the Document of Description for the horse is endorsed with details of the surgery or artificial desensitisation and the horse's ineligibility to race.

*[rule deleted & replaced 1.10.99] [subrule (3) amended 1.7.05] [amended 14.6.07][subrules (1), (2) & (4) amended 14.6.07]*

**AR 64C.** A horse which has had a tracheostomy, with or without a tracheotomy tube inserted, will be ineligible for any race, official trial, jump-out or to participate in trackwork.

*[added 17.6.98] [amended 1.9.09]*

**AR 64D.** If at any time the Stewards have reason to doubt the fitness of any horse to race they may declare such horse ineligible to race until such time as its fitness is established by such trial or test or examination as they may specify. *[added 1.11.98]*

**AR 64E.** (1) No mare or filly shall race or take part in any official trial, jump-out or trackwork after day 120 of its pregnancy.

(2) A trainer shall notify the Stewards in writing as soon as practicable –

(a) the pregnancy of any mare or filly in his charge; and

(b) the date of last service of such mare or filly.

*[rule added 1.11.99] [para (b) amended 1.6.04.]*

**AR 64F.** (1) A horse that has been subjected to a firing procedure in Australia is ineligible for any race, official trial, jump-out or trackwork. *[amended 1.10.01] [amended 1.9.09]*

(2) Notwithstanding the provisions of subrule (1) of this rule, a horse that was subjected to a firing procedure prior to 1<sup>st</sup> October 2001 is eligible to race provided that prior to 1<sup>st</sup> October 2001 it was inspected by the Stewards and the *Document of Description* for the horse was endorsed with the details of such firing.

(3) In the event of a horse being subjected to a firing procedure the owner of the horse or his agent shall as soon as practicable notify the Stewards who shall then ensure that –

(a) details of the procedure and the horse's ineligibility to race are recorded in the National Stewards Embargo Register; and,

(b) if applicable, the Document of Description for the horse is endorsed with details of the procedure and the horse's ineligibility to race.

*[rule added 1.10.01] [subrule (3) amended 1.7.05]*

**AR 64G.** (1) A horse which is engaged to run in any race, official trial or jump-out must not be stomach-tubed without the permission of the Stewards:

(a) at any time on the day of the scheduled race, official trial or jump-out and prior to the start of such event; and

(b) at any time during the one Clear Day prior to 12:01am on the day of the scheduled race, official trial, or jump-out.

(2) Any person who, without the permission of the Stewards:

(a) stomach-tubes a horse;

(b) attempts to stomach-tube a horse;

(c) causes a horse to be stomach-tubed or

(d) is a party to the stomach-tubing of a horse, or an attempt to stomach-tube a horse,

contrary to this rule, commits an offence and may be penalised.

(3) Where the Stewards are satisfied that a horse has, or is likely to have been, stomach-tubed contrary to the provisions of this rule, the Stewards may prevent the horse from starting in any relevant race, official trial or jump-out.

(4) Where a horse has been stomach-tubed contrary to this rule, the horse may be disqualified from any relevant race in which the horse competed.

(5) For the purpose of this rule, “stomach-tubed” and variations of that term means any application to a horse of a naso-gastric tube.

*[rule added 1.9.01] [amended 1.9.09] [amended 1.3.13][deleted 1.9.13 & new rule added 1.9.13][amended 1.2.15]*

**AR 64H.** (1) A horse that has been subjected to any form of shockwave therapy is ineligible to participate in any race, official trial or jump-out at any time during the seven clear days (as defined in AR.1) following midnight on the day on which the shockwave therapy was administered.

(2) Where a horse has been nominated and/or entered for a race, official trial or jump-out, a person must not administer, cause to be administered, attempt to administer or be a party to the administration of any form of shockwave therapy to a horse, at any time within seven clear days (as defined in AR.1) of that race, official trial or jump-out.

(3) A trainer must not enter or permit a horse to participate in any race, official trial or jump-out where the horse has been subjected to any form of shockwave therapy during the seven clear days (as defined in AR.1) prior to the race, official trial or jump-out.

(4) Where a horse has been subjected to, or the Stewards reasonably suspect a horse has been subjected to, any form of shockwave therapy at any time during the seven clear days (as defined in AR.1) prior to the day of a race, official trial or jump-out, the Stewards may order the withdrawal of the horse from the relevant race, official trial or jump-out.

(5) Any person who breaches AR.64H(2), or trainer who breaches AR.64H(3), commits an offence and may be penalised.

Note: For the purpose of AR.64H and by way of example, if a horse was subjected to any form of shockwave therapy at any time on a Monday (1st day of month), that horse would be ineligible to trial or race until the Tuesday in the following week (9th day of month).

*[Rule added 1.6.04][amended 1.1.13 & 1.8.16]*

**AR 64J.** (1) Upon the death of a Named Horse, which has not been retired from racing pursuant to AR.64JA, the Manager, or his or her Authorised agent, must, within 24 hours of the horse being deceased, notify Racing Australia by lodging the Death Notification form prescribed by Racing Australia and must not dispose of the horse without the written approval

of the relevant Principal Racing Authority unless a veterinary certificate as to cause of death is provided.

(2) Upon the death of an Unnamed Horse, the Manager, or his or her Authorised agent must, within 48 hours of the horse being deceased, notify Racing Australia by lodging the Death Notification form prescribed by Racing Australia.

(3) Any person who fails to comply with the provisions of sub-rules (1) or (2) commits a breach of these Rules unless he or she proves to the satisfaction of the Stewards that he or she was not aware, and could not reasonably have been aware, of the death of the horse.

*[added 1.7.05][amended 1.7.14 & 1.8.16]*

**AR 64JA.** (1) Where a decision has been made to retire, or not commence racing an Eligible Horse, the Manager, or his or her Authorised Agent, of the horse at the time of that decision must, within one month of that decision, notify the Registrar by updating the Stable Return or lodging the relevant Retirement form prescribed by Racing Australia.

(2) Where a form has been lodged in accordance with AR.64JA(1), the horse will cease to be eligible to race or to be trained and is ineligible to race or to be trained unless it is reinstated to race or to be trained.

(3) Where a horse ceases to be eligible to race or to be trained under this Rule, the horse may not be reinstated to race or to be trained except with the express permission of the Stewards.

(4) Any person who fails to comply with AR.64JA(1) or (3) commits a breach of these Rules and may be penalised.

*[Rule added 1.7.14][amended 1.8.16]*

**AR 64K** (1) The following animal diseases or conditions are declared to be notifiable, and must be notified and dealt with in accordance with subrules (2) to (8) of this rule:

- African horse sickness
- Borna disease
- Contagious equine metritis
- Dourine
- Epizootic lymphangitis
- Equine encephalomyelitis (Eastern and Western)
- Equine encephalomyelitis (Venezuelan)
- Equine encephalosis
- Equine herpes-virus 1 (abortigenic and neurological strains)
- Equine infectious anaemia
- Equine influenza
- Equine piroplasmiasis (Babesiosis)
- Equine viral arteritis
- Getah virus
- Glanders



Hendra virus  
Japanese encephalitis  
Potomac fever  
Screw-worm fly - New World (*Cochliomyia hominivorax*)  
Screw-worm fly - Old World (*Chrysomya bezziana*)  
Strangles  
Surra (*Trypanosoma evansi*)  
Trichinellosis  
Warble fly myiasis  
West Nile virus infection”

[subrule replaced 1.9.09]

(2) A person who owns or is in charge of, or has in his possession or control, a horse which the person suspects or should reasonably suspect is infected with a notifiable disease or condition, and who does not, as soon as possible after he should have suspected or became aware that the horse is infected, report the fact to the Principal Racing Authority in that State or Territory by the quickest means of communication available to the person is guilty of an offence.

(3) A person who owns or is in charge of, or has in his possession or control, a horse which the person suspects or shall reasonably suspect is infected with notifiable disease or condition must as far as practicable keep that horse separate from other horses or animals not so infected. A person who contravenes this subrule is guilty of an offence.

(4) If they reasonably suspect any premises, place or area to be contaminated with a notifiable disease or condition, the Stewards may by order in writing declare it to be an infected place. Such written notice of an order declaring any premises, place or area to be an infected place must be given to the owner or person in charge or in apparent control of the premises, place or area to which the order relates.

(5) If they reasonably suspect any vehicle to be contaminated with a notifiable disease or condition, the Stewards may by order in writing declare it to be an infected vehicle. Such written notice of an order declaring a vehicle to be an infected vehicle must be given to the owner or person in charge or in apparent control of the vehicle to which the order relates.

(6) Any person (other than a person expressly authorised to do so by the Stewards) who brings, moves, takes or allows any person to bring, move or take any animal, fodder or fitting into, within or out of any such premises, place, area or vehicle, declared under subrules (4) or (5), or who causes, permits or assists any vehicle to enter or leave any such premises, place or area is guilty of an offence.

(7) Without limiting their powers, the Stewards may attach conditions to an authorisation referred to in subrule (6) including conditions that the animal, fodder, fitting or vehicle to which the authorisation relates -  
must first be disinfected to the satisfaction of the Stewards and in a manner specified by the Stewards before leaving or being taken out of the infected place or infected vehicle; and

must not go or be brought to any other premises or place where any specified animals, fodder or fittings are located.

(8) The Stewards may give any direction or order with respect to bio security precautions that shall be taken by any person on licensed premises, or any person handling or riding racehorses.  
*[subrule added 29.8.07][amended 1.9.09]*

(9) An order made under this Rule comes into effect on the day it is made.  
*[rule added 27.8.07]*

**AR 64L.** A horse suffering from an infectious disease shall not be brought on a racecourse or training track  
*[rule added 1.6.11]*

**AR 64M.** (1) A horse that has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, is ineligible to participate in any race, official trial or jump-out at any time during the 8 clear days (as defined in AR.1) following midnight on the day of the administration.

(2) Where a horse has been nominated and/or entered for a race, a person must not administer, cause to be administered, attempt to administer or be a party to an intra-articular administration of a corticosteroid preparation to the horse, whether the preparation is administered alone or in combination with other preparations, at any time within eight clear days (as defined in AR.1) of the race.

(3) A trainer must not enter or permit a horse to participate in any race, official trial and jump-out where the horse has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, during the eight clear days (as defined in AR.1) prior to the day of the race, official trial or jump-out.

(4) Where:

(a) a horse has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, at any time during the eight clear days (as defined in AR.1) prior to the day of a race, official trial or jump-out; or

(b) the Stewards reasonably suspect that there has been such an administration (as referred to in (a) above),

the Stewards may order the withdrawal of the horse from the relevant race, official trial or jump-out.

(5) Any person who breaches AR.64M(2), or trainer who breaches AR.64M(3), commits an offence and may be penalised.

Note: For the purpose of AR.64M and by way of example, if a horse was subjected to an intra-articular administration at any time on a Monday (1st day of month), that horse would be ineligible to race until the Wednesday in the following week (10th day of month)."

[rule added 1.8.14][amended 1.8.16]

**AR 64N.** (1) A trainer must not, without the express permission of the Principal Racing Authority (or the Stewards exercising powers delegated to them), enter or permit a horse that has been administered a dose of vaccine against, including but not limited to, equine herpesvirus 1 and 4, equine influenza, Hendra virus, strangles or tetanus, to participate in any race during the five clear days (as defined in AR.1) following midnight on the day the dose of vaccine was administered.

(2) A trainer must ensure a record of any administration of a dose of vaccine is included in the trainer's record of treatment for such horse in accordance with the requirements of AR.178(F)(1).

(3) Where a horse has been administered a dose of vaccine, or the Stewards reasonably suspect that a horse has been administered a dose of vaccine, during the five clear days prior to the day of a race, the Stewards may order the withdrawal of the horse from the relevant race.

(4) Any trainer who breaches AR.64N(1) or AR.64N(2) may be penalised.

*Note: For the purpose of AR.64N and by way of example, if a horse was subjected to a vaccine administration at any time on a Monday (1<sup>st</sup> day of month), that horse would be ineligible to race until the following Sunday (7<sup>th</sup> day of month).*

[Rule added 1.8.16][amended 1.10.16]

**AR 65.** The name of any horse disqualified by a Principal Racing Authority may be struck out of any engagements by the Secretary of any Club who has received any entry of such horse.

**AR 66.** No person who has once subscribed to a stake shall be allowed to withdraw except as provided by these Rules.

**AR 67.** A race shall be void when there is not more than one entry and forfeits and entrance moneys shall be returned.

**AR 68.** It shall not be competent for the nominator of a horse in any subscription or entry to use any name other than his own, unless it is an assumed name which is registered by the Principal Racing Authority of the territory in which such horse is raced, or the syndicate name where the horse is owned or leased by a syndicate.

**AR 68A.** (1) No person shall enter or cause to be entered a horse in a race with the primary purpose of affecting the weight to be allocated to any other horse entered in such race.

(2) No person shall declare or cause to be declared any horse as an acceptor for a race with the primary purpose of affecting either the weight allocated to any other horse that is accepted for such race or the total number of horses accepted for such race. [subrule replaced 1.9.09]

(3) Any person who, in the opinion of the Stewards, is guilty of a breach of this rule may be penalised and the nomination or acceptance for the horse may be rejected or cancelled.

- (4) If in the opinion of the Stewards there has been a breach of subrule (1) of this Rule, the Stewards may, if practicable, direct the handicapper to reissue a set of revised weights.

*[rule amended 1.10.06] [subrule added 1.9.09]*

## **SYNDICATES**

**AR 69.** A horse shall not be entered or raced except by;

- (a) A natural person, or a combination of not more than twenty natural persons.  
*[paragraph amended 1.8.12]*

- (b) A syndicate.

- (c) A combination of one or more registered syndicates and/or natural persons totalling in all not more than twenty.  
*[paragraph amended 1.8.12][amended 1.1.17][amended 1.2.17]*

Provided the syndicate has been registered in accordance with the Rules of Racing and complies with the Regulations.

**AR 69A.** For the purpose of these Rules the word syndicate shall mean and include any one of the following owning or leasing a racehorse -

- (a) A company (as defined in AR 1).
- (b) A combination of persons not exceeding twenty (or fifty in the case of a horse racing syndicate entitled to exemption under ASIC Corporations (Horse Schemes) Instrument 2016/790 (or any instrument, regulation or class order that replaces or supersedes that Instrument))  
*[paragraph amended 1.2.17]*
- (c) A firm (as defined in AR 1).
- (d) A stud (as defined in AR 1) which has been registered as a syndicate in the name of the stud.

**AR 69B.** Every natural person who has a right to participate or an interest (whether actual, prospective or contingent) with a combination of persons not exceeding twenty:

- (i) In any undertaking or scheme relating to the racing of one or more horses; or
- (ii) In any common enterprise in relation to one or more horses in which he is led to expect benefit or advantage from the enterprise or the promoter of it; or
- (iii) In any arrangement in relation to one or more horses which in substance involves the investment of money in circumstances in which he will or may

have an interest in one or more horses or any benefit or advantage from the racing of it;

shall be deemed to be a member of a syndicate and the syndicate shall be deemed to be the owner or lessee and to enter or race (as the case may be) the relevant horses.

**AR 69C.** A horse may be entered or raced by a syndicate which has been registered on or after the 1st day of August, 1982, provided that the legal possession of the horse has been vested in a manager or that a company registered as a syndicate has appointed under seal a registered manager.

**AR 69D.** A natural person only shall be nominated as the manager of a syndicate.

**AR 69E.** The number of syndicates a natural person, company, firm or stud, shall be a member of or have an interest in may be determined by the Regulations.

**AR.69F.** *[rule rescinded 1.12.98]*

**AR 69G.** Application to register a Syndicate shall be made by lodging with a Principal Racing Authority a written application containing such information as is prescribed by the Regulations. No Syndicate name shall be registered or used which has not been approved by the Principal Racing Authority and the Registrar.

**AR 69H.** The Australian Racing Board may from time to time make Regulations (in these Rules called "the Regulations") making such provision in relation to syndicates as it may deem appropriate in relation to the formation, conduct and termination of syndicates, and otherwise howsoever in respect of them. Without limiting the generality of the foregoing, it may make Regulations in respect of the following:

- (i) The information to be furnished to a Principal Racing Authority in relation to the registration of a syndicate;
- (ii) The form of Certificate of Registration to be issued in respect of a syndicate, the person to whom it is to be issued, and the person to have and retain the possession of the certificate;
- (iii) The representation of a syndicate for the purposes of the Rules of Racing;
- (iv) The name in which a syndicate may be registered and the powers of a Principal Racing Authority to register or refuse to register or require the alteration of the name of a syndicate;
- (v) The information to be furnished to a Principal Racing Authority in relation to each additional horse to be entered or raced by a syndicate;
- (vi) The renewal or registration of a syndicate;

- (vii) The details respecting a syndicate which are to be published in the *Racing Calendar*;
- (viii) The mode and circumstances of cancellation of registration of a syndicate;
- (ix) The service of notices upon or communications with a syndicate and the members of it;
- (x) The termination of a syndicate and matters relating thereto;
- (xi) Procedures upon any change in membership of a syndicate;
- (xii) The fees to be paid in relation to a syndicate, with the level of those fees being as prescribed by the Board of RISA. *[paragraph amended 1.11.11]*

**AR 69-I.** No syndicate may be registered or continue to be registered if and while any horse owned or leased by the syndicate is under disqualification or if and while any member thereof is a person whose interest in any horse would, under the Rules, operate to prohibit such horse from being entered for or started in any race.

**AR 69J.** Notwithstanding anything in these Rules, a Principal Racing Authority may at any time call upon the trustees or registered manager of a syndicate to show cause why the registration of the syndicate should not be cancelled or suspended.

**AR 69K.** Every person or company committing a breach of any of the Rules relating to syndicates or of the Regulations made in relation thereto or who fails to comply with any of the requirements thereof may be penalised by the Principal Racing Authority or the Stewards who may also disqualify any horse owned or leased by the syndicate.

**AR 69L.** Every member of a syndicate shall in all respects and for all purposes be bound by these Rules and the Regulations irrespective of the nature or extent of the interests or rights of such members in the syndicate, and the provisions of any rules or constitution governing the syndicate or any agreement or stipulation as between the members of the syndicate.

**AR 69M.** A Principal Racing Authority shall not have any responsibility for the due observance by the persons concerned of any syndicate agreement or any other instrument relating to a syndicate or for the performance of any legal or equitable obligations of any members of a syndicate.

**AR 69N.** If but for the provisions of this Rule a horse would under these Rules be ineligible for a race by reason of the interest of a person who is a member of a company, combination, firm or stud, registered as a syndicate which is the owner or lessee of such horse and such horse has started in a race at a meeting or is nominated for a race at a meeting, then the Committee of the Club conducting the meeting or the Stewards officiating at it may (after considering the circumstances associated with that ownership leasing or membership and such other circumstances that they may consider relevant) rule that the horse was eligible for the race in

which it started or is eligible for the race for which it is nominated, whereupon notwithstanding anything in these Rules, the horse will be eligible for the race, but if the horse has won or wins prize money the proportion of that prize to which such person would otherwise be entitled shall be retained by and become the property of the Club conducting the meeting.

**AR 69O.** In cases where a syndicate has owned, part owned or leased a horse, and that syndicate now wishes to own, part own or lease a subsequent horse, a separate notification must be lodged in respect of each subsequent horse and each notification must be accompanied by the fee prescribed from time to time by the Board of RISA. No application to register a racehorse, endorse a transfer or record a lease will be accepted unless accompanied by the separate notification form, together with the prescribed fee. *[amended 1.11.11]*

**AR 69P.** (i) Any person or persons wishing to make an offer to promote shares in a racehorse or racehorses must hold an Australian Financial Services Licence issued by the Australian Securities & Investments Commission.

(ii) Prior to an offer of shares being made, the holder of an Australian Financial Services Licence must be recorded in the Register of Promoters held by the Principal Racing Authority.  
*[amended 1.10.08]*

(iii) Promoters must obtain approval from the Principal Racing Authority for each Product Disclosure Statement prior to an offer being made.

(iv) Any Principal Racing Authority which records a promoter shall notify the same to the Registrar of Racehorses within fourteen (14) days.

## **SYNDICATE REGULATIONS**

**Synd Regn (a)** The members of a syndicate may apply to a Principal Racing Authority for approval to race a horse.

**Synd Regn (b)** Application shall be made in writing in the prescribed form signed by all members of the syndicate and where a company is an applicant or member of a syndicate under the seal of such company and shall be accompanied by:

- (i) a copy of the syndicate agreement (except where a company is the sole applicant);
- (ii) *[Deleted 1/3/88].*
- (iii) an address to be the registered address for the syndicate;
- (iv) the prescribed fee;

- (v) details of registration of the syndicate by any other Principal Racing Authority;
- (vi) in the case of a firm or business name a copy of the Certificate of Registration of same and any renewal thereof.

**Synd Regn (c)** The syndicate agreement shall be in a form prescribed by the Principal Racing Authority to which the application is made and shall contain the following:

- (i) the name and address and date of birth of each member and the share of each member in the horse;
- (ii) a statement setting out all financial arrangements agreed between the members and in particular the method of calculating and the timing of payment of any contributions due from members toward racing, training and other expenses;
- (iii) provision for the appointment of a manager in whom the legal possession of the horse is to be vested for the syndicate;
- (iv) a declaration that each member has read the Australian Rules of Racing and the regulations concerning syndicates and interests in horses and any Local Rules of the Principal Racing Authority to which the application is made relating thereto, and that except for traffic convictions involving a fine, had not been convicted of any criminal offence;
- (v) a term imposing on a manager in whom legal possession of the horse is vested an obligation to keep proper books of account and to send to each member of the syndicate a copy of the accounts each and every three months and to send each member an audited copy of the annual accounts;
- (vi) any other provisions that the Principal Racing Authority considers desirable either generally or in particular cases.

**Synd Regn (d)** An application for approval by a company to race a horse shall be made in the prescribed form and shall be accompanied by copies of:

- (i) Certificate of Incorporation;
- (ii) if the company has a Constitution, that Constitution;
- (iii) the name and address of each director and his date of birth;
- (iv) the name and address of each member;
- (v) the address of the registered office;

and by the prescribed fee.



The Principal Racing Authority to which the application is made may in its discretion and to the extent it considers appropriate dispense with the requirement to submit the names and addresses of members.

*[regulation (d) amended 5.7.02]*

**Synd Regn (e)** The Principal Racing Authority shall have complete discretion whether to approve any syndicate as the owner or lessee of a horse or any members thereof as lessees or manager of a horse for the syndicate or in the case of a company the Registered manager thereof but it shall refuse to approve a syndicate of which any member is a disqualified person.

**Synd Regn (f)** Every syndicate agreement approved by a Principal Racing Authority and any other instrument that a Principal Racing Authority considers desirable either generally or in a particular case shall be registered by the secretary of that Principal Racing Authority. The name of every company and of every person approved to be the registered manager for a company and the manager of any syndicate not being a company shall be registered by the secretary of the Principal Racing Authority and published in the *Racing Calendar*. A Certificate of Registration shall be issued to the manager of every syndicate.

**Synd Regn (g)** A Principal Racing Authority may in its absolute discretion at any time and without assigning any reason suspend or cancel the registration of a syndicate. Without prejudice to the foregoing registration shall be cancelled if:

- (i) any member registered manager director or officer of the syndicate is or becomes a disqualified person or a person whose interest in a horse would, under these Rules, operate to prohibit the horse from being entered for or starting in a race;
- (ii) the manager of the syndicate or any member thereof fails to supply to the Principal Racing Authority or its Stewards within a stipulated time such information as the Principal Racing Authority (or the Stewards at the direction of the Principal Racing Authority) may require;
- (iii) being a company registered alone as a syndicate:
  - (a) a winding up order is made or a receiver, receiver and manager or official manager is appointed in respect of it;
  - (b) any Registered manager for or officer of the company fails to supply to the Principal Racing Authority or its Stewards within a stipulated time such information as the Principal Racing Authority (or the Stewards at the direction of the Principal Racing Authority) may require.

**Synd Regn (h)** The registration of a syndicate will not be affected by the fact that:

- (i) a member of the syndicate other than the manager of the horse for the syndicate has disposed of the whole or part of his share since the agreement was registered, provided that no share of any one such member is disposed of more than once in any period of 28 days and provided that notification of each such

disposition signed by the transferor and the transferee and containing a declaration by the transferee that he possesses a copy of the syndicate agreement and that he has read the *Australian Rules of Racing* and the Regulations concerning syndicates and interests in horses and any Local Rules of the Principal Racing Authority by which the syndicate is registered relating thereto is lodged with the Principal Racing Authority within seven days of the disposition; or

- (ii) a member of the syndicate has died, provided that written notification of death is lodged with the Principal Racing Authority within 28 days; and provided further that if the Principal Racing Authority by notice sent to the registered address of the syndicate calls for a new formal agreement to be lodged with the Principal Racing Authority for approval, then at the expiration of 28 days after the date of the notice or such other period that the notice may prescribe the registration of the agreement previously lodged shall be cancelled;
- (iii) there has occurred any changes of the directors and of the shareholders of a company registered as a syndicate or of the members of a syndicate not being a company providing that notification thereof shall be made to the Principal Racing Authority within 28 days and shall be published in the *Racing Calendar* provided however the Principal Racing Authority may in its discretion and to the extent it considers appropriate dispense with this requirement.

**Synd Regn (i)** (1) The registration of a syndicate may be cancelled by a Principal Racing Authority upon written application by the manager of the syndicate or a company registered as a syndicate if the Principal Racing Authority is satisfied:

- (a) that the manager has given written notice, addressed to each member, at their last known respective address by means of a certified mail letter of the application;
- (b) after the expiration of one month from such notice having been given, members holding an interest of not less than twenty-five percent in the syndicate have given notice in writing to the Principal Racing Authority of their objection.

(2) The registration of a syndicate shall be cancelled by the Principal Racing Authority if the syndicate has so resolved by resolution passed by members holding an interest of at least seventy-five percent in the syndicate.

**Synd Regn (j)** Notice of the suspension cancellation or reinstatement of the registration of a syndicate shall be given in the *Racing Calendar* and that publication shall be deemed sufficient notice to all members and other persons.

**Synd Regn (k)** Application for renewal of registration of a syndicate shall be made annually prior to the 1st August. The syndicate shall provide such information as the Principal Racing Authority requires and shall pay the prescribed renewal fee.

**AR 70.** *[Rescinded 6.4.80]*

## **DEATH OF NOMINATOR**

**AR 71.** (a) If a horse be entered or nominated for a race and the nominator shall die after such entry and before the race, such entry shall not become void, but the representatives of the person so dying, or the person or persons who become entitled to the horse in consequence of such death, or any purchaser of the horse from such representatives, or from the person or persons so becoming entitled to the horse as hereinbefore mentioned, shall, within such time in each particular case as the Principal Racing Authority consider reasonable, register with the Secretary of the Principal Racing Authority of the territory in which such race is to be run the fact of such change of ownership.

(b) Thereupon the said representatives, or person or persons so becoming entitled as aforesaid, or the said purchaser shall, subject to the approval of such Principal Racing Authority be regarded as the nominator of such horse and shall become entitled to the same rights and benefits and subject to the same liabilities and payments as the person who made such entry had he continued to live.

(c) Unless or until such change of ownership is registered every horse for which any forfeit is unpaid after its nominator's death shall be placed in the Forfeit List without mentioning the nominator's name.

(d) If a person enter or run for any race any horse previously nominated by a deceased nominator he shall be considered thereby to have taken upon himself all such horse's engagements, his name shall be substituted for that of the nominator, he shall be liable for all forfeits on account of such horse, and his name may be placed in the Forfeit List in respect thereof.

## **STAKES AND FORFEITS**

**AR 72.** A person entering a horse for a race thereby becomes liable for the entrance money and stake or forfeit; but no forfeit or sum which falls due after the death of such horse shall be payable.

**AR 73.** (1) The Stewards may order the withdrawal of any horse from a race if, 45 minutes before the time appointed for the starting of the race or such earlier time as may be specified by the Local Rules or race conditions, there remains unpaid:

(a) any subscription, stake or fee which, in accordance with the race conditions or the Local Rules or any arrangements established by the Principal Racing Authority pursuant to the Local Rules, is required to be paid before the race; or

(b) any arrears due from any person for such horse; or

(c) any arrears due for the same or any other horse from any person by whom such horse is wholly or partly owned, or in whose name or under whose subscription it is entered.

(2) In this rule, "arrears" includes:

(a) any sum payable as subscriptions, fines, fees, stakes or forfeits in respect of any race at the same or any other race meeting conducted under the Rules of any Principal Racing Authority; and

(b) any sum in respect of which a person has been declared a defaulter or placed on the Forfeit List. *[rule deleted & replaced 24.8.00]*

**AR 74.** The Committee of any Club shall not be responsible to the winner of any race for the stakes or forfeits therein, except in cases where the same may be made payable at the time of closing the entries.

### **THE FORFEIT LIST**

**AR 75.** A Forfeit List shall be kept at the office of the Principal Racing Authority, and shall from time to time be published in the Calendar and transmitted with all additions thereto to other Principal Racing Authorities, Associations and such other Clubs or bodies as the Principal Racing Authority may think fit. It shall include all due and unpaid subscriptions, fines, fees, stakes, forfeits (except fees payable on entry) and prize money recoverable and unpaid under AR 173 and shall state the names and also the assumed name (if any) of the persons from whom, and the horses (if any) in respect of which the same are due. Fines, subscriptions, fees, stakes, forfeits and prize money recoverable and unpaid under AR 173 which have been placed in the Forfeit List must be paid directly into the office of the Principal Racing Authority, and until so paid they shall not be removed from the List. Forfeits and other liabilities herein mentioned incurred at any meeting in any other territory or country may be included in the list by the authority of the Principal Racing Authority.

**AR 76.** (a) So long as any person is in the Forfeit List, he shall be subject to the same disabilities and penalties as are declared by Rule 182 to apply to persons who are disqualified.

(b) So long as any horse is in the Forfeit List, such horse shall not be entered or run for any race, or be trained upon any course where these Rules are in force.

**AR 77.** If a horse which, or nominator of which is in the Forfeit List, be entered for any race, the person entering such horse may be fined.

## **SALE WITH ENGAGEMENTS**

**AR 78.** In the following rule reference to sale includes a gift or other transfer of ownership or, where the context permits, a lease.

**AR 79.** (a) In the absence of any agreement to the contrary, and subject to any Local Rules, horses shall be taken to be sold with their engagements. Such sale shall be registered in accordance with the Rules and the transfer of the engagements shall be submitted to the Committee of the Club or to the Stewards for approval. If such approval be granted the vendor's liability shall cease and the purchaser shall thereupon become liable for all payments in respect of such engagements.

(b) If the approval of the Committee or Stewards shall not have been obtained as aforesaid with respect to any engagement within fourteen days of the vendor having requested the purchaser in writing to obtain such approval the vendor may upon payment of all forfeits then due strike the horse out of such engagements.

## **TRAINERS**

**AR 80.** A trainer temporarily visiting the territory of another Principal Racing Authority may, with the permission of that Authority, for the period of one month from arrival, or such further period as such Principal Racing Authority may allow, train a horse or horses in that territory.  
*[amended 1.8.08]*

**AR 80A.** Any person training horses under the provisions of AR 80 shall comply with the conditions of licence currently applying in the territory in which such person is visiting.

**AR 80B.** A trainer who does not ordinarily reside in the territory of the Principal Racing Authority where he has a race horse or race horses trained by him and in training within the territory of the said Principal Racing Authority shall be deemed to be personally in charge of such race horse or horses at all times. He may from time to time notify the said Principal Racing Authority in writing of the name of a licensed person who is for the purpose and for the period notified to be left in charge thereof and he shall do so for any period during which he is not personally within the territory of the said Principal Racing Authority. The person so nominated must be a person licensed by the said Principal Racing Authority who himself has consented in writing to be so nominated. Both the trainer and his nominee shall be bound by all the rules and regulations of the said Principal Racing Authority.

**AR 80C.** Every horse competing at a race meeting shall be attended at all times while it is on the course at such meeting. In the event of a breach of this Rule the trainer may be penalised.

**AR 80D.** A trainer must ensure that every horse that is being led or ridden outside his stable premises in a public roadway or thoroughfare prior to sunrise wears a rug or other gear with reflective strips and that its rider or attendant wears a reflective vest of a design approved by the Stewards. Any person breaching this rule or found responsible for a breach of this rule may be penalised. *[added 1.3.05][amended 1.9.09]*

**AR 80E.** (1) Any person commits an offence if he has in his possession or on his premises any substance or preparation that has not been registered or labelled, or prescribed, dispensed or obtained, in compliance with the relevant State and Commonwealth legislation.

(2) The Stewards may take possession of any substance or preparation mentioned in subrule (1), and may use it as evidence in any relevant proceedings. *[added 1.12.05]*

**AR 80F.** (1) A trainer shall not, without having made written application and obtained the consent of the Stewards, stable any horse trained by him in any location other than his registered stable address as notified on his current licence renewal or application form. *[amended 1.8.08]*

(2) Any person found in breach of this rule may be penalised and the nomination of the horse concerned may be refused. *[added 14.06.07]*

**AR 80G.** (1) A Principal Racing Authority may license up to three persons to train as a training partnership.

(2) Persons who train as a training partnership share all responsibilities, duties, obligations and rights provided by the Rules in relation to the training of racehorses.

(3) A person who is licensed to train as a member of a training partnership shall not train as an individual or in another training partnership in Australia or elsewhere.

(4) Notwithstanding AR.80, a training partnership permanently training horses in more than one state or territory must be licensed to do so by the Principal Racing Authority in each relevant jurisdiction.

(5) A minimum number of horses as determined by the relevant Principal Racing Authority shall be trained by a training partnership.

(6) If one person in a training partnership commits a breach of the Rules then all persons in the training partnership shall be deemed jointly and severally responsible and may be penalised accordingly.

(7) Subrule (6) may not apply if a person satisfies the Stewards that the relevant breach of the Rules does not relate directly to the training of racehorses. *[amended 1.10.08]*

(8) A trainer must inform the Stewards in writing prior to withdrawing from or dissolving a training partnership. Upon receipt of such advice, the Stewards may order that horses trained

by the partnership shall not race, official trial or jump-out until they are satisfied that such horses are being trained in accordance with the Rules. *[rule added 1.8.08] [amended 1.9.09]*

## **JOCKEYS AND RIDERS**

**AR 81.** (1) No person shall ride in a race held under these Rules unless he holds the appropriate qualification granted in accordance with the Local Rules of the Principal Racing Authority in whose territory the race is run. *[subrule replaced 1.5.02]*

(2) Subject to any Local Rule, the Stewards of a meeting may grant permission to ride to any visiting rider at such meeting who holds a licence or permit to ride from the Principal Racing Authority or an Association in the territory from which he comes, and who produces a certificate that he is not disqualified or suspended from the Principal Racing Authority or Association under the jurisdiction of which he last rode.

(3) A visiting rider who holds a licence or a permit to ride issued by an overseas racing authority may be permitted to ride, subject to any conditions or restrictions a Principal Racing Authority or its stewards may in their discretion impose.

(4) It shall be a condition precedent to the granting under this Rule of any licence or permit or permission to ride that the applicant undertakes to submit, prior to, during or after fulfilling his riding engagement in any race, official trial, jump-out or riding trackwork to any tests that are intended to detect in his body the presence of any alcohol or drug or its metabolites or artifacts. *[amended 1.9.09]*

**AR 81A.** (1) Any rider commits an offence and may be penalised if -

(a) a sample taken from him is found upon analysis to contain a substance banned by AR 81B; or

(b) he refuses or fails to deliver a sample as directed by the Stewards, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things.

*[amended 1.6.15]*

(2) Any rider may be prevented by the Stewards from mounting or riding a horse in a race, official trial, jump-out, trackwork, or anywhere on a racecourse property, training facility or any other place if in their opinion, based on any information, their own observations or on medical or other competent advice, his faculties may be impaired by any substance banned by AR 81B or by any other cause. *[amended 1.9.09]*

(3) In the event of an analysis of a sample taken from a rider pursuant to AR 8(jj) indicating the presence of a substance banned by AR 81B, or if a rider refuses or fails to deliver a sample when directed to do so, or tampers with or in any way hinders the collection of such sample, the Stewards may forthwith, pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down such person from riding.

(4) In the event of a rider incurring a penalty or being prevented from riding under this rule he shall not resume riding until he delivers a sample, as directed by the Stewards, that is free of any substance banned by AR 81B. *[rule amended 1.10.08]*

(5) For the purposes of AR.81(4) a urine sample provided by a rider shall only be declared free of any substance banned by AR.81B if the sample contains a creatinine concentration of 200mg/L or greater. In the event that a rider provides a urine sample which does not contain this concentration, the rider shall be required to deliver a further urine sample or samples at the direction of the Stewards. *[sub-rule added 1.6.11]*

**AR.81AA.** (1) Any Horse Handler commits an offence and may be penalised if:

- (a) A sample taken from him is found upon analysis to contain a substance banned by AR.81BB; or
- (b) he refuses or fails to deliver a sample as directed by the Stewards, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things. *[amended 1.6.15]*

(2) Any Horse Handler may be prevented by the Stewards from handling any horse in training, based on any information, their own observations or on medical or other competent advice that his faculties may be impaired by any substance banned by AR.81BB.

(3) In the event of any analysis or a preliminary analysis of a sample taken from a horse handler pursuant to AR.8(jjj) indicating the presence of a substance banned by AR.81BB, or if a Horse Handler refuses or fails to deliver a sample when directed to do so, the Stewards may forthwith, pending the determination of any inquiry or other proceeding, or the result of any other analysis, stand down such person from handling horses.

(4) In the event of a Horse Handler incurring a penalty under this rule or being stood down from handling horses he shall not unless otherwise authorised by the Stewards resume handling horses until he delivers a sample as directed by the Stewards that is found upon analysis to be free of any substance banned by AR.81BB.

*[Rule added 1.7.14]*

**AR 81B.** The following substances and/or their metabolites, artifacts and isomers are declared as banned substances in riders when present in a urine sample (unless otherwise stated) at a concentration above the applicable cut-off level::

Lysergic acid diethylamide (LSD) (0µg/L);

All barbiturates (0µg/L); All Cannabinoids – substances in this group include, but are not restricted to, 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid (15ug/L): Synthetic cannabinoid analogues and/or their metabolites, such as JW-018, JW073 and HU-210. *[amended 1.11.11]*

All diuretics (0µg/L):



Probenecid: (0µg/L)

Alcohol (at a concentration in excess of 0.02% on a breath analyser):

All stimulants – substances in this group include, but are not restricted to, Amphetamine (150µg/L): Methylamphetamine (150µg/L): Methylenedioxyamphetamine (MDA) (150µg/L): Methylenedioxyethylamphetamine (MDEA) (150µg/L): Methylenedioxymethylamphetamine (MDMA) (150µg/L): Methylphenidate (0µg/L): Modafinil (0µg/L): Cocaine (100µg/L): Ephedrine (10,000µg/L).

Substances in this group excluded are: Levo-amphetamine: Levo-methylamphetamine: Phenylpropanolamine: Pseudoephedrine.

All anorectics – substances in this group include, but are not restricted to, Phentermine (500µg/L): Diethylpropion (0µg/L): Sibutramine (0µg/L).

All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by AR.81C): Codeine (0µg/L, save as specified in AR.81C): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L): Buprenorphine (0µg/L).

Substances in this group excluded are: Dihydrocodeine: Dextromethorphan: Pholcodine: Propoxyphene: Tramadol

All dissociative anaesthetics and related substances – substances in this group include, but are not restricted to: Ketamine (0µg/L): Phencyclidine (0µg/L): Tiletamine (0µg/L).

Gamma-hydroxybutyrate (GHB) and pro-drugs of GHB (1,4-butanediol: gammabutyrolactone) (10,000µg/L).

Benzylpiperazine (500 µg/L) and phenylpiperazine (0µg/L) and their derivatives (0µg/L).

Tryptamine derivatives (0µg/L) (e.g. dimethyltryptamine: alphamethyltryptamine: hydroxydimethyltryptamine and related substances)

All benzodiazepines – substances in this group include: but are not restricted to: Diazepam (200µg/L): Nordiazepam (200µg/L): Oxazepam (200µg/L): Temazepam (200µg/L): Alprazolam (100µg/L, as alpha-hydroxyalprazolam): Clonazepam (100µg/L, as 7-aminoclonazepam): Flunitrazepam (100 µg/L, as 7-aminoflunitrazepam): Nitrazepam (100µg/L, as 7-aminonitrazepam): Bromazepam (0µg/L): Clobazam (0µg/L): Flumazenil (0µg/L): Lorazepam (0µg/L): Midazolam (0µg/L): Triazolam (0µg/L): and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon: zolpidem: zopiclone).

*[amended 1.10.08 & 1.8.16]*

**AR.81BB.** The following substances and/or their metabolites, artefacts and isomers are declared as banned substances in horse handlers when present in a urine sample (unless otherwise stated) at a concentration above the applicable cut-off level:

Lysergic acid diethylamide (LSD) (0µg/L);  
All barbiturates (0µg/L);  
Cannabinoids (11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid) (15µg/L);  
Alcohol (at a concentration in excess of 0.05% on a breath analyser);

All stimulants – substances in this group include, but are not restricted to,  
Amphetamine (150µg/L); Methylamphetamine (150µg/L);  
Methylenedioxyamphetamine (MDA) (150µg/L); Methylenedioxyethylamphetamine (MDEA) (150µg/L); Methylenedioxymethylamphetamine (MDMA) (150µg/L);  
Methylphenidate (0µg/L); Modafinil (0µg/L); Cocaine (100µg/L); Ephedrine (10,000µg/L).

Substances in this group excluded are: Levo-amphetamine: Levo-methylamphetamine: Phenylpropanolamine: Pseudoephedrine.

All opiates and opioids – substances in this group include, but are not restricted to,  
Morphine (0µg/L, save as specified by AR.81C): Codeine (0µg/L, save as specified in AR.81C): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L): Buprenorphine (0µg/L).

Substances in this group excluded are: Dihydrocodeine: Dextromethorphan: Pholcodine: Propoxyphene: Tramadol.

All dissociative anaesthetics and related substances – substance in this group include, but are not restricted to: Ketamine (0µg/L): Phencyclidine (0µg/L): Tiletamine (0µg/L).

All benzodiazepines – substances in this group include, but are not restricted to,  
Diazepam (200µg/L): Nordiazepam (200µg/L): Oxazepam (200µg/L): Temazepam (200µg/L): Alprazolam (100µg/L) as alphahydroxyalprazolam): Clonazepam (100µg/L, as 7-aminoclonazepam): Flunitrazepam (100µg/L, as 7-aminoflunitrazepam): Nitrazepam (100µg/L, as 7-aminonitrazepam): Bromazepam (0µg/L): Clobazam (0µg/L): Flumazenil (0µg/L): Lorazepam (0µg/L): Midazolam (0µg/L): Triazolam (0µg/L); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon: zolpidem: zopiclone).

*[rule added 1.7.14][amended 1.8.16]*

**AR 81C.** Notwithstanding the provisions of AR.81B and AR.81BB, when codeine and/or morphine are detected in a sample taken from a rider or a horse handler then the sample shall be deemed not to contain codeine and morphine if:

- (a) The total codeine and morphine concentration is less than 2,000Sg/L; or
- (b) The total codeine and morphine concentration achieved in confirmatory testing is in the range 2,000 to 15,000µg/L inclusive and at least one of the following applies:
  - (i) The codeine to morphine ratio contained in the sample is greater than 1.0; or
  - (ii) The rider or Horse Handler satisfies the Stewards that there is no illegal use of opiates or opioids by the rider or Horse Handler.

*[rule amended 1.10.08 & 1.7.14]*

**AR 81D.** The Stewards may stay in whole or in part, and for such period and under such terms and conditions as they think fit, the operation of any penalty imposed for a breach of AR81A or AR81AA. Provided that, in the event of any failure to comply with any of the terms and conditions of the stay, the Stewards may order that the penalty take effect.

*[added 1.10.08] [amended 1.7.14]*

**AR 81E.** Notwithstanding the provisions of AR.81A and AR.81AA, a Principal Racing Authority may permit a rider or horse handler to receive a specified banned substance, subject to the following conditions:

- (a) The medication must be essential treatment for a substantial illness, condition or ailment suffered by the rider or horse handler;
- (b) The medication must be prescribed by a medical practitioner who is a recognised specialist in the relevant field of medicine;
- (c) The specialist medical practitioner must certify:
  - (i) the nature of the illness, condition or ailment being suffered by the rider or horse handler.
  - (ii) that no alternative, non-banned substance would serve the same purpose for the illness, condition or ailment concerned.
  - (iii) that the medication would not affect the rider in a race, trial or trackwork to the extent that it could in any way constitute a danger to other riders.
  - (iv) That the medication would not affect the horse handler in the carrying out of his duties and/or constitute a danger to himself or to others.
- (d) The rider or the horse handler must if requested submit to medical examination by a specialist medical practitioner appointed by a Principal Racing Authority to advise it on the matters referred to in subparagraphs (i), (ii), (iii) and (iv) of

paragraph (c) of this rule.

(e) The rider or horse handler must:

- (i) Before riding or handling any horse make application to the Principal Racing Authority for permission to ride or handle a horse with a specifically prescribed banned substance in his system.
- (ii) Adhere strictly to his prescribed medication, and must report to the Stewards immediately he forms the intention to discontinue or in any way vary his prescribed medication;
- (iii) Report to the Stewards immediately he believes that either his illness, condition or ailment or his medication may have some influence on his ability to ride or handle a horse effectively and/or safely.
- (iv) Renew his application for exemption on each occasion on which he applies for the renewal of his licence, registration, permit or other qualification.

*[rule added 1.10.08][amended 1.7.14]*

**AR 81F. (1)**

(a) No rider shall present himself to ride in any race, official trial, jump-out or trackwork unless he is physically fit to fulfil the requirements of such activity. *[amended 1.9.09]*

(b) A rider shall report to the Stewards, as soon as practicable, any injury, sickness, abnormality or condition that may affect or may have affected him in the performance of his riding duties. *[rule added 1.10.08]*

(2) Any rider may be required by the Stewards to present medical evidence or to undergo a medical or physical examination to prove his fitness to the satisfaction of the Stewards.

(3) When a rider fails to fulfil any race riding engagement due to reasons of fitness or health then, unless otherwise permitted by the Stewards, he must gain a satisfactory medical clearance prior to arrival on course for his next race riding engagement and produce proof of such clearance to the Stewards prior to riding. Any rider who fails to do so may be penalised and/or stood down from riding. *[rule added 1.10.08]*

**AR 81G. (1)** A pregnant rider shall not ride in races, official trials, jump-outs or trackwork after the first trimester of her pregnancy. *[amended 1.9.09]*

(2) A pregnant rider may ride during the first trimester of her pregnancy provided that, as soon as practicable after becoming aware that she is pregnant, she provides to the Stewards a certificate from a relevantly qualified medical practitioner that it is safe for her and the foetus

for her to ride in races, official trials, jump-outs and trackwork, and that her pregnancy creates no impairment to her capacity to control a racehorse. *[rule added 1.10.08] [amended 1.9.09]*

**AR 82.** A rider shall not when mounted on a horse use any telephone, radio or other electronic appliance, apparatus, instrument or equipment capable of receiving, transmitting or playing information, unless permitted by the stewards.

*[rule deleted 1.10.02. see amended AR 195A][rule added 1.1.2013]*

**AR 83.** Every jockey or apprentice may be penalised --

- (a) If he misconduct himself in any way, or
- (b) If, without the consent of the Stewards and the nominator of any horse he rides or is to ride in any race, he accept or agree to accept any pecuniary or other gift or other consideration in connection with any horse in such race, provided that he does not require the consent of the Stewards in respect of any pecuniary or other gift or consideration from the nominator of the horse he rides or is to ride; or

*[paragraph amended 1.9.09]*

- (c) If he bet, or facilitates the making of, or has any interest in a bet on any race, or contingency relating to thoroughbred racing, or if he be present in the betting ring during any race meeting.

*[amended 1.8.01][amended 1.9.09]*

- (d) If he bet, or has any interest in a bet on any race, or contingency relating to thoroughbred racing involving a race in which he is riding. For the purposes of this rule, bet includes a lay bet (as defined in AR175B(7)).

*[added 1.3.13]*

**AR 84.** A licensed jockey or apprentice shall not own, take a lease or have any interest in any racehorse, and if he does such jockey or apprentice shall be disqualified and any person having any interest with him and the trainer of such horse may be penalised.

**AR 85.** In the event of a jockey or apprentice jockey licensed or indentured by any recognised racing authority in any country in the world having an interest in the ownership or lease of a racehorse such horse shall be ineligible to race in Australia.

**AR 85A.** (1) All engagements for any apprentice jockey to ride in races shall be approved by his master or by his master's duly appointed representative.

(2) No person shall act in the capacity of riders agent unless he has been licensed in that capacity.

(3) A licensed person may not also be licensed as a riders agent, except where:

- (a) the person is a licensed or registered stablehand; or
- (b) otherwise authorised by a Principal Racing Authority in its discretion.

*[amended 14.6.07][1.5.15]*

(4) No jockey, apprentice jockey or the master of an apprentice jockey shall authorise any person to be his riders agent unless such person has been licensed in that capacity.

(5) Any riders agent who without the permission of the stewards enters any restricted area on a racecourse on raceday may be removed therefrom and may be penalised.

(6) A Principal Racing Authority shall publish in its *Racing Calendar* a list of the persons it has licensed as riders agents.

**AR 85B.** Any jockey or apprentice jockey may be penalised if, in the opinion of the stewards, he fails or refuses to fulfil a race riding engagement. Provided that the stewards may penalise also any person responsible for an apprentice jockey who, in their opinion, contributed to such apprentice jockey committing a breach of this rule.

**AR 85C.** (1) A licensed jockey or an apprentice jockey shall not, without the express written permission of the Principal Racing Authority that has issued his licence, have any interest in or be otherwise involved in the buying, selling, trading or leasing of thoroughbred bloodstock.

(2) A Principal Racing Authority may impose terms or conditions on a permission granted under subrule (1).

(3) A person who fails to comply with subrule (1) or with a term or condition imposed under subrule (2) is guilty of an offence.

(4) For the purpose of this rule thoroughbred bloodstock means:

(a) a thoroughbred horse included in the Australian Stud Book or the Stud Book of a recognised turf authority; or

(b) a thoroughbred horse registered to race by the Registrar of Racehorses or by a recognised turf authority.

*[rule added 1.12.10]*

**AR 86.** Riders must wear thoroughly clean and appropriate dress.

**AR 86A.** No rider shall in any race, official trial, jump-out or in trackwork, wear any apparel or use any equipment which has not been approved by the stewards. *[amended 1.9.09]*

**AR 86B.** Every rider when riding a horse shall wear footwear approved by the Stewards. *[added 1.11.99]*

**AR 87.** Every licensed or registered person or permit holder shall when mounted on a horse wear a properly affixed helmet which conforms to one of the standards that have been approved by the Australian Racing Board. *[amended 1.10.00 & 3.11.03] [amended 1.10.06]*

Note: Pursuant to AR 87 the Australian Racing Board has ordered that -

- (a) The following standards are approved by the Australian Racing Board:
- (i) AS/NZS 3838 2006;

- (ii) United States (US) ASTM F11 63-01;
  - (iii) British Standards (BS) EN 1384/1996 onwards;
  - (iv) United States (US) ASTM F11 63-04a(11) (reapproved 2011); *[added 1.11.11]*
  - (v) PAS 015:2011;
  - (vi) VG1 01.040, Recommendation for Use, 12.12.14. *[replaced 1.11.11] [amended 21.4.16]*
- (b) all helmets must be fitted with a nylon interlocking chinstrap clip attachment.
  - (c) all helmets must be clearly marked with a date of manufacture.
  - (d) the use of helmets is subject to the conditions of Australian Rule of Racing 87AA. *[amended 1.10.06]*

**AR 87A.** (1) While being ridden every horse shall be properly bridled and saddled and every saddle used in official trials, jump-outs, tests or trackwork shall be equipped with safety irons of a design approved by the Stewards. Provided that in official trials and jump-outs if a rider wears race boots the saddle shall be equipped with race irons.

*[replaced 1.8.04] [amended 1.9.09]*

(2) While being led outside the confines of any stable premises every horse shall have a bit in its mouth, which bit shall be attached to a lead. *[rule deleted & replaced 1.11.99]*

(3) Every person leading or attending a horse shall wear fully enclosed and substantial footwear of a standard approved by the Stewards. *[subrule added 1.9.09]*

**AR 87AA.** (1) Every rider shall be responsible for the care and condition of his helmet.

(2) A helmet is not regarded as serviceable and must be immediately replaced by the rider when –

- (a) a period of 5 years has expired since its date of manufacture, or
- (b) it sustains a severe impact, or
- (c) the wearer suffers from concussion following a fall.

(3) The Stewards may at any time take possession of a helmet for inspection and may at their absolute discretion confiscate any helmet that does not comply with the requirements of this rule and/or the requirements of AR 87.

*[rule added 1.8.99] [subrule (3) replaced 1.12.05] [rule amended 1.10.06]*

**AR 87AAA.** Every licensed or registered person or permit holder shall when mounted on a horse during darkness have affixed to his helmet a safety warning light of a type approved by the Stewards. Provided that this Rule does not apply to any location where Stewards have ruled that sufficient artificial lighting exists. *[rule added 1.6.04] [amended 1.8.04] [amended 1.10.06]*

**AR 87B.** (1) Every rider shall when mounted on a horse wear a properly fastened Approved or permitted safety vest the standard of which has been prescribed by Order of the Board. Provided that every such Approved or permitted safety vest shall be in a satisfactory

condition and shall have attached to it a manufacturer's label that states that it complies with the relevant standard prescribed by the Board.

(2) Notwithstanding compliance with subrule (1), no safety vest may be worn in a race, official trial or jumpout unless it is an Approved safety vest. Such Approved Level 1 safety vests are: Hows Racesafe, Ozvest, Racelite Pro, Vipa, Vipa 1, USG Flexi Race and Airowear Swift.

*[N.B USG Flexi Race from 1.8.14][Vipa 1 from 1.5.15][Airowear Swift from 1.3.16]*

(3) The Stewards may confiscate or order the satisfactory repair of any safety vest that does not comply with the requirements of subrules (1) and (2).

***Note:** Pursuant to AR.87B, the Australian Racing Board has ordered that the following two standards of safety vests only are prescribed: ARB Standard 1.1998 and European Standard EN 13158.*

*[rule replaced 1.3.2000] [subrule (2) added 1.12.05] [amended 1.8.2007 & 1.7.14]*

**AR 87C.** Any rider who has been found guilty of a breach of AR87 or AR87B may be penalised. Provided that the master and/or any other person who was in charge of an apprentice jockey at any relevant time may also be penalised unless he satisfies the Stewards that he took all proper care to ensure that the apprentice complied with the rule/s.

*[rule deleted & replaced 1.8.99]*

**AR 87D.** Any rider required by these rules to wear an approved safety vest may be penalised if he wears or has in his possession any safety vest that does not conform with a standard which has been prescribed by the Board or which has been modified in any way.

*[rule added 1.8.99] [amended 1.8.07, 1.12.10 & 1.7.14]*

**AR 88.** Riders may use spurs provided they are blunt and of a type approved by the Stewards.

*[amended 1.8.01]*

**AR 89.** Any person betting with or for a jockey or apprentice or giving or offering a rider any pecuniary or other gift or consideration contrary to these Rules may be penalised.

**AR 90.** In the absence of a special agreement registered with the Principal Racing Authority the fees of jockeys and riders shall be prescribed by the Principal Racing Authority.

**AR 91.** Any rider who has a riding engagement at any race meeting shall be present in the jockeys room no later than 45 minutes before the advertised starting time for the first race in which he has a riding engagement and, unless otherwise permitted by the Stewards, shall thereafter remain in the jockeys room until he has completed his riding engagements, when he shall seek the permission of the Stewards to leave the jockeys room.

*[rescinded 1.7.00][rule added 1.9.09]*

## **APPRENTICES ALLOWANCES**



**AR 92.** (1) Any apprentice entitled under the Rules to ride in races may claim, in accordance with the following scales, a weight allowance in such races on the flat as the Local Rules of a Principal Racing Authority permit.

(2) For races run in a Metropolitan Area as defined by the Local Rules of any Principal Racing Authority:

If he has not ridden 20 winners on the flat in a Metropolitan Area	3kg
If he has not ridden 50 winners on the flat in a Metropolitan Area	2kg
If he has not ridden 80 winners on the flat in a Metropolitan Area	1.5kg

Provided that for the purposes of this rule a winning ride in a Group Race, Listed Race or Restricted Listed Race shall be deemed to be a winning ride in a Metropolitan Area.

*[proviso added 1.1.99][amended 1.8.16]*

Further provided that no apprentice jockey may claim a weight allowance in any Group Race, Listed Race or Restricted Listed Race.

*[further proviso added 1.1.99][amended 1.8.16]*

Further provided that, notwithstanding the provisions of subrules (2), (3) and (4), an apprentice may claim a weight allowance of 4 kilograms until he has ridden 5 winners on the flat; on condition that a Principal Racing Authority may except its territory from the application of this further proviso.

*[further proviso added 1.8.05]*

(3) For races run in a Provincial Area as defined by the Local Rules of any Principal Racing Authority:

If he has not ridden 20 winners on the flat in a Metropolitan Area and/or a Provincial Area	3kg
If he has not ridden 50 winners on the flat in a Metropolitan Area and/or a Provincial Area	2kg
If he has not ridden 80 winners on the flat in a Metropolitan Area and/or a Provincial Area	1.5kg

(4) For races run other than in a Metropolitan Area or a Provincial Area:

If he has not ridden 20 winners on the flat	3kg
If he has not ridden 50 winners on the flat	2kg
If he has not ridden 80 winners on the flat	1.5kg

(5) No apprentice may claim a weight allowance outside the Metropolitan Area greater than the allowance he is entitled to claim within the Metropolitan Area. *[subrule replaced 1.5.02]*

(6) An apprentice may claim during a race meeting the same allowance to which he was entitled when the acceptances for that race meeting officially closed. *[subrule amended 1.8.11]*

(7) No horse shall have its weight reduced below 43.5 kg by reason of any allowance.

(8) For the purposes of calculating the weight allowance for an apprentice all dead-heats for first place shall count as winning mounts.

(9) All winning mounts ridden by an apprentice on the flat before his apprenticeship shall be included as winning mounts.

(10) A winning rides book shall be issued to every apprentice, and it shall be the responsibility of the apprentice and his master to ensure that it is in the possession of the apprentice at every race meeting he attends, and that winning mounts are entered in his winning rides book and endorsed by a steward before the apprentice leaves the racecourse on any day on which he has ridden a winner or winners.

(11) No apprentice shall claim an allowance to which he is not entitled and any horse that has been ridden in a race by an apprentice whose weight in the race has been adjusted by an allowance to which he is not entitled may be disqualified for the race.

(12) Except with the permission of the Stewards, every apprentice must claim his full allowance, and any apprentice who fails to do so commits an offence and may be stood down for such ride. *[subrule added 1.5.02]*

(13) (a) Subject to paragraph (b) of this subrule winning rides in flat races held outside Australia shall be regarded for the purpose of this rule as winning rides in an Australian Metropolitan area.

(b) Winning rides in flat races held at New Zealand Premier meetings (as defined by the New Zealand Thoroughbred Racing (Inc)) shall be regarded for the purposes of this rule as winning rides in a Metropolitan area, and winning rides in flat races at all other New Zealand meetings shall be regarded as winning rides in a Provincial Area, provided that for the purposes of this rule a winning ride in a Group or Listed race at any race meeting in New Zealand shall be deemed a winning ride in a Metropolitan area. *[subrule added 30.6.03][Subrule replaced 1.2.11] [Subrule amended 15.6.12]*

(14) Any apprentice and/or his master may be penalised for any breach of this rule and any person concurring in or conniving at such breach may also be penalised.

*[previously subrule (12) renumbered 1.5.02]*

**AR 92A.** (1) A Principal Racing Authority may appoint a Riding Skills Panel for the purpose of assisting in the mentoring of and provision of remedial training for riders, including jockeys, apprentice jockeys and approved riders.

(2) A rider may at any time be referred by the Stewards to the Riding Skills Panel for mentoring or for such remedial training as they see fit.

(3) The Stewards may penalise any rider so referred who fails or refuses to attend when directed or fails or refuses to comply with or to fulfil any reasonable direction of the Riding Skills Panel.

(4) The Stewards may suspend or limit in any way a rider's permission to ride in races if they find that any aspect of his race riding technique, method or practice may be a hazard to himself or other riders, or may be contrary to the interests of horse welfare or may involve a breach of the Rules.

*[rule added 1.10.06] [amended 1.8.09]*

## **STABLEHANDS AND APPRENTICES**

**AR 93.** No trainer shall engage any person to work in his stable without a written report from his last employer. No trainer shall continue to employ any person in his stable without the consent of the Principal Racing Authority after notice has been served on him that such person has not fulfilled his engagement with his previous employer. Any person prohibited from employing or being employed under these Rules may apply for such consent.

**AR 94.** Any person employed in a stable leaving his or her master before the terms of his or her engagement are complete may be penalised.

**AR 95.** Any apprentice leaving his or her employment without the consent of his or her master or without just cause and any trainer or owner engaging or keeping such apprentice in his or her service may be penalised.

**AR 96.** Any person who shall be proved to the satisfaction of the Principal Racing Authority or the Stewards to have tampered with any stablehand or apprentice may be penalised.

## **RETAINERS**

**AR 97.** No retainer shall be recognised unless it be in writing signed by the parties and lodged at the office of the Principal Racing Authority.

**AR 98.** Employers retaining the same jockey have precedence according to the priority of their retainers.

**AR 99.** If a jockey be prevented from riding by disqualification or suspension any person who has retained him may cancel the retainer.

**AR 100.** In the absence of special agreement, a jockey's retainer shall be terminable by three months notice in writing on either side, and not otherwise; but the Principal Racing Authority may at any time release an owner or jockey from a retainer for any cause appearing to them sufficient and on such terms as they think fit.

## **AMATEURS**

**AR 101.** (1) No person shall be eligible to ride as an amateur:

(a) If he receives or shall have received any fee or reward in money or be or have been in any way reimbursed for his services for riding in any race, show or competition save for reimbursement of reasonable out-of-pocket expenses the amount of which shall be in the discretion of the Stewards.

(b) If he be or shall have been employed in any capacity in a racing stable for an aggregate period of six months or more, or at all within the previous year;

(c) If he be or shall have been directly or indirectly engaged in the business of training horses for fee or reward;

(d) If he be or shall have been a bookmaker or bookmaker's clerk;

(e) If he shall at any time have been disqualified or suspended; (provided that if the disqualification or suspension shall have been removed or if the term shall have expired the Principal Racing Authority may on application grant the applicant permission to ride as an amateur).

(f) If, in the opinion of the Stewards, he is not a fit and proper person to ride as an amateur; or

(g) If he has been prohibited by the Principal Racing Authority from riding as an amateur.

(2) The Stewards may at any time call on any person who rides as an amateur to show that he is qualified under this Rule.

(3) As from 1st August, 1991, reasonable out-of-pocket expenses, if to be paid, shall be lodged no later than on the day of the meeting with the Secretary of the Club, and/or with the permission of the Stewards thereafter paid to the amateur.

**AR 101A.** Any approved or amateur rider who has a riding engagement at any race meeting shall not at such race meeting make or have an interest in a bet, or be present in the betting ring.

*[added 1.7.01]*

**AR 101B.** An amateur or approved rider who owns a horse entered in a race shall not without the permission of the Stewards accept an engagement to ride another horse in that race.

*[added 1.12.10]*

**AR 102.** An amateur shall not ride in any race except one restricted to amateurs without the consent of the Principal Racing Authority or the Stewards.

### **WEIGHTS, PENALTIES AND ALLOWANCES**

**AR 103.** (1) The top weight allocated for handicap flat races must not be less than 59 kilograms, except for Group 1 handicap races and races in which 2yos only can run, for which the allocated top weight must not be less than 58 kilograms.

*[words added 1.8.08]*

(2) Notwithstanding the provisions of subrule (1), if at the declaration of acceptances for a handicap flat race the weight allocated to the highest-weighted acceptor (including any extra weight by way of re-handicap or penalty) is less than 58 kilograms (57 kilograms for Group 1 handicap races), or less than a higher weight determined by a Principal Racing Authority, then allocated weights for the race must be increased until the highest-weighted acceptor is weighted at not less than 58 kilograms (57 kilograms for Group 1 handicap races).

Provided further that the Principal Racing Authority concerned may, in its sole and absolute discretion, provide an exemption from this subrule for Group 1 handicap races.

*[amended 10.9.09, 1.10.15, 1.3.16 & 1.10.17]*

(3) The minimum weight allocated for handicap flat races must not be less than –

- (a) 50 kilograms for the Melbourne Cup and Caulfield Cup;
- (b) 52 kilograms for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup;
- (c) 53 kilograms for Group 2 handicap flat races;
- (d) 54 kilograms for all other handicap flat races (provided that a Principal Racing Authority may in its discretion approve a minimum of 53 kilograms for the purposes of this subrule).

Provided further that the Principal Racing Authority concerned may approve applications made by racing clubs for a minimum weight of 50 kilograms for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup (paragraph (b) of this subrule) and also for 2-year-old and/or 3-year old horses in open-age handicap races to be allocated lower

minimum weights than those prescribed by paragraphs (a), (b), (c) and (d) of this subrule.

*[rule deleted & replaced 1.1.07][amended 1.1.12, 1.10.15 & 1.10.16]*

**AR 104.** The Standard Weight-for-Age, expressed in kilograms, for flat races shall be from 1<sup>st</sup> August 2008 in accordance with the following schedule:

STANDARD WEIGHT FOR AGE FOR FLAT RACES - SCHEDULE													
MONTH		AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JULY
1000m to 1200m	2						45	46	47	48	49	50	51
	3	51.5	52	53	53.5	54.5	55	55.5	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5
	5 +	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5
Over 1200m to 1400m	2						44	45	46	47	48	49	50
	3	50.5	51	52	53	54	54.5	55.5	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	59	59	59	59	59	59	59	59	59
	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 1400m to 1600m	2						43.5	44.5	45.5	46.5	47.5	48.5	49.5
	3	50	50.5	51	52	53	54	55	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	59	59	59	59	59	59	59	59	59
	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 1600m to 2000m	2						42.5	43.5	44.5	45.5	46.5	47.5	48.5
	3	49	49.5	50	51	52	53	54	54.5	55.5	56.5	57	57.5
	4	58	58	58	58.5	58.5	58.5	59	59	59	59	59	59

	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 2000m to 2400m	3	48.5	49	49.5	50.5	51	52	53	54	54.5	55.5	56	57
	4	57.5	57.5	57.5	58	58	58	58.5	58.5	58.5	59	59	59
	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 2400m to 3200m	3	48	48.5	49	50	50.5	51.5	52.5	53.5	54	55	55.5	56
	4	57.5	57.5	57.5	58	58	58	58.5	58.5	58.5	59	59	59
	5 +	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5

***Fillies and Mares allowed 2kg from 1 August - 31 July***

*[rule and schedule deleted and replaced 1.8.98 & 1.1.07] [amended 1.8.08]*

**AR 104A.** A weight allowance of 2kg to fillies and mares shall apply to all set-weight and set-weight-and-penalties races, other than those races that are restricted to fillies and mares.

*[added 1.8.08]*

**AR 105.** In all Standard Weight-for-Age races an allowance according to the following scale shall be made to all horses sired north of the line, and foaled between the 1st of January and the 31st July, viz.:-

Distance	Age	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1200m and under	2y	---	---	---	---	---	3	3	3	3	3	3	3
	3y	2.5	2.5	2	2	2	2	1.5	1.5	1.5	1	1	1
	4y	.5	.5	.5	.5	---	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 1200m to 1600m	2y	---	---	---	---	---	3.5	3.5	3.5	3.5	3.5	3.5	3.5
	3y	3	3	2.5	2.5	2.5	2.5	2	2	2	1.5	1.5	1.5
	4y	1	1	1	1	.5	.5	.5	.5	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 1600m to	2y	---	---	---	---	---	4	4	4	4	4	4	4
	3y	3	3	2.5	2.5	2.5	2.5	2.5	2	2	2	2	2
	4y	1.5	1.5	1.5	1	1	1	.5	.5	.5	---	---	---

2000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	3.5	3.5	3	3	3	3	2.5	2.5	2.5	2	2	2
2000m	4y	2	2	1.5	1.5	1.5	1.5	1	1	.5	.5	---	---
to 2400m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	4	4	3.5	3.5	3.5	3.5	3.5	3.5	3	3	3	3
2400m	4y	2.5	2.5	2	2	2	1.5	1.5	1	1	.5	.5	.5
to 3000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	---	---	---	---	4	4	4	4	4	4	4	4
3000m	4y	3	3	2.5	2.5	2.5	2	2	1.5	1.5	1	1	.5
	5y	---	---	---	---	---	---	---	---	---	---	---	---

#### ALLOWANCES IN KGS.

**AR 106.** No horse shall receive an allowance of weight or be relieved from extra weight, for having been beaten in one or more races; but this rule shall not prohibit an allowance to maidens, or the holding of races under the conditions of which the weights allotted to horses depend on whether or not they have won a race, or whether they have or have not won one or more races of a particular kind.

**AR 107.** The conditions of a race shall not contain any provision that a horse shall carry extra weight for having run second, or in any lower place, in any race or races.

**AR 108.** Allowances and extra weights shall not be affected by performances in matches or private sweepstakes.

**AR 109.** Penalties are not cumulative unless so declared by the conditions of the race.

**AR 110.** Winners of jumping races are not liable to carry penalties as such winners in races on the flat, and winners on the flat are not liable to carry penalties as such winners in jumping races, unless specially imposed by the conditions.

**AR 111.** The handicapper shall append to the weights for every handicap the date and hour of his declaration of such weights.

**AR 111A.** (1) The Stewards may, subject to subrule (2) of this rule, within any reasonable time, permit the handicapper to amend the allotted weight of any horse in a handicap race.

(2) The Stewards may allow the handicapper to amend the allotted weight of a horse only if they are satisfied that the allotted weight was incorrect because of:

(a) a clerical error at the time of release of such weights, or

(b) incomplete or inaccurate information on the performances, age, sex or identity of any entry, or



(c) an error by the handicapper in the assessment of the age or sex of any entry or of the conditions for the race. *[para (c) amended 1.10.00]*

(3) The handicapper may, with the permission of the Stewards and before the declaration of acceptances, issue a substitute set of weights for a handicap race only when –

(a) a correctly nominated horse was not included in the original weights, or

(b) the original weights are not in accordance with the conditions for the race.

(4) Notwithstanding the foregoing provisions of this rule, an error in the allotted weight of any horse in a weight-for-age, set-weight, ratings-based, benchmark or set-weight-and-penalties race may be corrected at any time.

*[rule added 1.8.99] [amended 1.10.07] [subrule (4) amended 1.12.10]*

(5) The handicapper may amend the allotted weight of a horse in a handicap race to carry an additional weight if, after weights are declared for that handicap race, that horse wins a race.

*[amended 1.2.14]*

**AR 112.** (a) *[subrule rescinded 1.9.91]*

(b) *[subrule rescinded 1.12.89]*

(c) Any prize not in money shall be estimated at its advertised value.

(d) When horses run a dead-heat for first place each of such horses is liable to carry extra weight as winner of that race. Each such horse shall be deemed to have won in respect of such race the amount of the prize awarded in respect of the horse as a result of the race, and any extra weight shall be calculated accordingly. *[amended 1.7.00]*

(e) If, however, in the conditions of a race a certain penalty or a certain weight has to be carried for winning a race specified by name, each horse running a dead-heat for such race shall carry the penalty or weight so fixed as if he had won outright.

(f) For the purpose of calculating the value of prizemoney earned in other countries by a horse which is entered for an Australian race, the rate of exchange shall be used which was current on the first working day of January of the year in which such prizemoney was earned, as determined by a trading bank nominated by the Australian Racing Board.

*[subrule (f) amended 1.4.99]*

**AR 113.** If the winner of any race is found by the Stewards or Committee to have been ineligible, or is subsequently disqualified for the race, the eligibility or weight of any other horse shall not be affected in respect of any other race run prior to such finding.

## SCRATCHING

**AR 114.** (1)(a) Subject to subrule (2) of this rule notice of withdrawal of a horse from any race shall be given to the Secretary of the Club or other official authorised to receive the same at least forty-five minutes before the time appointed to start such race, or such earlier time as the Local Rules may provide.

(b) Such notice shall be given in writing by the nominator or trainer or by the authorised agent of either of them.

(c) If no such notice be given the Stewards may nevertheless permit or order the withdrawal of the horse and may penalise the nominator or the trainer or both.

(2)(a) Where a horse has been accepted for races to be run on the same day in different states or territories the nominator or trainer of the horse, unless he has the express permission of the Stewards, must by 9.00am on the day prior to the day of the race give to an official authorised to receive same, notice of the withdrawal of the horse from the race for which the horse has accepted but will not start.

(b) If no such notice is given the stewards may nevertheless permit or order the withdrawal of the horse and may penalise the nominator or the trainer or both.

(c) For the purposes of paragraph (a) nominator or trainer includes an authorised agent of either of them. *[rule amended 15.6.12]*

**AR 115.** In the event of the postponement of a race or meeting to another day, scratchings made on the day on which such race or meeting as the case may be was to have been held shall be deemed to be void and the time for scratching extended to the prescribed scratching time on the day on which the race or race meeting is held.

**AR 116.** If the Stewards order a race to be re-run, they may allow any horse to be withdrawn from the race up to fifteen minutes before the time appointed for the race to be re-run.

**AR 117.** (1) All horses engaged to be run in any race shall be brought into the saddling paddock at a time provided for by Local Rule and shall remain there until ordered to proceed to the starting post.

(2) At any time after the designated time for horses to be brought to the saddling paddock, the Stewards may call on the nominator or trainer to satisfy them that their horse will start, and if the Stewards are not so satisfied, or the nominator or trainer cannot be found, the Stewards may order the withdrawal of the horse and penalise the nominator and trainer or either of them.

(3) No horse that has competed in a race shall, without the consent of the Stewards, be removed from the saddling paddock within half an hour of the finish of such race.

*[rule deleted & replaced 1.11.99]*

## WEIGHING OUT

**AR 118.** When calculating a rider's weight in weighing-out or weighing-in –

- (a) no account shall be taken of fractions of a half kilogram, and,
- (b) the following items shall be included by the rider in the weight:
  - (i) any item of clothing worn by the rider, excluding the helmet, goggles, other face protection and gloves;
  - (ii) the saddle, lead bag and associated packing, excluding the saddle cloth;
  - (iii) any other gear attached or to be attached to the saddle.

*[words replaced 30.6.03][amended 1.9.09]*

**AR 118A.** A rider or any other person shall not, without the permission of the Stewards, add to, remove from, or change any equipment with which the rider has been weighed-out.

*[amended 14.6.07]*

**AR 118AA.** (1) When weighing-out for any race every rider must secure in his lead bag or saddle pouch any lead or other weight.

*[added 20.11.02]*

(2) All lead or other weight must be carried in the saddle or lead bag pouches and must be securely fastened therein.

*[subrule added 1.6.08]*

**AR 118B.** To compensate for the wearing of safety gear in races, other than such safety gear which is not allowed in the scales pursuant to AR 148, the weight of all riders shall be calculated at one kilogram less than the weight that is registered on the scale at both weighing-out and weighing-in. *[added 1.12.98] [amended 1.8.07]*

**AR 118C.** It shall be an offence for any rider -

- (a) to in any way manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race; or
- (b) to weigh-out or attempt to weigh-out for a race or ride in any race when wearing an Approved safety vest that has been modified in any way.  
*[added 1.12.98]*
- (c) to weigh-out or attempt to weigh-out or ride in any race unless he is wearing an Approved or permitted safety vest.  
*[paragraph (c) added 1.10.00]*

*[rule amended 1.8.07 & 1.7.14]*

**AR 119.** If a rider after being declared is prevented by accident or illness or other cause from riding, the Stewards may permit another rider to be substituted.

**AR 120.** (a) If a rider intends to carry overweight in a race, he must declare the amount of his overweight to the Clerk of the Scales. If such overweight is half a kilogram or more the rider must first obtain the permission of the Stewards to carry such extra weight. The Clerk of Scales shall exhibit all overweight outside the weighing room.

(b) If a rider, after having been declared is found to have accepted a ride for which he is overweight, such rider may be penalised and another rider may be substituted at the allotted weight, or nearer to the allotted weight.

**AR 121.** Nominators and trainers are responsible for their horses carrying all proper weight and penalties, and in all cases where penalties have to be carried for winning, or allowances are claimed, the nominator, trainer or rider must notify the same to the Clerk of the Scales before the rider is weighed out.

**AR 122.** A rider shall mount the horse to be ridden by him in any race within such enclosure or place as the Stewards may appoint, and shall not without leave of the Stewards leave the jockeys room or such enclosure before proceeding to the starting post.

**AR 123.** After a rider has left the jockeys room to ride in a race, and until he dismounts if not required to weigh in, or until he weighs in if so required,

(a) No person other than the trainer or nominator, or their authorised agent, or an official in the course of his duties, or during the race another rider, shall except by leave of the Stewards, Judge or Starter, speak to or communicate in any way with such rider.

(b) No other person save an official in the course of his duties or the trainer prior to the race shall except by leave of the Stewards, Judge or Starter touch the rider, or his horse or any of its equipment.

(c) The rider shall not except by leave of the Stewards, Judge or Starter, speak to or communicate in any way with any person other than the trainer or nominator, or their authorised agent, or an Official in respect of his duties, or another rider during the race.

## **STARTING**

**AR 124.** Every horse unless otherwise permitted by the Stewards shall be presented in the mounting yard no later than fifteen minutes prior to the advertised start time.

*[amended 1.9.09]*

**AR 125.** Every horse shall parade and proceed, without delay, to the start as directed by the Stewards. *[amended 1.9.09]*

**AR 126.** Every race shall be started by the Starter or such person appointed by the Principal Racing Authority, Committee of the Club or the Stewards in accordance with these rules. *[amended 1.9.09]*

**AR 127.** The Starter may give all such orders and take all such measures as he considers necessary for securing a fair start and shall report to the Stewards any rider who disobeys his orders or attempts to take any unfair advantage. *[deleted & replaced 1.9.09]*

**AR 128.** (1) Every rider shall ensure that his horse occupies its allotted barrier stall that is in the respective order as previously determined by the barrier draw.

(2) If any horse starts from an incorrect barrier stall, the Stewards prior to the declaration of correct weight may confirm the official order of placings, declare the race to be void, or declare any horse concerned a non-starter. *[amended 1.9.09]*

**AR 129.** An open barrier or flag start must be specifically authorised by the Stewards, whereupon the Starter may remove any unruly horse from the place allotted by the barrier draw; and in such case he shall place it at such a distance to the outside of, or behind, the other runners where it cannot gain any advantage for itself, or cause any danger or prejudice the chances of any other horse; or if he considers it necessary he may recommend its withdrawal by the Stewards. *[amended 1.9.09]*

**AR 130.** If the start is from barrier stalls, no horse may start outside the barrier stalls and any horse which refuses to enter its barrier stall after all reasonable efforts have been made to place it therein, or any horse which becomes unduly fractious after being placed in its stall it may be withdrawn by the Stewards who may make such orders as are considered appropriate in respect to betting on such event. *[amended 1.9.09]*

**AR 131.** If a race be started from the incorrect starting position the Stewards may declare such race void and may further order that such race be re-run on that day. *[amended 1.9.09]*

**AR 132.** The Starter may signal a false start if he considers –

- (a) the barrier stalls have malfunctioned,
- (b) a horse has broken through the barriers before he had effected the start, or
- (c) for any reason, a fair start had not been effected.

*[rule amended 1.9.09]*

**AR 132A.** In the event that a false start has been signalled by the Starter and/or an official appointed for the purpose each rider must immediately restrain his mount and return to the starting point without delay. *[amended 1.9.09]*

**AR 133.** Unless a false start has been signalled by the Starter or the official appointed for the purpose all riders shall ride their mounts so as to fulfil their obligations under AR 135(b).

*[amended 1.9.09]*

**AR 134.** The decision of the Stewards shall be final and conclusive upon any question of whether a start has been effected or whether a horse is declared a non-starter.

*[amended 1.3.05][amended 1.9.09]*

**AR 134A.** If in the opinion of the Stewards any horse was riderless at the time a start was effected, or was encumbered by equipment applied with the permission of or at the direction of the starter, or if a horse was denied a fair start and such occurrence materially prejudiced the chances of that horse finishing in first, second or third placing, the Stewards may declare such a horse to be a non-starter and may make such order regarding betting as provided for separately in the Rules of Betting. Provided that a horse which is ultimately declared first, second or third placing in a race shall not be declared a non-starter.

*[amended 1.3.05]*

**AR 134B.** If in the opinion of the Stewards, or any other person exercising delegated power of the Principal Racing Authority, a horse obtains an unfair advantage at the start of a race, the Stewards may declare such a horse to be a non-starter and may make such order regarding betting as provided for separately in the Rules of Betting.

*[added 1.8.16]*

## **RUNNING**

**AR 135.** (a) Every horse shall be run on its merits.

(b) The rider of every horse shall take all reasonable and permissible measures throughout the race to ensure that his horse is given full opportunity to win or to obtain the best possible place in the field.

(c) Any person who in the opinion of the Stewards has breached, or was a party to breaching, any portion of this Rule may be penalised, and the horse concerned may be disqualified.

(d) Any person who:

- (i) in the opinion of the Stewards, has breached, or was a party to breaching, subrule 135(a); and
- (ii) has a lay bet or an interest in a lay bet on the subject horse and/or has a bet or an interest in a bet on another horse in the subject race,

must be penalised in accordance with AR196(5).

*[paragraph added 1.3.13]*

**AR 135A.** When by or on behalf of a trainer, any instruction is given to, or arrangement made with the rider of a horse engaged in a race that the horse be ridden in the race in a manner different from the manner in which the horse was ridden at its most recent start or starts, it shall be the responsibility of the trainer or his duly authorised agent to notify the Stewards of any such instruction or arrangement as early as practicable but not later than 30 minutes prior to the race. Upon receipt of that notification the Stewards may make any public release in respect thereof as they deem to be appropriate.

*[added 1.3.05] [amended 1.10.06 & 1.10.12]*

**AR 136.** (1) If a horse -

(a) crosses another horse so as to interfere with that, or any other horse, or

(b) jostles, or itself, or its rider, in any way interferes with another horse or its rider, unless such jostle or interference was caused by some other horse or rider -

such horse and any other horse in the same nomination may be disqualified for the race.

*[amended 1.2.01]*

(2) If a placed horse or its rider causes interference within the meaning of this Rule to another placed horse, or its rider, and the stewards are of the opinion that the horse interfered with would have finished ahead of the first mentioned horse had such interference not occurred, they may place the first mentioned horse immediately after the horse interfered with. For the purpose of this Rule “placed horse” shall be a horse placed by the Judge in accordance with AR 157.

*[amended 1.11.11]*

**AR 137.** Any rider may be penalised if, in the opinion of the Stewards,

(a) He is guilty of careless, reckless, improper, incompetent or foul riding.

*[amended 1.3.05]*

(b) He fails to ride his horse out to the end of the race and/or approaching the end of the race.

*[amended 1.10.06]*

(c) He makes any celebratory gesture prior to his mount passing the winning post.

*[para (c) added 1.10.00]*

(d) He excessively slows, reduces or checks the speed of his horse thereby causing interference, directly or indirectly, to any other horse in the race.

*[para (d) added 1.3.05]*

**AR 137A.** (1)

(a) Only padded whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in races or official trials.

- (b) Every such whip must be in a satisfactory condition and must not be modified in any way.
- (c) The Stewards may confiscate any whip which in their opinion is not in a satisfactory condition or has been modified.
- (d) Any rider who has been found guilty of a breach of this subrule may be penalised. Provided that the master and/or other person who is in charge of an apprentice jockey at the relevant time may also be penalised unless he satisfies the Stewards that he took all proper care to ensure the apprentice complied with the rule.

(2) Only padded whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in trackwork. *[subrule amended 1.8.16]*

(3) The Stewards may penalise any rider who in a race, trial or trackwork, or elsewhere uses his whip in an excessive, unnecessary or improper manner.

(4) Without affecting the generality of subrule (3) of this rule, the Stewards may penalise any rider who in a race or trial uses his whip -

- (a) forward of his horse's shoulder or in the vicinity of its head; or
- (b) using an action that raises his arm above shoulder height; or
- (c) when his horse is out of contention; or
- (d) when his horse is showing no response; or
- (e) after passing the winning post; or
- (f) causing injury to his horse; or
- (g) when his horse is clearly winning ; or
- (h) has no reasonable prospect of improving or losing its position, or
- (i) in such manner that the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that this was neither deliberate nor reckless.

(5) Subject to the other requirements of this rule:

(a) In a race, official trial or jump-out prior to the 100 metre mark;

(i) The whip shall not be used in consecutive strides.

(ii) The whip shall not be used on more than 5 occasions save and except where there have only been minor infractions and the totality of the whip use over the whole race is less than permitted under AR137A(5)(a) and (b) and also having regard to the circumstances of the race including distance and context of the race, such as a staying race or a rider endeavouring to encourage his mount to improve.

*[sub-paragraph amended 1.2.17]*



(iii) The rider may at his discretion use the whip with a slapping motion down the shoulder, with the whip hand remaining on the reins.

(b) In the final 100 metres of a race, official trial or jump-out a rider may use his whip at his discretion.

*[subrule amended 26.9.09][subrule amended 15.6.12 & 1.12.15]*

(6) *[Rescinded 26.9.09]*

(7) (a) Any trainer, owner or authorised agent must not give instructions to a rider regarding the use of the whip which, if carried out, might result in a breach of this rule.

(b) No person may offer inducements to a rider, to use the whip in such a way that, if carried out, might result in a breach of this rule.

(8) Any person who fails to comply with any provisions of this rule is guilty of an offence.

(9) An owner or his authorised representative, trainer, rider or Steward may lodge an objection against the placing of a horse where the rider during the race contravenes AR137A (3) or (5)

*[subrule added 1.8.09][amended 26.9.09]*

(10) Notwithstanding the provisions of subrule (5) (a) & (b) of this rule, a Principal Racing Authority who has charge of the conduct of jumps racing may provide separately, and in its own discretion, for the regulation of the use of the whip in jumping events under its own Local Rules of Racing and any such provision/s will not be limited by the provisions of subrule (5) (a) & (b).

*[added 11.4.16]*

**AR 137AA:** *[Deleted 1.8.09]*

**AR 137B.** The Stewards may penalise any rider who in a race, official trial, jump-out or in trackwork, or elsewhere uses his spurs in an unnecessary, excessive or improper manner.

*[amended 1.10.00] [amended 1.9.09]*

**AR 138.** (1) In any race approved by a Principal Racing Authority to be conducted outside markers, any rider may be penalised if in the opinion of the Stewards –

(a) he permits his mount to go inside a marker;

(b) he makes insufficient effort to prevent his mount from going inside a marker;

- (c) he causes either directly or indirectly another runner to go inside a marker;
- (d) he permits his mount to continue in the race after it goes inside a marker.

(2) The markers referred to in subrule (1) shall be of a design and placement as approved by the Principal Racing Authority.

(3) Any horse that goes inside a marker shall be disqualified for the race unless such occurrence was, in the opinion of the Stewards, caused by another horse or rider, in which case the horse so interfered with may be declared a non-starter.

(4) Any horse that interferes with or in any way causes another runner to go inside a marker may be disqualified for the race. *[rule replaced 1.9.09]*

**AR 139.** The Stewards appointed under AR.8 may declare any race void and, if they consider it expedient, order such race to be run again on the same day.

**AR 140.** (a) The trainer of a horse that is included in the final acceptors for a race must:

- (i) ensure that such horse is fit and properly conditioned to race; and
- (ii) report to the Stewards:
  - (a) by acceptance time, any occurrence, condition, or treatment that may affect or impact on the horse's performance in the race where the occurrence takes place, condition is present or treatment is administered before acceptance time;
  - (b) as soon as is practicable, any occurrence, condition, or treatment that may affect or impact on the horse's performance in the race where the occurrence takes place, condition is present or treatment is administered after acceptance time.

(aa) The rider of a horse must report any pre-race occurrence or incident involving or affecting the horse occurring after the order to mount which may impact the running or performance of the horse in the race. The report by the rider must be made to the Stewards or, in the absence of the Stewards, to the race starter, prior to the start of the race. *[paragraph added 1.8.16]*

(b) The owner and/or trainer and/or rider shall report to the Stewards as soon as practicable anything which might have affected the running of their horse in a race.

(c) If, after a horse which has raced has left the racecourse, the trainer of the horse becomes aware of any condition or injury which may have affected or impacted on the horse's performance in the relevant race, the trainer must report the condition or injury to the Stewards as soon as practicable and no later than acceptance time for its next race engagement.

(d) Any loss or breakage of gear during a race, or any unusual happening in connection therewith, shall be reported by the owner and/or trainer and/or rider to the Stewards immediately after the race.

(e) Any person who fails to comply with any provision of AR 140 commits an offence and may be penalised.

*[Rule deleted 1.9.13 & replaced 1.9.13]*

**AR 140A.** (1) The trainer of a horse is at all times responsible for the proper saddling and application and fitting of all gear to a horse presented for a race, official trial, jump-out or track work.

(2) The trainer of a horse that is presented for a race, official trial, jump-out or track work and that has not been properly saddled or had all its gear fitted or correctly applied commits an offence and may be penalised.

(3) Notwithstanding AR.140A(1) or AR.140A(2), any person, other than the trainer of the horse, who fails to properly saddle or fit or correctly apply required gear to a horse presented for a race, official trial, jump-out or track work commits an offence and may be penalised.

*[words inserted 1.12.05] [amended 14.6.07, 1.9.09 & 1.9.13]*

**AR 140B.** (1) Only gear and conditions of use that have been expressly approved by the Chairmen of Stewards, and included in the National Gear Register, may be used on any horse in a race, official trial, jump-out or in trackwork. Provided that the Stewards may approve other gear to be used in trackwork.

*[amended 1.9.09]*

(2) No horse shall race in any approved gear, including racing plates, listed in the National Gear Register unless permission has been obtained from the Stewards prior to acceptance time for the race concerned.

*[words added 1.5.02 & 30.6.03] [amended 14.6.07]*

(3) When permission has been obtained in accordance with the provisions of subrule (2) of this rule such gear shall continue to be used without variation on the horse concerned in subsequent races unless permission has been obtained from the Stewards prior to acceptance time for the race concerned, or as otherwise approved or instructed by the Stewards.

*[amended 14.6.07]*

**AR 141.** Every horse running in a race shall carry a saddlecloth bearing a number corresponding with the number in the racebook. The cloth shall be supplied to the rider at the time of weighing out, and must be worn so that the number is clearly visible.

**AR 141A.** (1) No horse shall be permitted to start in any race unless it is fully shod with plates or tips that conform to the requirements of AR.141B, provided that in exceptional circumstances, the Stewards may permit a horse to run barefooted or partly shod. The trainer bears sole responsibility for ensuring that horses are presented for racing in compliance with AR 141B.

(2) Prior to the acceptance time of any race for which a horse is entered, trainers must -

(a) obtain approval from the Stewards for the use of any synthetic hoof repair material, hoof pads or any non-standard, partial, modified and/or therapeutic, racing plates or tips; and/or *[amended 1.8.04 & 1.6.08]*

(b) notify to the Stewards any change from tips to plates, or from plates to tips.

(3) To ensure compliance with the requirements for plating as prescribed in AR 141B, the farrier's supervisor or any other person appointed by the Stewards shall be authorised to inspect all or any horses presented for racing.

(4) Any mishap to a plate or tip occurring in a race must be reported by the trainer to the Stewards without delay. *[rule replaced 30.6.03]*

**AR 141B.** (1) Plates and tips must be made of an approved material capable of being forged or moulded into shape. Tips must cover at least one third of the perimeter of the hoof.

(2) Plates and tips must not exceed 150 grams in weight, provided that upon application the Stewards may give permission for the use of approved therapeutic plates up to a weight of 170 grams.

(3) Plates and tips must be securely and properly fitted and must not protrude beyond the perimeter of the hoof. Plates must be secured by a minimum of five nails and tips by a minimum of three nails. The heads of nails must not protrude more than 2mm from the surface of the plate or tip.

(4) Forged or rolled toe and side clips are permitted provided such clips have blunt, rounded edges and do not exceed 15mm in height and 20mm in width. Steel inserts are permitted provided they are level with the surface of the plate.

(5) Bar plates are permitted, provided that the entire plate including the bar is in one piece. A bar may be welded or riveted to the plate provided that the surface of the bar is level with that of the plate.

(6) Heeled plates or caulks are not permitted in flat races. Cutting plates, grippers or any other form of plates or tips which in the opinion of the Stewards may be dangerous are not permitted.

(7) Hoof pads shall be of a material, design and weight approved by the Stewards. *[replaced 30.6.03]*

## WEIGHING IN

**AR 142.** When a race has been run every rider shall immediately after pulling up, ride his horse to the place of weighing and when told by the Stewards so to do and not before, there dismount and the riders of the placed horses, and such other riders as directed by the Stewards, shall be weighed to the satisfaction of the Clerk of the Scales or a Steward.

Provided that if a rider be prevented by accident, illness or other cause deemed sufficient by the Stewards from riding to the place of weighing he may walk or be carried to the scales. If, in the opinion of the Stewards, it is impracticable to weigh in a rider, his horse shall not be disqualified if he weighed out correctly and the Stewards are of the opinion that he carried his correct weight.

**AR 143.** Subject to AR 146, if a horse carries less weight than the weight it should carry -

(a) it shall be disqualified for the race, provided that a rider shall be allowed by the Clerk of the Scales a half kilogram for the weight of his bridle. *[amended 1.10. 2007]*

(b) notwithstanding paragraph (a), the rider and/or any other person at fault may be penalised. *[amended 1.10.06]*

**AR 144.** If a rider does not weigh in when required to do so, or if he touch (except accidentally) any person or thing other than his own equipment, after starting, and before weighing in, unless justified by extraordinary circumstances in doing so, he may be penalised and the horse he rode may be disqualified for that race; provided that any part of his equipment dropped after passing the post may be handed to him by the Clerk of the Course or other authorised official.

**AR 145.** If a horse carries more than a half a kilogram in any race over the weight imposed or declared, the rider and any other person at fault may be penalised. *[amended 1.12.10]*

**AR146.** Subject to compliance with AR.142, a horse shall be deemed to have carried its weight from the start of the race to the finish line if in the opinion of the Stewards, the jockey remains in contact with the horse or any part of the horse's gear from the start of the race to the finish line. *[rescinded 21.4.81][Rule added 1.5.15]*

**AR 147.** *[rescinded 1.9.09]*

**AR 148.** *[words added 1.5.02 & 30.6.03] [Cornell collar added 1.3.06][amended 1.10.06] [rescinded 1.9.09]*

**AR 149.** *[deleted 1.6.08]*

**AR 150.** When all the riders required to be weighed-in have been so weighed at not less than the weight at which they weighed-out, if there has been no objection or after any objection has been determined, the Stewards shall declare correct weight and make a public announcement to that effect. *[replaced 1.9.09]*

## DEAD-HEATS

**AR 151.** When horses run a dead-heat for first or other place, the prize money awarded in respect of each horse shall be an equal share of the total prize money that would have been awarded in respect of the horses had they finished in successive places and not dead-heated.

*[amended 1.7.00]*

**AR 152.** If the nominators of a horse which run a dead-heat cannot agree who of them is to have a cup or other prize that cannot be divided, the question shall be determined by lot by the Stewards, who, if it becomes necessary, shall also decide what sum of money (if any) is to be paid by the nominator taking the cup or other indivisible prize to the other nominator.

*[amended 1.7.00]*

**AR 153.** Subject to the conditions of any race, each horse that divides a prize for first place shall be deemed to be the winner of a race worth the amount awarded in respect of the horse by way of money or prize.

*[amended 1.7.00]*

## JUDGE'S DECISION

**AR 154.** Placings in a race shall be decided only by the Judge, occupying the Judge's box at the time when the horses passed the winning post.

**AR 155.** A camera may be used to make photographs or images of the horses at the finish to assist the Judge in determining their positions as exclusively indicated by their noses.

*[amended 1.8.98]*

**AR 156.** (1) The determination of the Judge declaring a horse to have won or to have been placed shall be final, subject only to alteration by the Stewards in accordance with these Rules; provided that the Judge may correct any mistake before the riders of the placed horses have been weighed in.

(2) In the event of the Judge being unavailable or, in the opinion of the Stewards, is or was unable, because of illness or otherwise, properly to place the horses as they pass or passed the winning post, the Stewards shall stand in the place or stead of the Judge and assume and exercise the responsibilities, powers and duties conferred on him by this Rule.

*[subrule added 1.3.05]*

(3) Notwithstanding the terms of subrule (1), whether prior or subsequent to the declaration of correct weight, if the Stewards are satisfied on the evidence of the available prints or images that the Judge has made a mistake in the determination of the finishing order of a race, the Stewards may correct such mistake and alter the places accordingly. No alterations to the Judge's places after correct weight will have any effect on previous orders given by the Stewards as to the payment of bets.

*[subrule added 1.3.05]*

**AR 157.** The Judge shall place the first four horses in a race; or where the conditions of the race provide a fourth prize, the first five horses; or where the conditions of the race provide a fifth prize, the first six horses and so on; or such further number as the Stewards may require.  
*[amended 1.7.05]*

### **WALK-OVER**

**AR 158.** If a horse's rider be weighed out and the horse mounted and ridden past the Judge's box, and that horse is the only runner, it shall be deemed the winner of the race in question and shall be liable to carry extra weight as a winner.

**AR 159.** In the event of a walk-over only half of any money prize due in respect of the winning horse shall be awarded, and when a prize not in money is advertised to be run for it shall be given even if walked-over for; provided that no award shall be made when in the opinion of the Stewards the walk-over is the result of any arrangement. *[amended 1.7.00]*

**AR 160.** Any money or prize which was to be awarded in respect of a horse filling second or any other place shall, if no horse fills any such place, go to the Club conducting the meeting unless otherwise provided in the conditions of the race. *[amended 1.7.00]*

### **COURSE TELECASTS**

**AR 160A.** No photograph, film or telecast of a race shall be exhibited or replayed at the racecourse on which a meeting is being conducted without the permission of the Stewards in charge of such meeting.

**AR 160B.** No person shall, without the permission of the Stewards -

(1) transmit in any way from the grounds of a racecourse any betting odds being offered by bookmakers on any horse that is competing at a racecourse in Australia or elsewhere;

(2) while betting is taking place on the grounds of a racecourse, have turned on or use in any way at any of the following places on the racecourse any portable telephone, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment that is capable of receiving or transmitting information:

(a) in the Mounting Yard;

(b) in the Scales area;

(c) in any other area designated by the Stewards. *[words added to subrule (2) 1.11.99]*

Notwithstanding the provisions of this sub-rule an owner present in the mounting yard immediately after the running of a race is permitted to use a mobile phone. *[amended 1.12.10]*

(3) within the area of the jockeys room bring into, have in his possession, or use any portable telephone, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

**AR 160C.** The Stewards may impound any appliance, apparatus, instrument or equipment that is used without their permission by any person in contravention of AR.160B.

### **OBJECTIONS AND COMPLAINTS**

**AR 161.** Except as provided in Rule AR 165 every objection shall be in writing and shall, without the leave of the Stewards, be signed by the nominator or his authorised agent or by its trainer or rider and shall be made to the Stewards. *[replaced 1.9.09]*

**AR 162.** No objection on the ground of misdescription, or of error, or omission in any entry, except as mentioned in AR.166, shall be accepted after a race. *[replaced 1.9.09]*

**AR 163.** No horse shall be disqualified for a race on account of any defect in regard to its registration or entry when the Stewards might reasonably have permitted or ordered the defect to be corrected if brought to their notice before the start of the race. *[replaced 1.9.09]*

**AR 164.** An objection may be made by a Steward or Starter in his official capacity and in the case of matters provided for in A.R 165 at any time before weight is declared. *[replaced 1.9.09]*

**AR 165.** (1) Any objection by the persons authorised by AR. 161 against a horse or horses, on the ground of:

- (a) an interference as provided for in AR.136(1); or
- (b) his not having run the proper course; or
- (c) the race having been run over a wrong course; or
- (d) grounds provided for in AR 137A;
- (e) any other matter occurring in the race;

shall be made to the Steward at scale before the riders of all placed horses are weighed-in or at any other time allowed by the Stewards prior to the signalling of correct weight.

*[amended 26.9.09 & 1.5.15]*



(2) An objection made under paragraph (a) or (d) of subrule (1) of this Rule shall only be made on behalf of a horse that has been placed by the Judge in accordance with AR 157. *[amended 26.9.09]*

(3) In the event of an objection made under this Rule being deemed by the stewards to be frivolous, the person making such objection may be penalised.

(4) No person shall improperly deter or attempt to improperly deter a person qualified to object from making an objection under this Rule.

(5) No person shall improperly encourage or improperly attempt to encourage a person qualified to object to make an objection under this Rule. *[rule replaced 1.9.09]*

**AR 166.** An objection –

- (a) on the ground of fraudulent misstatement or fraudulent omission in the entry; or
- (b) on the ground that the horse which ran was not the horse, or of the age which it was represented to be, or that it was not qualified under the conditions of the race; or
- (c) that the name of such horse or of any person having an interest in such horse is in the Forfeit List or List of Disqualifications; or
- (d) that the horse was not registered in accordance with these Rules; or
- (e) that the weight carried by a horse was incorrect,

may be received within 30 days of the conclusion of the meeting. *[rule replaced 1.9.09]*

**AR 167** *[rescinded 1.9.09]*

**AR 168.** (1) Subject to subrule (2) if an objection to a horse that has won or been placed in a race be upheld the horse may either be disqualified for the race or dealt with in accordance with Rule 136.

(2) If an objection is lodged on behalf of a placed horse under AR 165(1)(d) against another placed horse and the Stewards are of the opinion that had the rider of the horse objected against not been in breach of AR137A(3) or (5) that the horse would not have finished equal or ahead of the horse on whose behalf the objection is lodged, they may place the horse considered to have been advantaged immediately after the other horse. *[Rule added 26.9.09]*

**AR 169.** In the event of an objection having been made under AR.165 prior to the declaration of correct weight, the Stewards shall without delay make public announcements in relation to –

- (a) the fact that an objection has been lodged;
- (b) the nature of the objection; and subsequently –

- (c) that the objection has been dismissed or upheld;
- (d) if the objection be upheld, details of any alteration to the Judge's placings;
- (e) the declaration of correct weight.

**AR 170.** An objection cannot be withdrawn without leave of the Stewards. *[replaced 1.9.09]*

**AR 171.** If the qualification of any horse is objected to the nominator or his representative must satisfy the Stewards that the horse is eligible, in default of which the Stewards may order the horse to be withdrawn or may direct that any prize awarded in respect of such horse be withheld for a period fixed by them. If at the expiration of that period the Stewards are not satisfied that the horse was qualified, the prize shall be awarded as if that horse had not started. If the qualification of the horse is objected to after ten o'clock on the morning of the day of starting, it shall be allowed to run unless the person making the objection proves the want of qualification to the Stewards' satisfaction, in which case they shall order the horse to be withdrawn  
*[amended 1.7.00] [replaced 1.9.09]*

**AR 172.** Whenever an objection has been lodged, or an inquiry the finding in which may affect the placing of a horse has been instituted, or any action is taken or about to be taken which may lead to such inquiry, any money or prize due in respect of such horse may be withheld pending the consideration of such objection or inquiry.  
*[replaced 1.9.09]*

**AR 173.** In any case where money or a prize or part thereof has been paid or awarded to a person who is subsequently found by the Stewards not to be entitled thereto by reason of the disqualification of his horse or otherwise, such money or prize shall be recoverable from the recipient by the Club concerned.  
*[words deleted 1.11.99] [replaced 1.9.09]*

**AR 174.** Pending the determination of an objection to the placings of a race, the horse placed first shall be liable to all the penalties attaching to the winner of such race.  
*[replaced 1.9.09]*

## OFFENCES

**AR 175.** The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise;  
*[Amended 1.5.09, 1.12.10 & 1.6.15]*

(a) Any person, who, in their opinion, has been guilty of any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing.

(aa) Any person, who in their opinion, engages in conduct that corrupts the outcome of a race or is intended to corrupt the outcome of a race. In this rule:

(i) conduct corrupts the outcome of a race if it:

- (a) affects or, if engaged in, would be likely to affect the outcome of any race; and

(b) is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of a race.

(ii) conduct means an act or an omission to perform an act.

(iii) engage in conduct means:

(a) do an act; or

(b) omit to perform an act.

(iv) outcome is to include any result within the race and is not to be limited to winning or placing in the race.

*[paragraph added 1.3.13]*

(b) Any person who corruptly gives or offers any money, share in a bet, or other benefit to any person having official duties in relation to racing, or to any owner, nominator, trainer, rider, or person having charge of or access to a racehorse.

(c) Any person having official duties in relation to racing, or a nominator, trainer, rider, or person having charge of or access to a racehorse, who corruptly accepts, or offers to accept, any money, share in a bet, or other benefit.

(d) Any person who wilfully enters or causes to be entered or to start for any race a horse which, or the owner or nominator of which, he knew to be disqualified.

(e) The owner, nominator, and trainer of any horse entered or run in any race, official trial, or jump-out under a fraudulently false description and any person having any interest in such horse or any of them.

*[amended 1.9.09]*

(f) Any person who refuses or fails to attend or give evidence at any investigation, inquiry or appeal when directed or requested by the Principal Racing Authority, or other person authorised by the Principal Racing Authority, to do so.

*[amended 1.5.02, 1.2.14 & 1/6/15]*

(g) Any person who gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular.

*[amended 1.2.14]*

(gg) Any person who makes any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing.

(h) Any person who administers, or causes to be administered, to a horse any prohibited substance -

(i) for the purpose of affecting the performance or behaviour of a horse in a race or of preventing its starting in a race; or

(ii) which is detected in any sample taken from such horse prior to or following the running of any race.

(hh) Any person who:

- (i) uses, or attempts to use, any electric or electronic apparatus or any improper contrivance capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop; or
- (ii) has in his possession, any electric or electronic apparatus or any improper contrivance capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

For the purposes of this provision where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed to be capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

*[amended 1.9.09] [amended 1.3.13]*

(i) Any person being an owner, nominator or licensed person who by advertisement, circular, letter, or other means offers to give information concerning his own or other horses in return for any monetary or other consideration, or any person who connives at such practice.

(j) Any person guilty of improper or insulting behaviour at any time towards the Principal Racing Authority, the Committee of any Club or Association, or Stewards, or any official or employee of the Principal Racing Authority, Club or Association, in relation to their or his duties.

*[amended 1.8.16]*

(k) Any person who has committed any breach of the Rules, or whose conduct or negligence has led or could have led to a breach of the Rules.

*[amended 20.11.02]*

(l) Any person who attempts to commit, or conspires with any other person to commit, or any person who connives at or is a party to another committing any breach of the Rules.

(m) Any person who obstructs or in any way interferes with, or who attempts to obstruct or interfere with, the conduct of any race meeting, race, official trial or jump-out.

*[replaced 1.11.01] [amended 1.9.09]*

(n) Any person who in their opinion commits or commissions an act of cruelty to a horse, or is in possession or control of any article or thing which, in their opinion, has been made or modified to make it capable of inflicting cruelty to a horse.

*[para added 1.2.01] [words added 1.8.04] [amended 1.9.09]*

(o) Any person in charge of a horse who in their opinion fails at any time –

- (i) to exercise reasonable care, control or supervision of a horse to prevent an act of cruelty to the animal; and/or

(ii) to take such reasonable steps as are necessary to alleviate any pain inflicted upon a horse; and/or

(iii) to provide for veterinary treatment where such treatment is necessary for the horse.

(iv) to provide proper and sufficient nutrition for a horse.  
*[paragraph added 1.2.01] [sub-paragraph added 1.9.09]*

(p) Any person who fails or refuses to comply with any order, direction or requirement of the Stewards or any official.  
*[added 20.11.02]*

(q) Any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour.  
*[added 20.11.02]*

(qq) Any person who in their opinion, is guilty of engaging in the publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminating or abusive to any other person or entity involved in the racing industry.  
*[added 1.6.15]*

(r) Any nominator, trainer or person in charge of any horse who contrary to the orders of the Committee of the Club or Stewards, fails or refuses to produce upon request a horse entered for any race at a meeting or removes such horse from the course.  
*[added 20.11.02]*

(s) Any person responsible for the use on any horse of any shoes, racing plates, equipment or gear which has not been approved, or which in their opinion is unsuitable or unsafe.  
*[added 20.11.02]*

(t) Any person who obstructs or hinders the Stewards or other official in the exercise of their powers or duties.  
*[added 20.11.02]*

(u) Any person who tampers or attempts to tamper with any means of identification of a racehorse as provided for in the Rules.  
*[added 1.3.05]*

(v) Any person who commits a breach of a Code of Practice published by the Australian Racing Board.  
*[added 1.5.05]*

(w) Any person who uses a stockwhip on a horse in any circumstances relating to racing, training or pre-training regardless of whether that horse is registered.  
*[added 1.5.09]*

(x) Any person who in their opinion is guilty of workplace harassment of a person while the latter is acting in the course of his duties when employed, engaged or participating in the racing industry.  
*[added 1.12.10]*

(y) Any person who in their opinion is guilty of sexual harassment of a person employed, engaged or participating in the racing industry. *[added 1.12.10]*

(z) Any person who engages in any conduct which threatens, disparages, vilifies or insults another person (the 'other person') on any basis, including but not limited to, a person's race, religion, colour, descent, and/or national or ethnic origin, special ability/disability or sexual orientation, preference or identity, while the other person is acting in the course of his or her duties in the racing industry. *[added 1.6.15]*

**AR 175A.** Any person bound by these Rules who either within a racecourse or elsewhere in the opinion of the Principal Racing Authority (or the Stewards exercising powers delegated to them) has been guilty of conduct prejudicial to the image, or interests, or welfare of racing may be penalised. *[amended 1.8.16]*

**AR 175AA.**

(1) Where a person is, directly or indirectly, approached or requested to engage in any conduct which could constitute:

- (a) corrupt, dishonest, fraudulent, or improper conduct in connection with racing;
- (b) conduct which is detrimental to the integrity, interest and/or welfare of racing; or
- (c) an act of cruelty to a horse,

he or she must provide full details of the approach or request to the Stewards as soon as is practicable.

(2) A person who fails to comply with AR.175AA(1) may be penalised.

*[Rule added 1.6.15]*

**AR 175B.** (1) A trainer must not lay any horse that is either under his care, control or supervision or has been in the preceding 21 days.

(2) Any person employed by a trainer in connection with the training or care of racehorses must not lay a horse under the control of the trainer for whom he is or was employed, while so employed and for a period of 21 days after ceasing to be so.

(3) A nominator must not lay any horse that is or may be entered by him or on his behalf, provided that a bookmaker may lay a horse in accordance with his licence.

(4) A riders agent must not lay any horse to be ridden by a rider for whom he is agent.

(5) Any person who has provided a service or services connected with the keeping, training or racing of a horse must not, within 21 days of having last done so, lay such horse.

(6) It is an offence for any person to offer an inducement to a participant in racing with the intention of profiting from a horse not participating in the event to the best of its ability.

(7) For the purposes of this rule “lay” means the offering or the placing of a bet on a horse:

(a) to lose a race; or

(b) to be beaten by any other runner or runners; or

(c) to be beaten by any margin or range of margins; or

(d) that a horse will not be placed in a race in accordance with the provisions of AR 157.

*[rule replaced 19.10.06] [subrule (7) added 15.2.07] [subrule (7) amended 1.10.07]*

**AR 175C.** In circumstances where it is an offence for a person to lay a horse under AR 175B it shall also be an offence for that person to:

(a) have a horse laid on his behalf; or

(b) receive any moneys or other valuable consideration in any way connected with the laying of the horse by another person. *[added 19.10.06]*

**AR 176.** The Committee of any Club or the Stewards may disqualify any horse entered or run in any race under a fraudulently false description or in connection with which any other improper or dishonourable action or practice mentioned or referred to in AR 175 is found to have been committed.

## **PROHIBITED SUBSTANCES**

**AR 177.** Subject to AR 177C, any horse that has been brought to a racecourse and a prohibited substance is detected in any sample taken from it prior to or following its running in any race must be disqualified from any race in which it started on that day.

*[rule replaced 1.10.02 & 1.10.12]*

**AR 177A.** When a horse is brought to a racecourse or recognised training track to engage in either –

(a) an official trial,

(b) a jump-out, or

(c) any other test –

for the purpose of obtaining a permit to start in a race (whether after suspension or otherwise) and a prohibited substance is detected in any sample taken from it prior to or following such engagement, the trainer and any other person who was in charge of the horse at any relevant time may be penalised.

*[rule replaced 1.10.02] [rule amended 1.10.07]*

**AR 177B.** (1) When a sample taken at any time from a horse being trained by a licensed person has detected in it any prohibited substance specified in sub-rule (2):

- (a) The trainer and any other person who was in charge of such horse at the relevant time may be penalised unless he satisfies the Stewards that he had taken all proper precautions to prevent the administration of such prohibited substance.
- (b) The horse may be disqualified from any race in which it has competed subsequent to the taking of such a sample where, in the opinion of the Stewards, the prohibited substance was likely to have had any direct and/or indirect effect on the horse at the time of the race.

*[amended 1.9.09][sub-rule amended 1.6.11]*

(2) For the purposes of subrule (1), the following substances are specified as prohibited substances:-

- (a) erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta (*Mircera*),
- (b) non-erythropoietic EPO-receptor agonists,
- (c) hypoxia-inducible factor (HIF) stabilisers, including but not limited to cobalt and FG-4592,
- (d) HIF activators, including but not limited to argon and xenon,
- (e) allosteric effectors of haemoglobin, including but not limited to ITPP (myo-inositol trispyrophosphate),
- (f) oxygen carriers including but not limited to perfluorochemicals, efaproxiral and modified haemoglobin products,
- (g) haematopoietic growth factors, including but not limited to filgrastim,
- (h) insulins,
- (i) growth hormones and their releasing factors,
- (j) insulin-like growth factor-1,
- (k) synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use in Australia,
- (l) corticotrophins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide), and corticotrophin releasing factors,



- (m) anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in AR.178C(1)),
- (n) selective androgen receptor modulators (SARMS),
- (o) selective estrogen receptor modulators (SERMS),
- (p) selective opioid receptor modulators (SORMS),
- (q) peroxisome proliferator activated receptor  $\delta$  (PPAR $\delta$ ) agonists, including but not limited to GW 1516,
- (r) AMPK activators, including but not limited to AICAR (5-amino-1-  $\beta$ -D-ribofuranosyl-imidazole-4-carboxamide),
- (s) other agents that directly or indirectly affect or manipulate gene expression,
- (t) agents modifying myostatin function, including but not limited to myostatin inhibitors,
- (u) thymosin beta,
- (v) venoms of any species or derivatives thereof,
- (w) zoledronic acid and any other bisphosphonate drugs not registered for veterinary use in Australia
- (x) substances listed in Schedule 8 and Schedule 9 of the *Standard for the Uniform Scheduling of Medicines and Poisons* contained in the Australian *Poisons Standard*,
- (y) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (x).

*[amended 10.8.06][rule added 1.10.02][sub-rule replaced 1.12.12][paras (g)(l)(w) added 1.11.16]*

(3) The Australian Racing Board may determine at any time any addition to this list of substances in subrule (2) and publish such additions in the *Racing Calendar*.

*[sub-rule added 1.6.11][sub-rule amended 1.11.12]*

(4) The substances bufotenine, butorphanol, 3-(2-dimethylaminoethyl)-4-hydroxyindole, N,N-dimethyltryptamine, ketamine, methadone, morphine, pethidine and quinalbarbitone, and their metabolites, artifacts and isomers, are excepted from the provisions of this Rule, but would be specified as prohibited substances for the purposes of AR.175(h), AR.177, AR.177A, AR.178 and AR.178A.

*[sub-rule added 1.6.11][amended 1.11.12]*

(5) Any person who has in his possession any substance or preparation that could give rise to an offence under this rule if administered to a horse at any time shall be guilty of an offence and may be penalised.

*[sub-rule added 1.11.12][amended 1.8.16]*

(6) Any person who, in the opinion of the Stewards, administers, attempts to administer, causes to be administered or is a party to the administration of, any prohibited substance specified in subrule (2) to a horse being trained by a licensed trainer must be penalised in accordance with AR.196(5).

*[sub-rule added 1.3.13]*

**AR 177C.** In the case of the presence of testosterone (including both free testosterone and testosterone liberated from its conjugates) above a mass concentration of 20 micrograms per litre being detected in a urine sample taken from a gelding, or above a mass concentration of 55 micrograms per litre being detected in a urine sample taken from a filly or mare, prior to or following its running in any race, it is open to the Stewards to find that the provisions of AR.177 or AR.178H do not apply if on the basis of the scientific and analytical evidence available to them they are satisfied that the detected level in the sample was of endogenous origin or as a result of endogenous activity. *[added 1.10.12] [amended 1.11.13][amended 1.2.15]*

**AR 178.** Subject to AR 178G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised.

*[rule replaced 1.10.02][amended 1.0.09][rule replaced 1.10.12]*

**AR 178A.** (1) No person, unless he has first obtained the written permission of the Stewards, shall have in his possession on a racecourse where a race meeting is being conducted or in any motor vehicle, horse float or other mode of transport used for the purpose of conveying a horse or horses to and/or from a race meeting any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used -

- (a) to administer a prohibited substance to a horse; or
- (b) to produce a prohibited substance in a horse.

(2) The Stewards may at their complete discretion grant written permission for a person to have in his possession on a racecourse where a race meeting is being conducted or in any motor vehicle or horse float used for the purpose of conveying a horse or horses to and/or from a race meeting any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used –

- (a) to administer a prohibited substance to a horse, or
- (b) to produce a prohibited substance in a horse.

The Stewards may impose terms or conditions on a permission granted under this subrule.

(3) Following the running of a horse in a race, a person must not, without the express permission of the Stewards, administer, cause to be administered, attempt to administer or be a party to the administration of a prohibited substance to that horse:

- (a) on the race course where the race meeting is being conducted; or
- (b) in any motor vehicle or horse float or other mode of transport used for the purpose of conveying that horse or other horses from the race meeting.

(4) A person who:

(a) fails to comply with AR.178A(1) or with a term or condition imposed under AR.178A(2) is guilty of an offence, and any substances or items concerned may be confiscated; or

(b) breaches AR.178A(3) is guilty of an offence.

*[rule amended 1.9.09 & 1.8.16]*

**AR 178AA.** (1) A person must not administer an alkalinising agent, in any manner, to a horse which is engaged to run in any race, official trial or jump-out:

(a) at any time on the day of the scheduled race, official trial or jump out and prior to the start of such event; and

(b) at any time during the one Clear Day prior to 12.01am on the day of the scheduled race, official trial, or jump out.

(2) Any person who:

(a) administers an alkalinising agent;

(b) attempts to administer an alkalinising agent;

(c) causes an alkalinising agent to be administered; and/or

(d) is a party to the administration of, or an attempt to administer, an alkalinising agent,

contrary to AR.178AA(1) commits an offence and may be penalised.

(3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered any alkalinising agent contrary to AR.178AA(1), the Stewards may prevent the horse from starting in any relevant race, official trial or jump-out.

(4) Where a horse has been administered any alkalinising agent contrary to AR.178AA(1), the horse may be disqualified from any relevant race in which the horse competed.

(5) For the purposes of AR 178AA, 'alkalinising agent':

(a) means any substance that may elevate the plasma total carbon dioxide (TCO<sub>2</sub>) of a horse when administered by any route;

(b) includes but is not limited to substances that are bicarbonates, citrates, succinates, acetates, propionates, maleates, lactates and trometamol (THAM, Tris Buffer or Trometamine) and also include products marketed as urinary alkalinisers and hind gut buffers;

(c) does not include substances:

(i) that are alkalinising agents which are contained in commercial feeds and/or balanced commercial electrolyte supplements which when fed and consumed according to the manufacturers' recommendations for normal daily use have a negligible effect on plasma TCO<sub>2</sub>; and

(ii) in respect of which the Stewards have granted an express exemption from the operation of AR 178AA,

provided that any exemption from the definition of alkalinising agent granted under this rule does not constitute a defence to a charge laid against a person following the detection by an Official Racing Laboratory of a TCO<sub>2</sub> concentration in a horse in excess of the threshold prescribed by AR.178C(1)(a).

*[rule added 1.9.13]*

#### **AR 178AB.**

- (1) A person must not, without the permission of the Stewards, inject a horse, cause a horse to be injected or attempt to inject a horse, which is engaged to run in any race:
  - (a) at any time on the day of the scheduled race, prior to the start of such event; and
  - (b) at any time during the One Clear Day prior to 12.01am on the day of the scheduled race.
- (2) Where there has been a breach of AR.178AB(1), or the Stewards reasonably suspect that there has been a breach of AR.178AB(1), the Stewards may order the withdrawal of the horse from the relevant race.
- (3) Where there has been a contravention of AR.178AB(1), the horse may be disqualified from the relevant race in which it competed.
- (4) Any person who breaches, or is a party to a breach of, AR.178AB(1), commits an offence and may be penalised.
- (5) For the purpose of this rule:
  - (a) injection includes, but is not limited to, the insertion of a hypodermic needle into a horse;
  - (b) it is not necessary to establish whether any substance was injected, or the nature of any substance injected.

*[rule added 1.10.15]*

**AR 178B.** The following substances are declared as prohibited substances:-

- (1) Substances capable at any time of causing either directly or indirectly an action or effect, or both an action and effect, within one or more of the following mammalian body systems:-

the nervous system  
the cardiovascular system  
the respiratory system  
the digestive system  
the musculo-skeletal system  
the endocrine system  
the urinary system  
the reproductive system  
the blood system  
the immune system

*[sub-rule amended 1.6.11]*

(2) Substances falling within, but not limited to, the following categories:-

acidifying agents  
adrenergic blocking agents  
adrenergic stimulants  
agents affecting calcium and bone metabolism  
agents that directly or indirectly affect or manipulate gene expression  
alcohols  
alkalinising agents  
anabolic agents  
anaesthetic agents  
analgesics  
antiangina agents  
antianxiety agents  
antiarrhythmic agents  
anticholinergic agents  
anticoagulants  
anticonvulsants  
antidepressants  
antiemetics  
antifibrinolytic agents  
antihistamines  
antihypertensive agents  
anti-inflammatory agents  
antinauseants  
antineoplastic agents  
antipsychotic agents  
antipyretics  
antirheumatoid agents  
antispasmodic agents  
antithrombotic agents  
antitussive agents  
blood coagulants  
bronchodilators  
bronchospasm relaxants

buffering agents  
central nervous system stimulants  
cholinergic agents  
corticosteroids  
depressants  
diuretics  
erectile dysfunction agents  
fibrinolytic agents  
haematopoietic agents  
haemostatic agents  
hormones (including trophic hormones) and their synthetic counterparts  
hypnotics  
hypoglycaemic agents  
hypolipidaemic agents  
immunomodifiers  
masking agents  
muscle relaxants  
narcotic analgesics  
neuromuscular agents  
oxygen carriers  
plasma volume expanders  
respiratory stimulants  
sedatives  
stimulants  
sympathomimetic amines  
tranquillisers  
vasodilators  
vasopressor agents  
vitamins administered by injection

*[sub-rule amended 1.6.11] [sub-rule amended 15.6.12]*

(3) Metabolites, artifacts and isomers of the prohibited substances prescribed by subrules (1) and (2) of this rule.

**AR 178C.** (1) The following prohibited substances when present at or below the concentrations respectively set out are excepted from the provisions of AR 178B and AR 178H:-

- (a) Alkalinising agents, when evidenced by a total carbon dioxide (TCO<sub>2</sub>) at a concentration of 36.0 millimoles per litre in plasma. *[amended 1.9.01]*
- (b) Arsenic at a mass concentration of 0.30 milligrams per litre in urine.
- (c) Dimethyl sulphoxide at a mass concentration of 15 milligrams per litre in urine or 1.0 milligrams per litre in plasma.

(d) In male horses other than geldings, 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol in urine (including both the free substance and that liberated from its conjugates) at a mass concentration equal to or less than that of 5(10) estrane-3 $\beta$ , 17 $\alpha$ -diol in urine (including both the free substance and that liberated from its conjugates).  
*[amended 1.9.01]*

(e) Salicylic acid at a mass concentration of 750 milligrams per litre in urine or 6.5 milligrams per litre in plasma.

(f) Hydrocortisone at a mass concentration of 1.00 milligrams per litre in urine.

(g) Testosterone:

(i) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;

(ii) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;

(iii) in fillies and mares that have been notified as pregnant pursuant to the requirements of AR.64E(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine;

(iv) in geldings: free testosterone at a mass concentration of 100 picograms per millilitre in plasma. *[Rule replaced 1.1.15]*

(h) 3-Methoxytyramine (including both free 3-methoxytyramine and 3-methoxytyramine liberated from its conjugates) at a mass concentration of 4.0 milligrams per litre in urine.

(j) Boldenone in male horses other than geldings, (including both free boldenone and boldenone liberated from its conjugates) at a mass concentration of 15 micrograms per litre in urine. *[added 1.12.05]*

(k) Theobromine at a mass concentration of 2.00 milligrams per litre in urine. *[added 10.8.06]*

(l) Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma. *[added 1.1.15][amended 1.9.16]*

(2) The following substances are excepted from the provisions of AR.178B: -

- antimicrobials (antibiotics) and other antiinfective agents but not including procaine penicillin
- antiparasitics approved and registered for use in horses
- ranitidine

- omeprazole
- ambroxol
- bromhexine
- dembrexine
- registered vaccines against infectious agents
- orally administered glucosamine
- orally administered chondroitin sulphate
- altrenogest when administered to fillies and mares

*[subrule amended 1.6.11]*

**AR 178D.**

(1) Samples taken from horses in pursuance of the powers of a Principal Racing Authority pursuant to AR7(u) or AR7(v) or conferred on the stewards by AR8(j) and/or AR178H shall be analysed only by an Official Racing Laboratory. *[sub-rule replaced 1.1.15]*

(2) Upon the detection by an official racing laboratory of a prohibited substance in a sample taken from a horse such laboratory shall -

(a) notify its finding to the stewards, who shall thereupon notify the trainer of the horse of such finding; and

(b) nominate another official racing laboratory and refer to it the reserve portion of the same sample and, except in the case of a blood sample, the control of the same sample, together with advice as to the identity of the prohibited substance detected.

*[amended 27.10.05]*

(3) In the event of the other official racing laboratory detecting the same prohibited substance, or metabolites, isomers or artefacts of the same prohibited substance, in the referred reserve portion of the sample and not in the referred portion of the control, the certified findings of both official racing laboratories shall be *prima facie* evidence that a prohibited substance has been detected in that sample for the purposes of these rules. *[amended 1.6.11]*

(4) Where an Official Racing Laboratory is unable, for any reason, to analyse a sample to detect and/or certify as to the presence of a prohibited substance in that sample, that Official Racing Laboratory or the Stewards may refer the sample, or any portion of the sample, to another Official Racing Laboratory for analysis. *[added 1.2.14]*

(5) If the Official Racing Laboratory to which a sample or portion of a sample was referred in accordance with AR 178D(4) detects a prohibited substance in that sample or portion of that sample, that Official Racing Laboratory shall –

(a) notify its finding to the stewards, who shall thereupon notify the trainer of the horse of such finding; and



(b) nominate another Official Racing Laboratory and refer to it a reserve portion of the same sample and, except in the case of a blood sample, the control of the same sample, together with advice as to the identity of the prohibited substance detected.

*[sub-rule added 1.2.14]*

(6) In the event of the Official Racing Laboratory to which a sample was referred pursuant to AR.178D(5) detecting the same prohibited substance, or metabolites, isomers or artefacts of the same prohibited substance, in the referred reserve portion of the sample and not in the referred portion of control the certified findings of both Official Racing laboratories shall be prima facie evidence that a prohibited substance has been detected in that sample for the purpose of these rules.

*[added 1.2.14] [sub-rule replaced 1.1.15]*

(7) Where there is only one Official Racing Laboratory with the capability to analyse a sample to detect and/or certify as to the presence of a particular prohibited substance in that sample and that Official Racing Laboratory detects that prohibited substance in a sample taken from a horse:

(a) the reserve portion of the same sample and, except in the case of a blood sample, the control of the same sample, together with advice as to the identity of the prohibited substance detected is to be referred to that Official Racing Laboratory with the analysis to be supervised by a qualified analyst who was not responsible for the initial certified finding;

(b) In the event of the second analysis by that Official Racing Laboratory to which a sample was referred pursuant to AR.178D(7)(a) detecting the same prohibited substance, or metabolites, isomers or artefacts of the same prohibited substance, in the referred reserve portion of the sample and not in the referred portion of control, the certified findings of both analysts of that Official Racing Laboratory shall be prima facie evidence that a prohibited substance has been detected in that sample for the purpose of these rules.

*[Sub-rule added 1.5.15]*

**AR 178DD.** (1) The Stewards may direct that samples taken from a horse pursuant to AR 8(j) be stored, in whole or in part, and shall be disposed of only as they direct.

(2) Notwithstanding any other provision of the rules, the Stewards may direct that a stored sample, in whole or in part, be submitted or resubmitted for any test to determine whether any prohibited substance was at the relevant time present in the system of the horse from which the sample was taken.

(3) For the avoidance of doubt, when a prohibited substance is detected in a stored sample submitted or resubmitted for testing in accordance with subrule (2), the provisions of AR 177A, AR 177B and AR 178 shall apply.

(4) When a prohibited substance is detected in a stored sample submitted or resubmitted for testing in accordance with subrule (2) and that sample was taken from the horse prior to or

following its running in any race, the provisions of AR 177 do not apply, provided that the horse concerned may be disqualified from any race in which it started on the day the sample was taken. *[rule added 1.10.06]*

**AR 178E.** (1) Notwithstanding the provisions of AR 178C(2), no person without the permission of the Stewards may administer or cause to be administered any medication to a horse on race day prior to such horse running in a race.

(2) The Stewards may order the withdrawal from a race engagement any horse that has received medication in contravention of subrule (1) of this rule.

*[Rule AR 189A added 3.2.03] [renumbered 1.8.04]*

**AR 178EA** (1) In relation to the testing for the presence of a therapeutic substance in a sample taken at any time from a horse there must be an initial screening test or screening analysis of the sample.

(2) As a minimum requirement, the initial screening test or screening analysis is to be conducted as follows:

(a) A biological matrix, equivalent in volume to the sample, is to have added to it a quantity of the therapeutic substance, or its specified metabolite, sufficient to bring its concentration to the screening limit specified for that therapeutic substance. This is known as the spiked sample and is to be analysed concurrently with the sample.

(b) The sample is then to be tested to ascertain whether or not it contains a quantity of the therapeutic substance, or its specified metabolite, that exceeds that screening limit by making a direct comparison with the spiked sample.

(c) If the screening limit is not exceeded, the detection of the therapeutic substance is not to be reported.

(d) If the screening limit is exceeded then the sample is to be further tested in accordance with normal laboratory procedures designed to certify the presence of the therapeutic substance in the sample.

(3) A therapeutic substance for the purpose of this Rule and the screening limit applicable to it or its specified metabolite shall be promulgated from time to time by the Australian Racing Board and published in the Racing Calendar.

(4) The screening limit testing provided for in this Rule is not intended and does not operate to mean that for the purpose of the Rules the therapeutic substance only becomes a prohibited substance if and when the screening limit is exceeded.

(5) It shall not be a defence to any charge under AR 177, AR 177A or AR 178 that the result of any initial screening test or screening analysis should have been below the screening limit for the therapeutic substance in question. *[Rule added 1.10.12]*

**AR 178F.**

- (1) A trainer must record treatment and medication administered to each horse in his or her care by midnight on the day on which the administration was given, and each record must include the following information:
  - (a) the name of the horse;
  - (b) the date and time of administration of the treatment or medication;
  - (c) the name of the treatment or medication administered (brand name or active constituent);
  - (d) the route of administration including by injection, stomach tube, paste, topical application or inhalation);
  - (e) the amount of medication given (if applicable);
  - (f) the duration of a treatment (if applicable);
  - (g) the name and signature of person or persons administering and/or authorizing the administration of the treatment or medication.
- (2) For the purposes of this rule:
  - (a) “treatment” includes:
    - (i) shock wave therapy;
    - (ii) acupuncture (including laser treatment);
    - (iii) chiropractic treatment;
    - (iv) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS));
    - (v) magnetic field therapy;
    - (vi) ultrasound;
    - (vii) any form of oxygen therapy, including hyperbaric oxygen therapy; and
  - (b) “medication” includes:
    - (i) all Controlled Drugs (Schedule 8) administered by a veterinarian;
    - (ii) all Prescription Animal Remedies (Schedule 4), including those listed in AR.178C(2);
    - (iii) all Prescription Only Medicines (Schedule 4), prescribed and/or dispensed by a veterinarian for off-label use;
    - (iv) all injectable veterinary medicines (intravenous, intramuscular, subcutaneous, intra-articular) not already included above;
    - (v) all Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines;
    - (vi) all veterinary and other medicines containing other scheduled and unscheduled prohibited substances;
    - (vii) all alkalinising agents;
    - (viii) all herbal preparations.
- (3) All records required to be kept in accordance with this AR.178F must be retained by the trainer for not less than two years.

- (4) When requested, a trainer must make available to the Stewards the record of any administration of a treatment and/or medication required by sub-rule (1).
- (5) A trainer who fails to comply with any provision of AR.178F commits a breach of this Rule and may be penalised.

*[rule added 1.9.09][sub-rule (3) replaced 1.9.13][rule replaced 1.1.15]*

**AR 178G.** In the case of the presence of testosterone (including both free testosterone and testosterone liberated from its conjugates) above a mass concentration of 20 micrograms per litre being detected in a urine sample taken from a gelding, or above a mass concentration of 55 micrograms per litre being detected in a urine sample taken from a filly or mare, prior to or following its running in any race, it is open to the Stewards to find that the provisions of AR.178 or AR.178H do not apply if on the basis of the scientific and analytical evidence available to them they are satisfied that the detected level in the sample was of endogenous origin or as a result of endogenous activity. *[amended 1.11.13][1.2.15]*

**AR 178H.**

- (1) A horse must not, in any manner, at any time, be administered an anabolic androgenic steroid.
- (2) Any person who:
  - (a) administers an anabolic androgenic steroid;
  - (b) attempts to administer an anabolic androgenic steroid;
  - (c) causes an anabolic androgenic steroid to be administered; and/or
  - (d) is a party to the administration of, or an attempt to administer, an anabolic androgenic steroid,

to a horse commits an offence and must be penalised in accordance with AR 196(5).

- (3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered any anabolic androgenic steroid contrary to AR.178H(1), the Stewards may prevent the horse from starting in any relevant race, official trial or jump-out.
- (4) When a sample taken at any time from a horse has detected in it an anabolic androgenic steroid the horse is not permitted to start in any race or official trial:
  - (a) for a minimum period of 12 months from the date of the collection of the sample in which an anabolic androgenic steroid was detected; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in

respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.

- (5) Any owner, lessee, nominator, trainer and/or person in charge of a horse registered under these Rules must, when directed by the Stewards or other official appointed by the Principal Racing Authority, produce, or otherwise give full access to, the horse so that the Stewards or other official appointed by the Principal Racing Authority may take or cause a sample to be taken and analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.
- (6) For the avoidance of doubt and without limitation, sub-rule (5) requires an owner, lessee, nominator and/or trainer to produce the horse, or otherwise give full access to the horse, even if the horse is:
  - (a) under the care or control of another person; and/or
  - (b) located at the property of another person.
- (7) Any person who fails to produce, or give full access to, a horse to provide a sample as required by sub-rule (5) may be penalised.
- (8) In respect of a horse registered under these Rules, where an owner, lessee, nominator, trainer and/or person in charge of a horse is in breach of sub-rule (5), the relevant horse will not be permitted to start in any race or official trial:
  - (a) for a period of not less than 12 months following the day on which the horse is in fact produced to the Stewards, or full access to the horse is otherwise given to the Stewards, so that a sample may be taken and analysed for anabolic androgenic steroids; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.

[Rule added 1.11.13]

## **PENALTIES**

(Except weight penalties)

**AR 179.** The Committee or Stewards of any Club may accept:-

- (a) A certificate by a Club that it has imposed or adopted any penalty, or
- (b) The publication in a *Racing Calendar* or similar publication of a statement to the effect that any penalty has been imposed or adopted,

as prima facie evidence of the fact stated and may assume unless the contrary is proved that such penalty has not been set aside or mitigated.

*[amended 19.3.09]*

**AR 179A.** (1) Upon a Principal Racing Authority receiving Notice from any Overseas Racing Authority of the imposition, by that Overseas Racing Authority, of a suspension, disqualification, or other penalty upon a person, the Principal Racing Authority shall proceed in accordance with this Rule.

(2) In the event that the Principal Racing Authority which receives a Notice in accordance with subrule (1) is not the Principal Racing Authority by which the person named in the Notice was most recently licenced for a continuous period of not less than 3 months, it shall cause a copy of the Notice to be forwarded to that latter Principal Racing Authority immediately. In the event that the person named in the notice has not previously been licensed by a Principal Racing Authority or not previously licensed by a Principal Racing Authority for a continuous period of 3 months or more then the Principal Racing Authority that received the Notice referred to in with subrule (1) shall deal with the Notice.

(3) As soon as is practicable after receiving a Notice pursuant to subrule (1) or (2) as the case may be , and in any event no later than seven (7) days after such receipt in either case, the relevant Principal Racing Authority shall:

(a) cause a copy of the Notice to be served upon the person named therein; and

(b) advise that person of the provisions of this Rule.

(4) In the absence of any application being made under sub-rule (6), the Principal Racing Authority who served the Notice under subrule (3) shall:

(a) apply the penalty set out in the Notice within the State or territory which that Authority from time to time administers;

(b) issue a Notice to all other Principal Racing Authorities advising of the application of the penalty pursuant to subrule 4(a).

(5) Upon receipt of any Notice issued pursuant to subrule (4)(b), all Principal Racing Authorities to whom such Notice was issued shall immediately apply the penalty within the State or territory which each of those Authorities administers.

(6) The person named in a Notice served pursuant to sub-rule (3) (hereinafter referred to as “the applicant”) may apply to the Principal Racing Authority

by which he was most recently licensed for a declaration that the penalty set out in the Notice:

- (a) not be applied at all; or
- (b) be applied only in part.

by that Principal Racing Authority within the state or territory which it administers.

(7) Subject to subrule (10)(a), any application pursuant to subrule (6) shall:

- (a) be made within a period of fourteen (14) days from the date of service of a copy of the Notice under subrule (3);
- (b) be accompanied by a statement of the applicant confirming that the applicant has exhausted all avenues of appeal for which provision is made under the rules of the Overseas Racing Authority under which the penalty set out in the Notice was imposed;
- (c) provide particulars of the ground(s) upon which the application is made; and
- (d) set out, by reference to subparagraphs (a) and (b) of subrule (6), the terms of any declaration(s) sought.

(8) Upon receipt of an application pursuant to subrule (6) the Principal Racing Authority to whom such application is made may, in its absolute discretion, determine that the penalty set out in the Notice is not to be applied within the state or territory which it administers, pending the hearing of the application.

(9) Within a period of seven (7) days of the receipt of an application made pursuant to subrule (6), the Principal Racing Authority to whom application is made shall hear and determine the matter.

(10) At the hearing of an application made pursuant to subrule (6):

- (a) the Principal Racing Authority may, on the application of the applicant and, notwithstanding the provisions of subrule (7), waive compliance with all or any of the provisions of that subrule if it considers it appropriate to do so;
- (b) the applicant may:
  - (i) with the leave of the Principal Racing Authority, be represented by a legal practitioner or agent;
  - (ii) give oral evidence;
  - (iii) adduce other oral or written evidence;
  - (iv) make oral or written submissions to the committee in support of the application.

(11) At the conclusion of the hearing of an application made pursuant to subrule (6), the Principal Racing Authority shall:

(a) if satisfied that there are exceptional circumstances, order that the application be granted and make the declaration(s) sought;

(b) otherwise order that the application be dismissed.

(12) For the purposes of subrule (11) the onus of establishing exceptional circumstances shall be upon the applicant.

(13) Upon the making of any order(s) or declarations(s) pursuant to subrule (11), the Principal Racing Authority whom the application was made shall issue a Notice to all other Principal Racing Authorities in the Commonwealth of Australia setting out the terms of such order(s) or declaration(s).

(14) Immediately upon the issue of a Notice pursuant to subrule (13), the order(s) or declarations(s) set out therein shall, without anything further, apply within each of the States and territories administered by each of those Principal Racing Authorities to which such Notice was issued.

*[added 19.3.09]*

**AR 180.** *[Deleted 19.3.09]*

**AR 181.** A list of persons suspended, warned-off or disqualified, and of horses disqualified by the Principal Racing Authority, or whose suspension or disqualification as the case may be has been adopted by a Principal Racing Authority, shall be kept at the Office of that Principal Racing Authority, and shall from time to time be published in the *Racing Calendar* and be transmitted with all additions thereto to the other Principal Racing Authorities and such other Clubs as the Principal Racing Authority may think fit.

**AR 182.**

(1) Except with the consent of the Principal Racing Authority that imposed the disqualification, and upon such conditions that they may in their discretion impose, a person disqualified pursuant to these Rules must not, during the period of that disqualification:

(a) enter upon any racecourse or training track owned, operated or controlled by a Club or Principal Racing Authority or any land used in connection with such properties;

(b) enter upon any training premises, complex or establishment of any Club, Principal Racing Authority or licensed person;

(c) be an office holder, official, member or employee of any Club or Principal Racing Authority;



- (d) be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable;
- (e) ride any racehorse in any race, official trial, jump-out or test;
- (f) enter or nominate any horse for a race or official trial whether acting as agent or principal or in any other capacity;
- (g) subscribe to any sweepstakes;
- (h) race or have trained any horse whether as owner, lessee or in any other capacity;
- (i) share in the winnings of any horse;
- (j) participate in any way in the preparation for racing or training of any racehorse;
- (k) open a betting account, operate an existing betting account, transact a bet or have a bet transacted on his/her behalf, have any interest in or share in any bet, receive a benefit from any bet placed with a licensed wagering operator in connection with any thoroughbred race meeting held in Australia;
- (l) conduct or assist with thoroughbred breeding in Australia;
- (m) attend or participate in thoroughbred racehorse sales or related events;
- (n) permit or authorise any other person to conduct any activity associated with thoroughbred racing, thoroughbred race horse sales and/or breeding for or on behalf of the disqualified person; and/or
- (o) receive any direct or indirect financial or other benefit derived from thoroughbred racing and/or breeding in Australia.

(2) In addition to any of the restrictions that may apply in respect of a disqualified person, including those set out in AR.182(1), the Principal Racing Authority or the body which imposed the disqualification may order the disqualified person:

- (a) not to participate in social media or mainstream media in relation to any racing or wagering matter;
- (b) to adhere to such other restrictions as may be necessary or desirable to prevent conduct by the disqualified person that could be prejudicial to the image or interests or welfare of racing.

(3) Except with the consent of the Principal Racing Authority that imposed the disqualification, no person who in the opinion of the Principal Racing Authority is a close associate of a disqualified person shall be permitted to train or race any horse.

(4) A disqualified person who breaches an order made pursuant to AR.182(2) is guilty of an offence and may be penalised.

(5) Unless otherwise determined by the Principal Racing Authority that imposed or adopted the penalty, the period of disqualification of any person who contravenes any of the provisions of rule AR.182(1), shall automatically recommence as from the most recent date of such contravention, and the person may also be subject to further penalty.

(6) The provisions of subrule (5) shall apply to any person to whom AR.182(1) applies, regardless of when such penalty that gives rise to the application of the rule was imposed.

*[rule amended 1.2.15]*

**AR 182A.** A bookmaker shall not bet by telephone or otherwise with a disqualified person.

**AR 183.** A person warned-off by a Principal Racing Authority shall be subject to the same disabilities as a person disqualified.

**AR 183A.** (1) Unless otherwise ordered, during the period of his suspension no suspended rider who is licensed, approved or permitted to ride under AR 81 shall ride in any race, official trial, jump-out or trackwork. Provided that a rider may be suspended from riding in races only.

*[amended 1.9.09]*

(2) Except with the consent of the Principal Racing Authority or the Stewards who imposed the suspension, a rider suspended by the Principal Racing Authority or the Stewards shall not during the period of that suspension be registered as a stablehand or be employed or work in any racing stable.

*[rule added 1.5.02] [subrule(2) added 1.3.05]*

**AR 183B.** Except with the consent of the Principal Racing Authority or the Stewards who imposed the suspension, a suspended trainer or a person holding a permit to train shall not during the period of that suspension:-

(a) As a trainer, or permit holder, nominate a horse for a race, official trial or jump-out.

*[amended 1.9.09]*

(b) Train or participate in any way in the training of any racehorse; or

(c) Be registered as a stablehand, or be employed or act or be involved in any capacity in any racing stable.

*[amended 1.1.00 & 1.10.06]*

**AR 183C.** A Bookmaker suspended by the Stewards or a Principal Racing Authority or the relevant supervising body shall not field at any race meeting conducted under The Rules or be in any way concerned in the operation of a bookmaker during the period of that suspension.

**AR 183D.** Unless otherwise permitted by the stewards or a Principal Racing Authority, and upon such conditions as they may in their discretion impose, a stablehand while suspended shall not be employed or work in any racing stable during the period of his suspension.

**AR 183E.** Any person disqualified under these Rules shall not during the period of such disqualification hold any office on or participate in the business of any Principal Racing Authority, Racing Association or Racing Club or any other racing disciplinary body.

**AR 183F.** In addition to any of the restrictions that may apply to a suspended person under the Rules, the Principal Racing Authority or the body which imposed the suspension may order the suspended person:

(1) not to enter designated places at racecourses except at times or on conditions as may be specified in the order;

(2) not to participate in social media or mainstream media in relation to any racing or wagering matter; and

(3) to adhere to such other restrictions as may be necessary or desirable to prevent conduct by the suspended person that could be prejudicial to the image or interests or welfare of racing.

*[rule added 1.2.15]*

**AR 184.** Where in relation to any disqualification or suspension imposed under these Rules there are proceedings in a court and the court in such proceedings orders or declares by way of injunction or otherwise that the disqualification or suspension shall be, or is, not operative or is not to be enforced or acted upon either generally or for any specified or otherwise limited period of time, then the time during which such suspension or disqualification would but for such order or declaration have been effective shall not be included in calculating the duration of such suspension or disqualification. In the event that any such order of a court shall cease to have effect for any reason whatsoever, subject to any order a court may make or may have made, the duration of such suspension or disqualification shall commence to run, or, resume running, as the case may be, from the date upon which such order ceases to have effect. Every suspension or disqualification imposed after this rule comes into operation shall be subject to the provisions hereof.

**AR 185.** Notwithstanding the provisions of AR 182, if a lessor is a disqualified person, or in the opinion of the Principal Racing Authority or the Stewards is a close associate of a disqualified person, a Principal Racing Authority may, in its discretion, waive in favour of the lessee in respect of any particular meeting or during the currency of the lease or any part thereof the provisions of those rules; but in the event of such horse winning any stake or prize money, the amount thereof shall be reduced by the amount or proportion thereof to which such lessor would otherwise be entitled by virtue of any agreement (whether verbal or in writing) entered into between the lessor and the lessee in respect of such horse, and no part of such stake or prize money shall be payable to such lessor nor be recoverable by the lessor from any Club or the lessee or any other person whomsoever.

**AR 186.** No horse shall be disqualified for a race by reason of any bonus payable under the conditions of the race to a disqualified person as breeder or nominator of the sire, and in the event of such horse winning or being placed, any such bonus shall be withheld and paid to the nominator.

**AR 187.** So long as a horse is disqualified by the Stewards or a Principal Racing Authority it shall not be entered or run for any race held under these Rules or be trained on any course where these Rules are in force.

**AR 188.** A person or horse disqualified or suspended by any Club, other than a Principal Racing Authority, or by an Association shall, pending adoption or disallowance by the Principal Racing Authority, be subject to disabilities similar to those abovementioned so far as they relate to any course under the control of the Club or Association imposing the disqualification or suspension as the case may be.

**AR 189.** If a horse has been disqualified for any particular race, or for anything occurring in such race, the prize or money including any proportion to which the rider would have been entitled as rider of a winning mount shall be awarded as though such horse had not started in the race.

**AR 189A.** *[Rule added 3.2.03] [renumbered AR.178E 1.8.04]*

**AR 190.** When a Principal Racing Authority disqualifies any person it may disqualify for the same or any term all or any horses in which he has an interest. Notice of every such general disqualification of horses and their names when they can be ascertained by the Secretary shall be included in the List of Disqualifications, but the omission of any horse's name shall not affect the disabilities involved in such disqualification.

**AR 191.** The disqualification of a trainer or the suspension of his trainer's licence shall not of itself render ineligible for racing any horse which at the time of the disqualification or suspension was being trained by him for fee or reward, and in which he had no interest other than as a trainer, provided that such horse is removed as soon as practicable to the possession and control of another trainer who is expressly approved by the Principal Racing Authority or the appropriate Association. For the purpose of this rule the words "being trained" shall include any horse for which such trainer was responsible for the care, control and superintendence and/or any horse for which a current stable return has been lodged declaring such horse to be trained by the said trainer.

**AR 192.** Any person found by the Principal Racing Authority or by the Stewards to be a defaulter in bets or any person posted as a defaulter in bets by any Club recognised by a Principal Racing Authority for the purpose of this Rule, may be disqualified until his default is cleared or his posting removed.  
*[amended 1.10.06]*

**AR 193.** The Committee of any Club or Association or the Stewards may suspend any licence, right or privilege granted under the Rules for such term as they think fit so far as it relates to the courses or meetings controlled by them provided that such suspension may be disallowed or removed by the Principal Racing Authority.

**AR 194.** A disqualification or suspension imposed by the Committee or Stewards of any registered club or of any registered race meeting may be adopted or enforced by the Committee or Stewards of any other Club or race meeting pending adoption or disallowance by the Principal Racing Authority.

**AR 195.** The Secretary of every registered club or registered race meeting shall immediately forward to the Secretary of the Principal Racing Authority a certificate of every disqualification or suspension made by the Committee or Stewards thereof, with a statement of the facts on which it is founded.

**AR 195A.** (1) Subject to AR 195A(2), if a licensed person is disqualified his or her licence immediately ceases and determines and he or she must make application to the Principal Racing Authority to be relicensed.

(2) A disqualified person is and remains bound by, and subject to, the Rules for the period of his or her disqualification.

*[words deleted 1.11.99] [replaced 1.10.02][amended 1.8.14]*

**AR 196.** (1) Subject to sub-rule (2) of this Rule any person or body authorised by the Rules to penalise any person may, unless the contrary is provided, do so by disqualification, suspension, reprimand, or fine not exceeding \$100,000. Provided that a disqualification or suspension may be supplemented by a fine. *[fine increased 1.8.99 & 1.2.15] [amended 1.12.05]*

(2) In respect of a breach of AR137A the Stewards may in addition to the penalty options conferred on them under subrule (1) of this Rule order the forfeiture of the rider's riding fee and/or forfeiture of all or part of the rider's percentage of prizemoney notwithstanding that the amount exceeds \$100,000. *[subrule (2) added to include forfeiture 1.8.09][amended 1.2.15]*

(3) Unless otherwise ordered by the person or body imposing the penalty, a penalty of disqualification or suspension imposed in pursuance of subrules (1) and (2) of this Rule shall be served cumulatively to any other penalty of suspension or disqualification.

*[formerly subrule (2), amended and re-numbered as subrule (3) 1.8.09]*

(4) Any person or body authorised by the Rules to penalise any person may in respect of any penalty imposed on a person in relation to the conduct of a person, other than a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding two years upon such terms and conditions as they see fit. *[sub-rule added 1.6.11][amended 1.2.15]*

(5) Where a person is found guilty of a breach of any of the Rules listed below, a penalty of disqualification for a period of not less than the period specified for that Rule must be imposed unless there is a finding that a special circumstance exists whereupon the penalty may be reduced:

AR.64G(2) (where the stomach-tubing or attempt to stomach-tube occurred on race day or on the one clear day prior to race day for a horse engaged to run in a race on that race day and other than where the person is not in the opinion of the stewards, or any other person exercising delegated power of the Principal Racing Authority, the principal offender) – 12 months

AR83(d) – 2 years

AR84 – 2 years

AR135(d) – 3 years  
AR175(aa) – 5 years  
AR175(h)(i) – 3 years  
AR175(hh)(i) – 2 years  
AR177B(6) – 2 years  
AR178E – 6 months  
AR178H(2) – 2 years

For the purpose of this sub-rule, a special circumstance is as stipulated by each Principal Racing Authority under its respective Local Rules.

*[sub-rule added 1.3.13][sub-rule amended 1.11.13][amended 1.2.15 & 1.8.16]*

(6)(a) Any person or body authorised by these Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than seven Clear Days following the day on which the suspension or disqualification was imposed, and upon such terms and conditions as seen fit.

(b) Notwithstanding that the commencement of a period of disqualification may be deferred pursuant to AR196(6)(a), a trainer must not start a horse in any race from the time of the decision to disqualify that trainer until the expiration of the period of disqualification.

*[sub-rule added 1.9.13]*

**AR 197.** No person shall be entitled to make any claim for damages by reason or in consequence of the imposition, annulment, removal, mitigation, or remission of any penalty imposed or purporting to be imposed under the Rules.

**AR 198.** No club, official or member of a club shall be liable to any person for any loss or damage sustained by that person as a result of, or in any way (either directly or indirectly) arising out of the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the Rules.

**AR 199.** Subject to the provisions of AR 199A, every person aggrieved by -

(a) any penalty imposed by the Committee of a Club or an Association or by the Stewards, or

(b) any disability imposed by such Committee of a Club, Association or Stewards on a horse in which he has an interest,

may subject to the Rules appeal to the Principal Racing Authority.

**AR 199A.** There shall be no right of appeal against a decision of the Stewards in connection with -

(a) any protest or objection against placed horses arising out of an incident or incidents occurring during the running of a race; or

- (b) a disability imposed on a horse which provides that such horse shall pass a specified trial or test or examination; or
- (c) the eligibility of any horse to run in any race; or
- (d) a declaration under AR 134A.

**AR 199B.** A person attending or required to attend an inquiry or hearing conducted by the Stewards or the Committee of a Club or Association shall not be entitled to be represented by any other person, whether a member of the legal profession or otherwise, provided that an apprentice jockey may be represented by his master or other trainer acting for his master.

**AR 200.** Notwithstanding anything in these Rules contained, when an appeal has been duly instituted against a disqualification or suspension imposed under these Rules, the Principal Racing Authority concerned and any persons holding delegated powers of such Principal Racing Authority pursuant to AR.7(q) may in its or their absolute discretion and subject to such conditions as it or they shall think fit, suspend the operation in whole or in part of the Rules imposing disabilities upon disqualified or suspended persons and horses until the determination of such appeal. *[words added 1.4.99]*

**AR 200A.** As at the date on which AR177C and AR178G take effect, all urine samples taken from horses prior to that date which have not been adjudicated upon by the Stewards shall be dealt with subject to those new Rules. *[added 1.10.12]*

## **DESTRUCTION OF HORSE**

**AR 201.** In the event of any horse being so injured on a racecourse that the destruction of such horse in the opinion of the stewards or qualified veterinary surgeon appointed by the Club conducting the race meeting, or a qualified veterinary surgeon approved by the Club in control of the racecourse, is advisable in order to save unnecessary suffering, such stewards or qualified veterinary surgeon may order such horse to be destroyed by such person as the stewards or the veterinary surgeon consider suitable.

## **NOTICES**

**AR 202.** Any notice to be given under these Rules may be served upon any person either personally or by sending it through the post in a prepaid envelope or wrapper addressed to such person at his last known address or place of abode in the State, or by advertising in one daily

newspaper published in the principal city of the territory in which the Club giving the notice has its office.

**AR 203.** Any notice sent by post shall be deemed to have been served in the usual course of post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed, stamped, and posted. Any notice by advertisement shall be deemed to have been served on the day on which the advertisement appears.

**AR 204.** The signature to any notice to be given may be written, printed or typed.

**AR 205.** Where a given number of days notice or notice extending over any other period is required to be given, the day of service shall, but the day upon which such notice will expire shall not, be included in the number of days or other period.

**AR 206.** Any notice may be signed by the Secretary or other officer or person authorised by the Committee of any Club.

### **FACSIMILE TRANSMISSIONS**

**AR 207.** Any entry, scratching or notice required by the Rules to be in writing may be made or given by facsimile transmission and such entry, scratching or notice shall be deemed to have been made or given when facsimile transmission is received by the addressee.

### **AUSTRALIAN RACING BOARD**

*[rules 208, 209 deleted and replaced by new rules 208 to 215 on 1.8.98]  
[rules 208 to 213 deleted and replaced by the insertion of new rule 208 on 1.8.03]*

**AR 208.** The Australian Racing Board is a company limited by guarantee incorporated under the Corporations Act established to make, change and administer the Australian Rules of Racing and otherwise do all things whatsoever that the Board considers to be conducive to developing, encouraging, promoting or managing the Australian thoroughbred racing industry. *[inserted 1.8.03]*

**AR 209.** The Australian Racing Board may, from time to time, publish Codes of Practice setting out standards of conduct for persons commercially associated with Australian thoroughbred racing. *[rule added 1.5.05]*

**AR 214.** The incorporation of the Board shall not affect any previous operation of the Rules or of any decisions made or actions taken in accordance with the Rules, or of any rights, privileges, entitlements, obligations, duties, liabilities, penalties or disqualifications accrued or incurred under the Rules before the incorporation of the Board. *[amended 1.8.03]*



## NEW RULES

**AR 215.** These Rules may from time to time be rescinded or altered and new Rules made by (and only by) the Australian Racing Board. *[deleted & replaced 1.8.03]*

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### SCHEDULE 1 TO THE AUSTRALIAN RULES OF RACING – THE TOR RULES

#### **TOR Rule 1 – Commencement and operation of the TOR**

- (1) The *TOR*, including the *TOR Rules*, will commence pursuant to *these Rules* on the *TOR Commencement Date*.
- (2) From the *TOR Commencement Date*:
  - (a) *persons* bound by *these Rules* must comply with the *TOR Rules*;
  - (b) all *Trainers* and *Owners* (except *Exempt Trainers* and *Exempt Owners*) must comply with the *Racing Australia Standard Training Agreement (STA)* and the *STA* is deemed to apply as between those *Trainers* and *Owners* subject to TOR Rule 1(4); and
  - (c) all *Co-owners*, except for *Co-owners* who have obtained their interest in a *horse* through a *Promoter Syndicate* and who do not own their interest in the *horse* with other *Owners* who are not in a *Promoter Syndicate*, must comply with the *Racing Australia Co-owner Agreement (COA)* and the *COA* is deemed to apply as between those *Co-owners* subject to TOR Rule 1(5).
- (3) Notwithstanding TOR Rule 1(2):
  - (a) specific terms of the *STA* can be excluded, varied or limited by agreement in writing between a *Trainer* and an *Owner*, provided that a *Trainer* and *Owner* cannot exclude, vary or limit the operation of any provision of *these Rules* (including any of the *TOR Rules*); and
  - (b) specific terms of the *COA* can be excluded, varied or limited by agreement in writing by the *Co-owners* of a *horse* if that is done in accordance with the terms of the *COA*, provided that *Co-owners* cannot exclude, vary or limit the operation of any provision of *these Rules* (including any of the *TOR Rules*).
- (4) If a *Trainer* and an *Owner*:
  - (a) are, as at the *TOR Commencement Date*, party to a separate written agreement in relation to *Training Services*, they can in writing agree that the other agreement continues to operate after the *TOR Commencement Date* in conjunction with, or instead of, the *STA*; or

- (b) enter, after the *TOR Commencement Date*, into a separate written agreement in relation to *Training Services*, they can in writing agree that the other agreement operates in conjunction with, or instead of, the *STA*, provided that they are bound by, and must comply, with *these Rules* (including the *TOR Rules*).
- (5) If one or more of the *Co-owners*:
  - (a) is, as at the *TOR Commencement Date*, party to a separate written agreement with other *Co-owners* in respect of the *Horse Ownership Venture*, the *Co-owners* can agree in writing that the other agreement continues to operate after the *TOR Commencement Date* in conjunction with, or instead of, the *COA*; or
  - (b) enter, after the *TOR Commencement Date*, into a separate written agreement with other *Co-owners* in respect of the *Horse Ownership Venture*, the *Co-owners* can in writing agree that the other agreement operates in conjunction with, or instead of, the *COA*, provided that they are bound by, and must comply with, *these Rules* (including the *TOR Rules*).
- (6) The *TOR* applies equally to a *training partnership* licensed pursuant to *the Rules* as it does to individually licensed *Trainers*.
- (7) These *TOR Rules*, the *STA* and the *COA* apply equally to a lessee of a *horse* as an *Owner*, unless a particular provision of these *TOR Rules*, the *STA* and/or the *COA* expressly states that it only relates to a *person* with an ownership interest (rather than a lease interest) in a *horse*.
- (8) Any company or other business structure through which a *Trainer* provides *Training Services* (including the billing of *Training Services*) is bound by these *TOR Rules* and must comply with them (to the intent that the requirements of the *TOR* cannot be avoided on account of a *Trainer* providing *Training Services* through a corporate entity or other business structure which is not licensed or registered by *Racing Australia* or a *PRA*).
- (9) The *COA* does not apply to *Promoter Syndicates* which own the whole of the ownership of a *horse*. *Promoter Syndicates* must however comply with the *STA* (subject to *TOR Rules* 1(2)(b), 1(3)(a) and 1(4)).
- (10) If an *Owner's* ownership interest in a *horse* is as a member of a registered *Syndicate*, including as a member of a *Promoter Syndicate*, then for the purposes of the *TOR*:
  - (a) the *Syndicate Manager* is responsible for representing the *Syndicate*;

- (b) the *Syndicate* is deemed to be the only *Owner* of the combined ownership interest held by the *Syndicate*, as if it was a separate legal entity, and the *Syndicate Manager* will be its expressly authorised legal representative; and
  - (c) all actions and decisions made by the *Syndicate Manager* will be taken to be made on behalf of the relevant *Syndicate*.
- (11) To the extent that there is any conflict or inconsistency between a provision of *these Rules* (including any of the *TOR Rules*) and a term of the *STA* or the *COA* (including as amended, whether in accordance with TOR Rule 1(3) or otherwise), or a term of any other separate agreement made in relation to *Training Services* or a *Horse Ownership Venture* (whether made in accordance with TOR Rule 1(4) or 1(5) or otherwise), *these Rules* (including the *TOR Rules*) prevail to the extent of the conflict or inconsistency.
- (12) *Racing Australia* (including its officers and employees), each *PRA* (including its officers and employees) and each *TDT* (including its members), shall not be liable to any person, and no person shall be entitled to make any claim for damages, for any loss or damage sustained as a result of, or in any way (either directly or indirectly) arising out of, the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the *TOR Rules*.
- (13) If a dispute between a *Trainer* and an *Owner* arises under the *TOR Rules*:
  - (a) neither party may commence *External Proceedings* in respect of the matters the subject of the dispute, save as to proceedings seeking urgent interlocutory relief, until all processes set out in the *TOR Rules* through which *Training Fees* and/or *Training Disbursements* can be recovered, or disputes in relation to them resolved or determined, have been followed; and
  - (b) if a party commences *External Proceedings* in respect of the matters the subject of the dispute, this subrule may be relied upon or pleaded by the other party as a bar to any such proceedings.

## **TOR Rule 2 – Powers of *Principal Racing Authorities (PRAs)* in relation to the *TOR***

- (1) A *PRA* shall, in addition to the powers conferred by these *Rules*, have power, in its discretion, to put in place *Local Rules*, regulations, policies or procedures, and/or take steps incidental or conducive to *Trainers* and *Owners* of *horses* complying with the *TOR*.
- (2) Without limiting TOR Rule 2(1), a *PRA* has power:
  - (a) to appoint a person or persons, who must have relevant experience in dealing with commercial disputes, as a *Training Disputes Tribunal (TDT)* member for the purpose of determining disputes in relation to *Training Fees* and/or *Training Disbursements*;
  - (b) to make and enforce policies or procedures in respect of the role, powers and functions of the *TDT*, and any member of it;

- (c) to freeze the payment of prizemoney to which an Owner would otherwise be entitled and pay that prizemoney to a Trainer in payment of *Training Fees* and/or *Training Disbursements* due and payable to the Trainer;
  - (d) to take whatever action it thinks fit (including to refuse to accept the nomination of a horse to race, or to take disciplinary action permitted by the Rules) against a person who contravenes any provision of these *TOR Rules* or any regulations, policies or guidelines made by or pursuant to a direction of *Racing Australia* in relation to them;
  - (e) to require fees (including administrative, or transaction processing fees) to be paid to *Racing Australia* or to a PRA in connection with the TOR, including in connection with the operation of the TDT.
- (3) If there is any inconsistency between a rule contained in these *TOR Rules* and that contained in a PRA's *Local Rules*, to the extent of any conflict or inconsistency, the provision in these *TOR Rules* will prevail (except where a PRA makes a local rule in relation to the TDT's role and/or processes pursuant to TOR Rule 8(8)).

### **TOR Rule 3 – The requirement for Trainers to issue a Fees Notice**

- (1) As from the *TOR Commencement Date*:
  - (a) any Trainer who currently trains for an Owner must issue a *Fees Notice* to the Managing Owner within 28 days of the *TOR Commencement Date*;
  - (b) any Trainer who is appointed as a Trainer on or after the *TOR Commencement Date* must issue a *Fees Notice* to the Managing Owner:
    - (i) if the Trainer is appointed in the period from the *TOR Commencement Date* up to and including 28 days after the *TOR Commencement Date* – within 35 days of the *TOR Commencement Date*; or
    - (ii) if the Trainer is appointed more than 28 days after the *TOR Commencement Date* – within 7 days of the date on which the Trainer is appointed;
  - (c) the Managing Owner must provide a copy of the *Fees Notice* to each Owner within 5 days of being issued the *Fees Notice* by the Trainer; and
  - (d) if the Managing Owner does not object to the Trainer within 14 days of being issued the *Fees Notice*, the basis for providing *Training Services* set out in that notice is deemed to have been accepted by the Owner/s.
- (2) The *Fees Notice* must set out:
  - (a) the *Training Fees* itemised by category of service or item provided;
  - (b) the anticipated *Training Disbursements* by name of service and anticipated provider (if known);
  - (c) the anticipated *Direct Payment Disbursements* by name of service and anticipated provider (if known);

- (d) any additional fees the *Trainer* proposes to charge the *Owner*, including bonuses for winning races, or commissions on the sale of a *horse*; and
- (e) whether a *Trainer* proposes to charge interest on any unpaid *Training Fees* and/or *Training Disbursements*. The *Trainer* is entitled to do so from the day after an amount falls due and payable, at an interest rate not more than the rate prescribed from time to time for pre-judgment interest in the Supreme Court of the State or Territory of the *TDT* at which any dispute in relation to *Training Fees* and/or *Training Disbursements* would be heard pursuant to TOR Rule 5(4).

**TOR Rule 4 – The circumstances in which the *TOR's Presumption of a Training Debt* arises**

- (1) As a condition precedent to a *Trainer* being able to rely on the *Presumption of a Training Debt*, the *Trainer* must provide the *Trainer's* invoice (or invoices) in relation to *Training Fees* and/or *Training Disbursements* to the *Owner* of the relevant *horse* by the 15<sup>th</sup> day of any calendar month following a period of time in which *Training Services* were provided by the *Trainer* to the *Owner*.
- (2) A *Trainer* who fails to issue an invoice by the end of the 15<sup>th</sup> day of a month following a period of time in which *Training Services* were provided must wait until the subsequent month to seek to rely on the *Presumption of a Training Debt*, and can then only do so if an invoice has been provided to the *Owner* by the end of the 15<sup>th</sup> day of that subsequent month.
- (3) If an invoice is issued in accordance with TOR Rule 4(1), the *Owner* may formally dispute the invoice (or part of it) by serving a *Dispute Notice* which complies with the requirements in TOR Rule 5(1) on the *Trainer*. A copy of the *Dispute Notice* must also be provided to *Racing Australia*.
- (4) If a *Trainer* issues an invoice in accordance with TOR Rule 4(1) and the invoice is not fully paid by the end of the month in which it is issued, then unless a *Dispute Notice* is provided by the *Owner* to the *Trainer* by the last day of the month in which the invoice is issued, the invoice is deemed to be due and payable to the *Trainer* at the end of that month. (That is known as the *Presumption of a Training Debt* against the *Owner*).
- (5) The provision of a *Dispute Notice* by an *Owner* to a *Trainer* by the last day of the month in which the invoice the subject of the dispute is issued has the effect that the *Presumption of a Training Debt* does not arise. In that instance, unless the dispute is settled by consent, the *Trainer* and *Owner* each may apply in accordance with TOR Rule 5 to have the dispute heard and determined by the *TDT*.

**TOR Rule 5 – Requirements in relation to, and the effect of, a *Dispute Notice***

- (1) *A Dispute Notice*:
  - (a) must be in a form prescribed by *Racing Australia* from time to time, and must provide the information required by that form;
  - (b) must clearly identify the invoice/s (or part of the invoice/s) disputed by the *Owner*, the amount in dispute, and the grounds for the dispute;
  - (c) must be provided by an *Owner* to a *Trainer* with supporting documentation (to be enclosed with the *Dispute Notice*) that the *Owner* intends to rely on in relation to the dispute;
  - (d) must be served on the *Trainer*, with a copy also required to be provided by the *Owner* to *Racing Australia*:
    - (i) subject to TOR Rule 5(1)(e) and TOR Rule 6(2), within 6 months of the date of the relevant invoice; and
    - (ii) by the last day of the month in which the relevant invoice is issued if the *Owner* wishes to prevent the *Presumption of a Training Debt* arising; and
  - (e) must not be served on the *Trainer* after an *Enforcement Action Application (EAA)* is filed with *Racing Australia* by the *Trainer* under TOR Rule (6)(1), and any purported service of a *Dispute Notice* after that time will not be valid.
- (2) If a *Dispute Notice* challenges part, but not the whole of an invoice issued by a *Trainer* to an *Owner*, the *Owner* must pay to the *Trainer* the part not in dispute by the last day of the relevant month in which the invoice is issued in accordance with TOR Rule 4(1). Failing that, the part not in dispute is deemed due and payable to the *Trainer* at the end of the month in which the invoice is issued.
- (3) Once a *Dispute Notice* is served by an *Owner* on a *Trainer* in accordance with TOR Rule 5(1), each has the right to elect to have the dispute determined by a *TDT* by filing a *Notice of Election of Hearing* with *Racing Australia* within 14 days of the *Dispute Notice* being served, with a copy also required to be served on the other party to the dispute.
- (4) Once a *Notice of Election of Hearing* is filed with *Racing Australia*, it will allocate the matter to the *TDT* of the relevant *PRA* as follows:
  - (a) the matter is to be allocated to the *PRA* of the State or Territory in which the *Trainer* who is party to the dispute is licensed to train *horses*;
  - (b) if the *Trainer* is licensed in more than one State or Territory of Australia, the matter is to be allocated to the *PRA* of the State or Territory in which the *horse* the subject of the dispute (or a majority of the *horses* where there is more than one *horse* the subject of the dispute) is predominantly located, based on the most recent *Stable Return/s* lodged by the *Trainer* with *Racing Australia* in respect of the *horse/s*; and
  - (c) if the *Trainer* is licensed in more than one State or Territory and has an equal number of *horses* the subject of the dispute predominantly located in more than one State or Territory, the matter is to be allocated to the *PRA* that *Racing Australia* thinks fit.

**TOR Rule 6 – Consequences for a *Trainer* and *Owner* if the *Presumption of a Training Debt* arises**

- (1) Once the *Presumption of a Training Debt* arises, a *Trainer* may file an *EAA* with *Racing Australia* (with a copy also required to be served on the relevant *Owner*) seeking that one or more of the following consequences be applied against the *Owner*:
  - (a) if the defaulting *Owner* owns 50% or more of the total of the ownership of the relevant *horse*, that *Racing Australia* will not process any *Stable Return* seeking to transfer the *horse* to another *Trainer*;
  - (b) that *Racing Australia* and/or the relevant *PRA* responsible for any registration function in respect of the relevant *horse* will not register any transfer of the *Owner's* share or ownership interest in the *horse*; and
  - (c) that *Racing Australia* will notify the relevant *PRA/s* and the *PRA/s* will, other than in a *Special Circumstance* determined in its discretion, *Freeze* the payment of *prizemoney* to which the *Owner* would otherwise be entitled, and direct payment of that *prizemoney* to the *Trainer* owed the *Training Fees* and/or *Training Disbursements*. Subject to any *Special Circumstance* determined by a *PRA*, the defaulting *Owner* expressly waives any right to objecting to a *PRA's* payment of that *prizemoney* to the *Trainer*.
- (2) Once an *EAA* is filed with *Racing Australia* by a *Trainer* under TOR Rule 6(1), an *Owner* is not permitted to serve a *Dispute Notice* on the *Trainer* and any purported service of a *Dispute Notice* after that time will not be valid.
- (3) Once an *EAA* is filed with *Racing Australia* by a *Trainer* under TOR Rule (6)(1), unless *Racing Australia* or the relevant *PRA*, as applicable, considers that a *Special Circumstance* warrants another course, each of the consequences stated in TOR Rule 6(1)(a) to 6(1)(c) which were applied for by the *Trainer* will apply until:
  - (a) the relevant *Training Fees* and/or *Training Disbursements* which are due and payable are paid to the *Trainer*;
  - (b) the *Trainer* notifies *Racing Australia* that the *Trainer* has come to a settlement with the *Owner* in relation to the disputed amount; or
  - (c) the *Owner* notifies *Racing Australia* that the *Owner* has come to a settlement with the *Trainer* in relation to the disputed amount and provides sufficient evidence (as determined by *Racing Australia* in its sole discretion) of such settlement.
- (4) A *Trainer* must notify *Racing Australia* in writing within 24 hours of becoming aware of having received payment from an *Owner* of any *Training Fees* and/or *Training Disbursements* referred to in an *EAA*, and/or of becoming aware of the settlement with the *Owner* of a dispute in respect of *Training Fees* and/or *Training Disbursements* the subject of an *EAA*.

**TOR Rule 7 – Further rights of a *Trainer* (when the *Presumption of a Training Debt* has not arisen) to object to the transfer of a *horse* to another *Trainer*, or the transfer of an ownership interest in relation to a *horse***

- (1) If, despite the *Presumption of a Training Debt* not having arisen, a *Trainer* contends that *Training Fees* and/or *Training Disbursements* are due and payable to the *Trainer* in respect of a *horse*, the *Trainer* may object by written notice provided to *Racing Australia* to the transfer of the *horse* from the *Trainer* to another *Trainer*, or to the transfer of an ownership interest in the *horse* from one *Owner* to another. A copy of that written objection must also be served on the relevant *Owner*.
- (2) If a *Trainer* objects pursuant to TOR Rule 7(1):
  - (a) the following consequences apply:
    - (i) *Racing Australia* will notify the relevant *Owner* of the objection;
    - (ii) if the *Owner* owns 50% or more of the total ownership of the relevant *horse*, *Racing Australia* will not process any *Stable Return* seeking to transfer the *horse* to another *Trainer*; and
    - (iii) *Racing Australia* and/or the relevant *PRA* responsible for any registration function in respect of the relevant *horse* will not register any transfer of an *Owner's* ownership interest in the *horse*.
  - (b) the consequences stated in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will cease after 5 *business days* unless the *Trainer* provides *Racing Australia* with copies of the invoice/s outstanding to the *Trainer* (clearly identifying the parts of them alleged to be due and payable to the *Trainer*) within 5 *business days* of the proposed transfer (which period is not to be extended in any circumstance);
  - (c) upon receipt of that information, *Racing Australia* will notify the relevant *Owner* who may then either:
    - (i) pay the amount of the invoice/s to *Racing Australia* (in which case *Racing Australia* will pay those funds to the *Trainer* and *Racing Australia* and/or the relevant *PRA*, as applicable, will process the relevant transfer request); or
    - (ii) serve a *Dispute Notice* on the *Trainer* (with a copy also required to be provided to *Racing Australia*). Once that is done, either party may elect to have the matter determined by the *TDT* by filing a *Notice of Election of Hearing* with *Racing Australia* within 14 days of the date of issue of the *Dispute Notice* (with a copy also required to be served on the other party). However, a *Notice of Election of Hearing* will only be valid and accepted by *Racing Australia* if the *Dispute Notice* related to the dispute was served within 6 months of the date of the invoice the subject of the dispute.
- (3) If an *Owner* serves a *Dispute Notice* in the circumstances referred to in TOR Rule 7(2)(c)(ii), and the *Owner* still wishes for the relevant transfer to proceed without delay, the *Owner* can pay the amount of the disputed invoice/s into the *Training Disputes Trust Account* pending determination of the dispute, at which point *Racing Australia* and/or the relevant *PRA*, as applicable, will process the relevant transfer.



## **TOR Rule 8 – The *TDT* Process**

- (1) If an *Owner* has served a *Dispute Notice* on a *Trainer* in accordance with TOR Rule 5(1), either of them may, within 14 days of the service of the *Dispute Notice*, elect to have the dispute determined by a *TDT* by paying the *Filing Fee* to *Racing Australia* and at the same time filing a *Notice of Election of Hearing* with *Racing Australia* and serving it on the other party to the dispute. Once a valid *Notice of Election of Hearing* is filed with *Racing Australia*, it will transfer the *Filing Fee* to the *PRA* allocated the dispute in accordance with TOR Rule 5(4).
- (2) A *Notice of Election of Hearing* will only be valid and accepted by *Racing Australia* if the *Dispute Notice* related to the dispute was served within 6 months of the date of the invoice the subject of the dispute and before any *EAA* was filed by the *Trainer*.
- (3) When a valid *Notice of Election of Hearing* is received by *Racing Australia* from an *Owner* or a *Trainer*, then the consequences set out in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will apply unless the amount disputed in the *Notice of Election of Hearing* has been paid by the *Owner* into the *Training Disputes Trust Account* pending resolution of the relevant dispute.
- (4) The *TDT* may make directions in relation to the preparation of the dispute for hearing as the *TDT* sees fit, except that a hearing on the papers can only take place if all parties agree to it.
- (5) In relation to an oral hearing before the *TDT*:
  - (a) there is no immediate right to legal representation before the *TDT*; and
  - (b) the *TDT* may grant leave to the *Trainer* and/or *Owner* to be legally represented if in the opinion of the *TDT* that is warranted having regard to one or more of the following matters:
    - (i) the complexity of the issues arising on the dispute;
    - (ii) the amount disputed;
    - (iii) whether or not the case is of general importance to the racing industry;
    - (iv) the interests of justice in the circumstances of the case.
- (6) In respect of a hearing before the *TDT*:
  - (a) the *TDT*:
    - (i) must, other than in exceptional circumstances, make all reasonable efforts to determine a dispute within 10 days of the hearing of that dispute; and
    - (ii) is only required to provide written reasons of the *TDT*'s decision if at least one party to the dispute requests that;
  - (b) the decision of the *TDT* will be binding on all parties as a decision under *these Rules*;
  - (c) the *TDT* may:
    - (i) determine whether *Training Fees* and/or *Training Disbursements* must be paid and in what amount, including in relation to any amounts paid into the

*Training Disputes Trust Account*; and/or

- (ii) recommend to any *PRA* that the *PRA/s* apply *the Rules* against a *Trainer* or an *Owner* in a manner recommended by the *TDT* (in which case it will then be a matter for the relevant *PRA* as to whether it implements that recommendation);
- (d) if either party intends to challenge the decision of the *TDT* by way of *External Proceedings*, it must provide written notice of that intention to the other party, the relevant *PRA*, and *Racing Australia* within 7 days of the *TDT's* decision. If that is done, then from that point *Racing Australia* and/or the relevant *PRA*, as applicable, must not take any action in relation to the relevant disputed *Training Fees* and/or *Training Disbursements* until, subject to TOR Rule 8(6)(e), the outcome of the *External Proceedings* is known;
- (e) if notice of an intention to commence *External Proceedings* is provided in accordance with TOR Rule 8(6)(d), but the notifying party has not provided *Racing Australia* with evidence of the commencement of *External Proceedings* within 28 days of the *TDT's* decision then:
  - (i) if the *TDT* has ordered that an amount be paid to a *Trainer* in respect of *Training Fees* and/or *Training Disbursements*, the *Owner* must pay the *Trainer* the amount determined by the *TDT* within 2 days of that date (that is, within 30 days of the *TDT's* decision);
  - (ii) *Racing Australia* and/or the relevant *PRA*, as applicable, may take any action in relation to the relevant disputed *Training Fees* and/or *Training Disbursements* that it is permitted to take under *the Rules*, provided it does not receive evidence of the commencement of *External Proceedings* before taking such action; and
  - (iii) if *Racing Australia* receives evidence of the commencement of *External Proceedings* more than 28 days after the *TDT's* decision, then from that point *Racing Australia* and/or the relevant *PRA*, as applicable, must not take any action in relation to the relevant disputed *Training Fees* and/or *Training Disbursements* until the outcome of the *External Proceedings* is known.
- (f) if notice of an intention to commence *External Proceedings* is not provided in accordance with TOR Rule 8(6)(d), and the *TDT* has ordered that an amount be paid to a *Trainer* in respect of *Training Fees* and/or *Training Disbursements*, the *Owner* must pay the *Trainer* the amount determined by the *TDT* within 7 days of the *TDT's* decision;
- (g) an unsuccessful party to an application before the *TDT* must bear the cost of the relevant *Filing Fee* in respect of that application;
- (h) further to TOR Rule 8(6)(g), if the *Trainer* succeeds before the *TDT* and the proceeding was commenced by the *Trainer*, the unsuccessful *Owner* must pay the successful *Trainer* an amount equivalent to the *Filing Fee* within 7 days of the *TDT's* decision;
- (i) further to TOR Rule 8(6)(g), if the *Owner* succeeds before the *TDT* and the proceeding was commenced by the *Owner*, the unsuccessful *Trainer* must pay the successful *Owner* an amount equivalent to the *Filing Fee* within 7 days of the *TDT's* decision; and
- (j) other than as provided in TOR Rule 8(6)(g) to 8(6)(i), the parties to a dispute

before the *TDT* must bear their own costs (including any legal costs) in connection with that dispute, except that the *TDT* retains a discretion to order that a party (***first party***) pay some or all of the costs of the other party if the *TDT* is satisfied that:

- (i) the *first party* commenced or responded to the *TDT* proceedings vexatiously; or
- (ii) the *first party's* commencement of, or response to, the *TDT* proceedings had no reasonable prospect of success.

(7) A *TDT* has jurisdiction to determine all issues or questions relevant to determining a dispute between a *Trainer* and an *Owner* (or *Owners*) in relation to the payment of *Training Fees* and/or *Training Disbursements*. A *TDT* does not have jurisdiction to determine disputes between Co-owners.

(8) Despite anything in TOR Rule 8 and TOR Rule 2(3), a *PRA* is entitled to make its own rules and regulations specific to its State or Territory in relation to the role and/or processes of its *TDT*, provided that they are procedurally fair and are not inconsistent with the overriding purpose of TOR Rule 8, being to have in place a *TDT* to impartially and efficiently determine disputes in respect of *Training Fees* and/or *Training Disbursements*. This subrule means that a *PRA* is able to make local rules inconsistent with TOR Rules 8(4) to 8(6), but only if they are procedurally fair and not inconsistent with the stated overriding purpose of TOR Rule 8.

### **TOR Rule 9 – Facilitating payment after a decision of a *TDT***

(1) If a *TDT* makes an award in favour of a *Trainer*:

(a) subject to TOR Rule 8(6)(d) and 9(2), the following consequences apply to the defaulting *Owner*:

- (i) if the *Owner* owns 50% or more of the total ownership of the relevant *horse*, *Racing Australia* will not process any *Stable Return* seeking to transfer the *horse* to another *Trainer*;
- (ii) *Racing Australia* and/or relevant *PRA* responsible for any registration function in respect of the relevant *horse* will not register any transfer of the relevant *Owner's* interest in the *horse*; and
- (iii) the relevant *PRA/s* must, other than in a *Special Circumstance* to be determined in its discretion, *Freeze* the payment of any *prizemoney* to which the *Owner* would otherwise be entitled.

(2) The consequences in TOR Rule 9(1)(a) will apply until the *Training Fees* and/or *Training Disbursements* the subject of the *TDT's* award are paid by the *Owner* to the *Trainer*.

- (3) If 14 days have passed after a decision of a *TDT* and the *Trainer* has not been paid by the *Owner* as required by the decision of the *TDT* and informs *Racing Australia* of that, in addition to the consequences stated in TOR Rule 9(2):
  - (a) *Racing Australia* will notify the *Owner*, the *Trainer* and the relevant *PRA/s* of that, after which the relevant *PRA/s* must, other than in a *Special Circumstance* to be determined in its discretion, pay any prizemoney to which the *Owner* would otherwise be entitled to the *Trainer* in payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*. Subject to any *Special Circumstance* determined by a *PRA*, the defaulting *Owner* expressly waives any right to objecting to a *PRA's* payment of that prizemoney to the *Trainer*;
  - (b) the relevant *PRA/s* will retain its powers under *the Rules* to take action against the defaulting *Owner* (including to refuse to accept a nomination for a *horse* to race); and
  - (c) the *Trainer* will retain the *Trainer's* rights under the *STA* and at general law.
- (4) For the purposes of TOR Rule 9(1)(a)(iii) and 9(3), if the *PRA* of the *TDT* in which the decision was made notifies *Racing Australia* that it is not in possession of an amount of prizemoney to which the *Owner* would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*:
  - (a) *Racing Australia* will notify the *Owner*, the *Trainer* and any other *PRA/s* which may be in possession of such prizemoney; and
  - (b) if:
    - (i) one of those *PRAs* is in possession of an amount of prizemoney to which the *Owner* would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*, that *PRA* is a relevant *PRA* and *Racing Australia* may direct that *PRA* to pay any outstanding *Training Fees* and/or *Training Disbursements* to the *Trainer* from that prizemoney; and
    - (ii) if more than one of those *PRAs* is in possession of an amount of prizemoney to which the *Owner* would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*, those *PRAs* are each a relevant *PRA* and *Racing Australia* may determine the order in which one or more of those *PRAs* are, on *Racing Australia's* direction, to pay any outstanding *Training Fees* and/or *Training Disbursements* to the *Trainer* from that prizemoney.
- (5) If *Racing Australia* or a *PRA* directs prizemoney to which an *Owner* would otherwise be entitled be paid to a *Trainer* pursuant to TOR Rule (3)(a), but the disputed amount has already been paid or settled as between *Trainer* and *Owner* by the time that payment is made to the *Trainer*, the *Trainer* must refund to the *Owner* the amount paid to the *Trainer* by that *PRA* within 7 days.
- (6) A *Trainer* must inform *Racing Australia* within 24 hours of becoming aware of having received payment from an *Owner* of any *Training Fees* and/or *Training Disbursements* ordered by a *TDT* to be paid to the *Trainer*.

## APPENDIX 1: INTERPRETATION OF THE TOR RULES

### DEFINITIONS

**Business Day** means a day that is not a Saturday, a Sunday, or a public holiday in the place concerned.

**Co-owner** in relation to a *horse* means a *person* who owns a *horse* together with at least one other *person* and is registered or is intended to be registered with *Racing Australia* as an *Owner*.

**Direct Payment Disbursements** means costs or expenses in relation to the training and/or care of a *horse* which are to be directly invoiced to an *Owner* of a *horse* by service providers other than the *Trainer* (including veterinary fees, breaking in fees, agistment fees and transport costs).

**Dispute Notice** means the *Racing Australia* form of that name referred to in these *TOR Rules*, and in the *STA*, as amended from time to time.

**Enforcement Action Application (EAA)** means the *Racing Australia* form of that name referred to in these *TOR Rules*, as amended from time to time, which a *Trainer* is entitled to submit to *Racing Australia* in accordance with TOR Rule 6 once the *Presumption of a Training Debt* arises.

**Exempt Owner** means an *Owner* who is not required to comply with the *STA*, being an *Owner*:  
(a) who themselves trains a *horse* pursuant to an owner/trainer *licence* and does not also train the *horse* for any other *Owner*; or (b) who employs (as an employee pursuant to a written contract of employment), or otherwise engages (pursuant to a written contract for services) a *Trainer* to train a *horse* or *horses* exclusively for that *Owner* so that the *Trainer* does not train a *horse* for anyone else.

**Exempt Trainer** means a *Trainer* who is not required to comply with the *STA*, being a *Trainer*:  
(a) with an owner/trainer *licence* who does not also train the *horse* for any other *Owner*; and/or  
(b) who is contracted in writing to provide *Training Services* exclusively to an *Exempt Owner*.

**External Proceedings** means legal proceedings in a court or tribunal (not including a *TDT*) outside the *TOR Rules*.

**Filing Fee** means the fee set and charged by *Racing Australia* (published on the *Racing Australia Website*) to cover administrative costs of the *Training Disputes Tribunal (TDT)*

process, and which is to be remitted by *Racing Australia* to the relevant *PRA* which is allocated a *TDT* proceeding by *Racing Australia*.

***Fees Notice*** means the written fee disclosure notice a *Trainer* must provide to an *Owner* of a *horse* pursuant to TOR Rule 3, and pursuant to the *STA*.

***Freeze*** means, in relation to *prizemoney* to which the *Owner* would otherwise be entitled, a direction by a *PRA* that that *prizemoney* be withheld or not allowed for a period of time that is fixed by the *PRA*.

***Horse*** means a thoroughbred horse bred, kept, cared for, trained, managed and/or raced for a purpose or purposes connected with the thoroughbred racing industry in Australia. It includes a mare, filly, entire, colt, rig or gelding.

***Horse Ownership Venture*** means a venture conducted by *Co-owners* of a *horse*, and can include racing a *horse* together, selling all or part of a *horse*, and/or *breeding of a horse*.

***Horse Registration Form (HRF)*** means a registration form of that name an *Owner* must lodge with Racing Australia to register a *horse* (or an interest in a *horse*) for racing.

***Managing Owner*** means an *Owner* of a *horse* who is specified as the managing owner in the *HRF* or other relevant registration form lodged or to be lodged with *Racing Australia*.

***Notice of Election of Hearing*** means the *Racing Australia* form of that name referred to in these *TOR Rules* and in the *STA*, as amended from time to time, which *Racing Australia* makes available for the purpose of parties electing to take a dispute in relation to *Training Fees* and/or *Training Disbursements* to a *TDT*.

***Owner*** means a *person* with an ownership interest or share in a *horse* and, for the purposes of these *TOR Rules*, includes a *Managing Owner*.

***Presumption of a Training Debt*** means the presumption that *Training Fees* and/or *Training Disbursements* are due and payable from an *Owner* to a *Trainer* which arises in the circumstances identified in TOR Rule 4(4).

***Prizemoney to which an Owner would otherwise be entitled*** means, for the purpose of these *TOR Rules*, any *prizemoney* which, but for these *TOR Rules*, an *Owner* would be entitled to receive from *Racing Australia* or a *PRA* in relation to the results in a *race* of a *horse* or *horses* owned or part owned by the *Owner* which is trained by the *Trainer*. Such *prizemoney* may therefore include *prizemoney* earned through the results of a *horse/s* other than the *horse/s* that received the relevant *Training Services* the subject of action under *these TOR Rules*.

***Promoter Syndicate*** means a *Syndicate* where the *Co-owners* own their interest in a *horse* as a result of acquiring shares in the *horse* offered by a *Promoter* approved by a *PRA* and licensed under the *Corporations Act 2001* (Cth) and/or offered pursuant to *ASIC Corporations (Horse Schemes) Instrument 2016/790* or a successor or predecessor instrument to it.

***Racing Australia*** means Racing Australia Ltd and any successor entity substantially carrying out *Racing Australia's* functions.

***Racing Australia Co-owner Agreement (COA)*** means the agreement of that name, as amended by *Racing Australia* from time to time, which is part of the *TOR* and published on the *Racing Australia Website*.

***Racing Australia Standard Training Agreement (STA)*** means the agreement of that name, as amended by *Racing Australia* from time to time, which is part of the *TOR* and is published on the *Racing Australia Website*.

***Racing Australia Website*** means [www.racingaustralia.horse](http://www.racingaustralia.horse) or another domain name as notified by *Racing Australia*.

***Special Circumstance*** means, for the purpose of these *TOR Rules*, a circumstance which is out of the ordinary, including as stipulated to be a “special circumstance” by a *PRA* under its *Local Rules*.

***TOR Commencement Date*** means 1 August 2017 or another date as notified by *Racing Australia*.

***TOR Rules*** means these rules set out in this Schedule 1 to the *Australian Rules of Racing*, as amended from time to time.

***Trainer*** means a person licensed or granted a permit by a *PRA* to train horses, and includes any persons licensed to train as a training partnership. A *Trainer* includes a licensed pre-trainer.

***Trainer and Owner Reforms (TOR)*** means the *Racing Australia* reforms in relation to arrangements between *Trainers* and *Owners*, and between *Co-owners*, commencing on the *TOR Commencement Date*.

***Training Disbursements*** means the amounts paid or payable by a *Trainer* to third parties in relation to the provision of *Training Services* which are not included in the *Training Fees* and for which a *Trainer* invoices an *Owner* (including veterinary fees, farrier fees, dentist fees, race acceptance and nomination fees, interstate racing costs, and race-day expenses such as strapper attendance fees).

***Training Disputes Tribunal (TDT)*** is a decision-making body set up by each *PRA* in the States and/or Territories of Australia to determine disputes in relation to *Training Fees* and/or *Training Disbursements*, as provided for in these *TOR Rules* and in the *STA*.

***Training Disputes Trust Account*** is the trust account held and operated by *Racing Australia* for the purposes of the *TOR*.

***Training Fees*** means the amounts charged by a *Trainer* to an *Owner* in relation to the provision of *Training Services*, which includes the main daily training fee plus any additional

daily charges for other items such as track usage fees and administration fees, together with all other costs charged by a *Trainer* to train and/or care for a *horse* which are not charged as *Training Disbursements*.

***Training Services*** means all the services provided by a *Trainer* (or qualified and authorised employees or persons engaged or approved by a *Trainer*) in relation to the care, training and/or racing of a *horse* including training, pre-training, rehabilitation, maintenance, stabling, feeding, exercising, freighting, agisting, rental of gear, and the provision of veterinary, chiropractic, acupuncture, dental, and farrier services and treatments.

## **INTERPRETATION**

In the interpretation of these *TOR Rules*:

- (1) Unless the context otherwise requires, italicised words and terms shall have the meaning set out in AR. 1 of *these Rules* and this Appendix 1 of these *TOR Rules*.
- (2) A document (including any notice, form or application) can be served on a *Trainer* or an *Owner*:
  - (a) at the address (electronic (including email) or otherwise) last provided to the person serving the document by the *Trainer* or the *Owner* (as applicable); or
  - (b) at the address of the *Trainer* or the *Owner* most recently recorded in the records of *Racing Australia*; or
  - (c) at the address of the *Trainer* or the *Owner* recorded on the relevant current *Racing Australia* registration form in respect of the relevant *Horse*.
- (3) Unless established to the contrary, a document (including any notice, form or application) is taken to have been received:
  - (a) on the fourth *Business Day* after the date on which it was sent by registered post;
  - (b) on the day and at the time that it appears from the record of email communication that the sending of an email concluded; and
  - (c) when the facsimile transmission is received by an addressee of a facsimile correspondence.”

**Date of Effect: 1 August 2017**





## LOCAL RULES

of

## RACING NSW

### APPLICATION

**LR 1.** The *Local Rules of the NSW Thoroughbred Racing Board* (inclusive of the Rules of Betting) for the time being and the *Australian Rules of Racing* for the time being must be read, interpreted, and construed together, and as so combined will be and be known as *The Rules of Racing of the NSW Thoroughbred Racing Board* and such rules apply to the administration, supervision and control of racing throughout New South Wales and the Australian Capital Territory.  
*[amended 15.11.04]*

**LR 2.** The Local Rules shall come into operation on the first day of January 1999. Any other Local Rules of Racing previously in force shall be repealed as from that day. The provisions of rules 4 and 5 of the Australian Rules of Racing apply *mutatis mutandis* to these Local Rules as if the same were expressly incorporated therein.

**LR 3.** Any person who takes part in any matter coming within the Rules of Racing, or to which the said rules apply, thereby agrees to be bound by them.

**LR 4.** The *Rules of Betting of the NSW Thoroughbred Racing Board* for the time being apply to all bets made and to all disputes relating to bets arising at a registered meeting.  
*[amended 15.11.04]*

## DEFINITIONS

**LR 5.** In the interpretation of the Local Rules (and of any programme of a race meeting or conditions of a race to which they apply), unless the context otherwise requires, words defined in Australian Rule 1 have or include the meanings as set out therein and the following words have or include the following meanings:

**"Appeal Body"** means the Appeal Panel or the Committee of an Association or Registration Board that has been delegated the power to hear and determine appeals.

**"Appeal Panel"** means the Appeal Panel constituted by Part 4 of the *Thoroughbred Racing Board Act 1996*, No 37, as amended.

**"Approved betting premise"** means premises away from a racecourse approved by Racing NSW under Section 16A of the *Racing Administration Act 1998* at which bookmakers so authorized may conduct telephone or electronic betting

[added 1.3.2011]

**"AR"** means Australian Rule of Racing; and **"LR"** means Local Rule of Racing of the Board; and **"BR"** means Rule of Betting of the Board.

**"Authorised Representative"** means a person or company registered with the ASIC as an authorised representative (as that term is defined in the *Corporations Act 2001*) of a Promoter.

[added 21.6.04]

**"Betting auditorium"** means premises on a racecourse approved for betting or wagering on horse races, greyhound races or sports betting events.

**"Board"** means the NSW Thoroughbred Racing Board.

[amended 15.11.04]

**"Bookmaker"** means a natural person or eligible company licensed in accordance with section 14A of the *Thoroughbred Racing Board Act 1996*, and a person acting as a bookmakers agent and/or bookmakers remote clerk.

**"Broken Hill area"** means that part of New South Wales west of a line joining the towns of Wentworth, Pooncarie, Wilcannia and Wanaaring, and thence north to the border and including the said towns and any racecourse in the vicinity thereof.

**"Country area"** means that area within the boundaries of NSW not defined as being metropolitan or provincial areas.

[effective 3.12.17]

**"Licensed racecourse"** means a racecourse licensed under the provisions of the *Gaming and Betting Act 1912* as amended.

**“Licensed wagering operator”** means a wagering operator that holds a licence or authority (however described) under the legislation of any State or Territory in Australia to carry out wagering operations (whether in that State or Territory or elsewhere).

**"Metropolitan area"** means the area of Sydney and also includes the area lying west of the Pacific Ocean and extending to the banks of the Hawkesbury, Nepean and Cataract rivers and then continuing in a straight line from the Cataract River in an easterly direction to the Pacific Ocean and also includes the area bounded by straight lines joining Penrith, Emu Plains, Kurrajong and Wisemans Ferry, but excluding the area contained within a radius of 15 kilometres from the post office at Windsor.

**"Official"** includes a Committeeman, Director, Board Member or any person employed, engaged or appointed by the Board, or by a Club, Association or Registration Board, for the purpose of conducting its race meetings, tracks, training tracks, offices, business and affairs and all matters incidental thereto.

**“Official barrier trial”** means a trial under the control or supervision of the Stewards over not less than 800 metres, conducted on a racecourse, with no less than 4 horses ridden by licensed jockeys, apprentices or approved riders, provided that the Stewards may, at their discretion, approve the alteration or variance of any of the conditions of any barrier trial under their control.

*[amended 21.6.04]*

**"Paying up time" or "Pay up time"** is the time prior to a race prescribed by the Rules, or by the conditions of the race, as the latest time for making all payments in respect of an acceptor in that race.

**"Provincial area"** means:

- the area outside the boundaries of the Metropolitan Area, the boundary of which Provincial Area runs from the southern shore of Port Stephens in the East to the southern side of the town of Karuah, then following the southern side of the Pacific Highway to the town of Hexham; then continuing in a straight line in a south-westerly direction to the southern side of the towns of Quorrobolong and Wollombi to the Great Dividing Range; then continuing south-west, including the area east of the Blue Mountains, and extending south along the escarpment of the Illawarra District, to include the southern boundary of the town of Gerringong; and
- the Australian Capital Territory

*[effective 3.12.17]*

**“Racecourse”** means any racecourse, training ground or property over which, or of which, the Board or any Association or Club has the control, management, supervision or use for the time being, and whether such control, management or use is permanent, temporary or intermittent.

**“Racing authority”** means the Stewards appointed or approved by the Board, or a Racing Association, or Registration Board, when exercising by delegation any of the powers conferred on the Board by paragraphs (b), (c), (d) and (e) of AR 7; or the Committee or the Stewards of any race Club or race meeting registered by the Board under the Rules of Racing.

**“Racing Calendar”** means *NSW Racing*, the NSW Thoroughbred Racing Board Official Publication.

**“Registration Board”** means the Broken Hill & Far West Racing Registration Board.

**“Stockwhip”** means a whip with a short handle and a long lash. *[added 28.11.16]*

**“Sweepstakes”** means any race in which the stakes or any part thereof going to the winner and/or other horses in the race are to be made by the owners of horses entered, although money or any other prize be added.

**“The Act”** means the *Thoroughbred Racing Board Act 1996 No 37*, as amended by subsequent amended Acts.

**“wagering operator”** means a bookmaker, a person who operates a totalizator or a person who operates a betting exchange. *[added 10.7.13]*

Words importing the singular include the plural and vice-versa and the masculine gender includes the feminine gender, unless in either case the context requires otherwise.

## **POWERS OF THE BOARD**

**LR 6.** The Board has the power to warn off any or all racecourses within its control any person whose presence thereon in the opinion of the Board is not desirable.

**LR 7.** Racing NSW may from time to time appoint one or more persons to undertake investigations at the direction of Racing NSW or the stewards. Such investigators shall have and may exercise all the powers, duties and authorities conferred on stewards by AR 8(b),(c), (jj), (k)(ii), AR8B and AR 8C. Any licensed person, owner or any other person engaged in or associated with racing who, whilst the investigators are exercising such powers, duties and authorities, refuses to obey any reasonable direction of investigators or obstructs, hinders or delays investigators in exercising such powers or carrying out their duties, or incites any other person or person to obstruct, hinder or delay investigators from exercising such powers or carrying out their duties, or does not act to prevent any other person or persons on the premises from doing so, may be penalised. *[Deleted 1<sup>st</sup> July 2000][added 22.5.13]*

**LR 8.** The Board, or Association, may advise any Club within its jurisdiction to refuse admission to its racecourse to any person who, in their opinion, has engaged in illegal off-course bookmaking activities.

**LR 9.** (1) The Board, or an Association, has the power at any time to appoint an inspector to inspect and examine all the books of account, registers and financial records of any Association or Club within its jurisdiction.

(2) Upon being notified that such an inspector has been appointed, the Association or Club receiving such notification must provide the inspector with all books of account, registers and financial records that he or she wishes to inspect and must furnish such explanations as he or she requires. Any official of such Association or Club failing or refusing to assist the inspector on being asked to do so may be punished.

(3) The inspector must upon completion of his or her inspection and examination furnish the Board with a written report.

### **APPOINTMENT OF STEWARDS**

**LR 10.** (1) The Board may from time to time appoint a Chairman of Stewards, Deputy Chairman of Stewards, and Stewards of such categories as it thinks fit.

(2) The Committee of any Club may appoint a Deputy Steward at the request of the Stewards in charge of a race meeting.

(3) The Board may appoint, or approve the appointment by any Association of, an Assistant Steward or Cadet Steward. However, such appointees are not entitled to a vote on any matter occurring at, or arising out of, the meeting for which they are appointed, unless authorised to do so by the Chairman of Stewards of such meeting.

**LR 11.** Subject to LR 10 as to the appointment of Stewards, and subject to any appointment of officials made by the Board or Association, the Committee of the Club must appoint all officials necessary for the conduct of its meetings.

### **POWERS OF STEWARDS**

**LR 12.** (1) The Stewards referred to in LR 10 have jurisdiction to officiate as directed by the Board at any race meeting conducted in New South Wales or the Australian Capital Territory.

(2) Unless otherwise provided for in the Rules, the majority of the Stewards at a race meeting have and may exercise all the powers, duties and authorities conferred upon the Stewards by the Rules. In the case of equality of voting, the Chairman of Stewards of a meeting has a casting vote in addition to a deliberating vote.

(3) When a Steward, or Deputy Steward, is the sole Steward at a meeting he or she has and may exercise all the powers, duties and authorities vested in the Stewards.

(4) The Stewards have the power to give any rulings or to hear and decide upon any disputes relating to bets in accordance with the Rules of Betting. Such decisions by the Stewards are final and not subject to appeal.

(5) At any race meeting at which he or she acts, the Chairman of Stewards of the Board is *ipso facto* the Chairman of Stewards of such meeting for the purposes of the Rules.

(6) The Board, or the Chairman of Stewards, may authorise a Steward or Stewards to exercise all the powers vested in the Stewards by the Rules to inquire into, adjudicate upon, and deal with any matter or incident related to racing.

(7) The Stewards, when exercising the powers of inquiry and adjudication conferred upon them under the Rules are authorised to:

- (a) inquire into the conduct of all officials and licensed persons, persons attendant on or connected with a horse, persons attending a racecourse, all other persons bound by the Rules and any matter or incident related to racing;
- (b) lay charges against any person committing a breach of the Rules; and
- (c) adjudicate upon any such charges including but not limited to penalising any person committing a breach of the Rules.

*[sub-rule added 1/11/16]*

**LR 13.** The Stewards may defer for a period of no longer than 9 days the commencement of any suspension imposed by them upon a rider, provided such rider holds an engagement to ride a horse on one of those days.

**LR 14.** The Board or the Stewards may permit accredited representatives of the press to be present at any inquiry in such numbers, and subject to such conditions, as may from time to time be deemed proper.

**LR 15.** Where a declaration has been made under AR 64K(1), the Stewards shall have the function of taking any measures which in their opinion are necessary for the purpose of containing or eradicating the disease or condition which is the subject of the declaration including but not limited to the following powers to:

- (a) require persons to implement biosecurity precautions to be taken on any racecourse, training centre, registered stable premises and/or any other premises where race horses are located or trained;

(b) require persons to implement biosecurity precautions to be taken in the care, control, supervision, transport, stabling, handling, riding or training of racehorses and any other horses located on the same premises as racehorses or likely to have contact with such racehorses;

(c) require persons to vaccinate or comply with the vaccination of any racehorse stabled or located on the premises of any racecourse or any registered stable, or trained or controlled by a licensed person, or that may be training or racing on the premises of a racecourse or located at registered stable premises at any future time;

(d) require persons to vaccinate or comply with the vaccination of any other horse located on the same premises or nearby premises, or likely to have contact with racehorses referred to in subsection (c);

(e) restrict or control the access of any person, vehicle or service to any racecourse, training centre or registered stable premises;

(f) restrict or control access by any unvaccinated horse to any racecourse, training centre or registered stable premises.

For the purpose of this rule only, a racehorse shall mean all thoroughbred horses of whatever age that are registered or are capable of being registered. *[rule added 27.9/07]*

**15 A.** (1) For the purposes of this LR 15A, a reference to Racing NSW includes a reference to a person (or group of persons, such as the Stewards) authorised by Racing NSW (whether under these Rules or otherwise) to conduct any interview, investigation, inquiry or hearing.

(2) Any interview, inquiry or hearing conducted by Racing NSW may be recorded by or on behalf of Racing NSW using an audio and/or visual recording device and/or by the taking of a transcript or handwritten or typed notes.

(3) Any recording, notes or transcript made by (or on behalf of) Racing NSW shall be available for use as evidence in any subsequent hearing, review or in any related proceedings conducted by Racing NSW or otherwise under the *Thoroughbred Racing Act 1996* (NSW) and *Racing Appeals Tribunal Act 1983* (NSW) as in force from time to time. (For the avoidance of doubt, the provisions of this LR 15A(3) are subject to any rules (including the rules of evidence) and/or procedural requirements applicable in any subsequent hearing or review). *[rule added 15.10.07]*

**LR 16.** The Stewards may punish any person who enters upon any stable premises under the control of a trainer without the permission of that trainer.

**LR 17 -** Racing NSW (or the Stewards exercising powers delegated to them) may penalise any person who has in his or her possession a stockwhip:

(a) at a thoroughbred racing stable; or

(b) at premises otherwise used for training or pre-training of a horse (unless that person satisfies Racing NSW (or the Stewards exercising powers delegated to them) that the

stockwhip is in his or her possession at those premises for reasons unrelated to the training or pre-training of a horse).

*[Rule added 28.11.16]*

**LR 17A.** The Stewards may at any time order the surrender by any person of a horse's Document of Description, Foal Identification Card or Thoroughbred Identification Card. Any person failing or refusing to comply with such order may be punished and the Stewards may further direct the Registrar of Racehorses to issue a duplicate Document of Description, Foal Identification Card or Thoroughbred Identification Card for such horse. *[amended 1.7.05]*

### **FIELD LIMITS**

**LR 18.** (1) The Stewards may, from time to time, limit the number of horses permitted to be started in any race at any racecourse.

(2) On any racecourse having a movable running rail, the Stewards may reduce the number of runners permitted in any race in accordance with the location of the movable rail.

(3) On any racecourse, the Stewards may in the interests of safety, at any time, reduce the number of horses to be started in any race.

### **PROGRAMMES**

**LR 19.** All programmes and balloting conditions must have the approval of the Board, and are subject to such conditions or policies which may be set down from time to time by the Board.

**LR 20.** Every race meeting, unless otherwise determined by the Board, must be advertised in the *Racing Calendar* and such advertisement must set out:

- (a) the full programme of the meeting,
- (b) the days on which the meeting is to be held,
- (c) the time and place for receiving entries, and declaration of weights, acceptances, scratchings and riders,
- (d) any other such particular as required by the Board.

**LR 21.** Notwithstanding the definition of metropolitan area contained in LR 5, the Board may designate that a race or race meeting conducted outside the metropolitan area, other than that



provided by AR36A, shall be deemed to be a race or race meeting conducted in the metropolitan area for all purposes under the rules. *[added 1.10.07]*

**LR 22.** Where an official barrier trial is programmed to be conducted on a race day the closing time for entries shall be 1.00 pm on the acceptance day of such race meeting. If an apprentice jockey is to ride a horse in such trial such engagement must be notified by the entries' deadline. *[deleted 1.7.00] [added 1.6.08]*

**LR 23.** *[deleted 1.7.00]*

### **RACE FIELDS - GENERAL**

**LR 24.** Unless specific approval to the contrary is given by the Board, or an Association, the list of acceptors or declared runners must be published in weight order.

**LR 25.** Subject to the provisions of AR 103, the minimum weight to be imposed by the handicapper for any race must not be less than 53kgs in the metropolitan and provincial areas and 54kgs in the country areas excepting those black type and feature races as approved by the Board. *[amended 1.1.07]*

**LR 25A.** *[deleted 1.1.07]*

**LR 26.** In determining eligibility, weights, and/or balloting conditions for any race no account shall be taken of

- (a) appearance monies, incentive payments, breeder bonuses, starter rebates or starter bonuses,
- (b) any payment that was not available to all horses that were eligible to be nominated for such race.

Provided however that that the conditions of a race may also determine that for balloting purposes no account shall be taken of prizemoney won in sales restricted races.

### **RACE FIELDS - ALTERATION TO ENTRIES / WEIGHTS**

**LR 27.** Any alteration to the list of nominations after the closing time for entries for a meeting must be approved by the Stewards.

**LR 28.** Following the abandonment of a race or race meeting, the Stewards and/or NSW TRB Chief Executive may at their discretion, approve the re-nomination of any accepted horse from such race into any TAB covered race, regardless of whether weights have been declared provided that

- (a) this rule shall only be operable until 4pm on the day prior to final acceptance for the race to be entered into and,

(b) if the list of nominations is altered after the declaration of weights, the Handicapper may amend the allotted handicap weight of any or all horses at their discretion.

### **RACE FIELDS - DIVIDE, ABANDON, ETC.**

**LR 29.** In addition to the powers contained in AR 38, and if the conditions of entry authorise it, the Board, or the Committee of a Club situated within the metropolitan area, may at any time, in respect of any race meeting being conducted or to be conducted

- (a) cancel, abandon, postpone or divide any race or races,
- (b) combine any race with another race upon the same programme upon such terms and conditions as may be deemed expedient,
- (c) give such authorities and directions as are considered necessary to give effect to this rule.

**LR 30.** In addition to the powers contained in AR 38, provided that a minimum of 5 races is run on any one programme, and if the conditions of entry authorise it, the Committee of a Club outside the Metropolitan Area may:

- (a) abandon any race at acceptance time, where there are 7 or less acceptors, and
- (b) divide any other race, at acceptance time, at its discretion.

**LR 31.** The Board may, after consultation with the Club concerned, combine or abandon any race or races after the time of nomination and may give such authorities and directions as are considered to be necessary to give effect to this rule including the authority to re-handicap any horse or horses.

**LR 32.** (1) In the event of a race being divided into 2 or more divisions, a list of acceptors will be first adopted, the order of which is decided by the weights to be carried (including any extra weight by way of penalty or re-handicap).

(2) The acceptors must then be allotted in that order alternately to each division, provided that if a division contains more than one horse in the nomination of the same person, or in the care of the same trainer, the persons authorised to make the division may exchange the second of such horses with a horse of the same weight, or, failing such, of the nearest weight, in another division not so nominated or trained.

(3) If there are 2 or more of the last mentioned horses, the exchange must be determined by lot.

(4) Further provided that, in the case of races held outside the Metropolitan Area, where conditions of the programme so stipulate, the division may be made on the "tops and bottoms" principle.

**LR 33.** Further to the provisions contained in AR 48 (c), the nominator of any horse which is balloted from any race must, unless the conditions of the race stipulate otherwise, be refunded all fees which have been paid for such race from which the horse was balloted. Such horse may, prior to 9.30 am the following day, be re-nominated for any meeting for which the weights have not been issued.

### **BARRIER DRAW**

**LR 34.** (1) The order in which horses will be drawn up before the start of each race must be determined and published at such time after the declaration of acceptances as the Board thinks fit.

(2) The lots shall be randomly drawn by means of a computer system approved for that purpose or any other means approved by the Board, provided that, irrespective of the means used, all lots must be drawn randomly. *[sub-rule amended 28.11.16]*

(3) The order must be determined by lots drawn under the supervision of a person appointed for the purpose by the Board, provided that when lots are drawn by means other than a draw utilising a computer system approved for that purpose, an additional person is required to assist with the process.

(4) (a) If any horse which should not have been included in the draw is included, and as a consequence is removed from the field, all horses drawn outside that horse must be moved in one position.

(b) If any horse which should have been included in the draw is not included, and the omission is in the opinion of the Stewards discovered a reasonable time after declaration of acceptances, the barrier position of the horse thereafter included must be determined by lot drawn from the total number of horses which are now declared for the race. The horse in the original draw with the same barrier position, and all horses drawn outside that horse, must be moved out one position to accommodate the horse previously omitted.

(5) If, following the determination of the barrier draw, it is established that a horse is listed in the incorrect field order, no alteration must be made to the barrier draw of any horse, irrespective of whether or not any alteration is subsequently made to the race field order.

(6) None of the foregoing shall prevent the Stewards, in circumstances they deem appropriate, from ordering that all barriers be redrawn, provided that, prior to a re-draw occurring, final approval is given by Racing NSW.

(7) No liability of any nature shall be incurred by the Board or any Club by reason of error or failure in dealing with any nomination, declaration or acceptance on the part of the Board or a Club or its servants or agents.  
*[rule amended 25.7.08]*

## **DECLARATION OF RIDERS**

**LR 35.** (1) The nominator or trainer of any horse intended to be run in a race must declare to the secretary of the Club, or other official or agent appointed for the purpose, the name of the rider engaged, not later than the time stipulated in the approved programme for the meeting as advertised in the *Racing Calendar*. Provided that for horses listed as an emergency runner, riders must be declared by 9.30am on the morning of the race.

(2) Failing such declaration, the Stewards may reject the nomination and/or punish the nominator or trainer.

(3) The Stewards may, in their absolute discretion, extend the time or times provided by this rule.

(4) No other rider shall be substituted for the rider whose name has been declared, without the permission of the Stewards.

## **WITHDRAWAL AFTER ACCEPTANCE (SCRATCHING)**

**LR 36A.** Further to the provisions of AR 114, notice of withdrawal of a horse from any race meeting (picnic race meetings exempt) must be given before 7.30am on the morning of the race for day meetings and before 10.00am on the morning of the race for night meetings, except with the permission of the Stewards who may permit such withdrawal with or without the imposition of a penalty. Should permission to withdraw a horse be given after the scratching deadline but prior to the official release of the final listing of scratchings then at their discretion the Stewards may permit the next available emergency runner to take its place in such race field.  
*[amended 1.10.2007][re-numbered 1.8.11]*

**LR 36B.** Notice of withdrawal of a horse (including emergency runners) entered for an official trial to be conducted at a country race meeting must be effected by the Trainer of such horse with the Trainers Service Centre by no later than 9 am on the day of the official trial.  
*[added 1.8.11]*

**LR 37.** If after declaration of acceptance a horse is withdrawn by order of, or with the permission of, the Stewards acting on veterinary advice, or if a horse is found to be lame or otherwise injured after a race or trial, such horse may be deemed ineligible to start for such time as the Stewards may decide and/or only after it has passed such test or tests as the Stewards may decide are necessary to establish its fitness.

**LR 38.** A declared acceptor must not without the permission of the Stewards be withdrawn after final declaration of acceptance from a special event as determined by the Board and as advertised in the conditions of the race.

## **RACING - GENERAL**

**LR 39.** (1) A stable return and any amendment thereto lodged with Racing NSW is part of any entry for a race at any race meeting.

(2) A horse trained in Australia may not be entered for a race or official trial In New South Wales unless its name and particulars have been included on a stable return lodged with the Principal Racing Authority (or the Trainers Service Centre as agent for the Principal Racing Authority):

(a) at least 48 hours prior to the closing time for entries for the race or official trial;  
or

(b) if entries for a race close more than 60 days before the advertised date for the running of the race, at least 48 hours prior to the time for the first declaration of acceptance for such race, and  
if a stable return is not so lodged the entry is void.

(3) An entry for a race or official trial for a horse trained outside Australia becomes void if a stable return for that horse is not lodged with Racing NSW (or the Trainers Service Centre as agent for Racing NSW) at least 48 hours prior to the time for declaration of final acceptances.

(4) The trainer of a horse must:

(a) disclose the location of a horse under his or her care upon request by Racing NSW;

(b) lodge an amendment to a stable return immediately if:

(i) any particulars on the stable return have changed; or

(ii) a horse leaves or joins his or her stable with the amendment to disclose the precise location of the horse.

*(For the avoidance of doubt when a horse leaves a trainers stables to spell or otherwise the trainer must disclose the location of the property at which the horse shall be located)*

(5) Any trainer who fails to lodge, in whole or in part, a stable return or any amendment thereof or fails to provide details of the location of a horse in accordance with the provisions

of this rule may be penalised and the entry of such horse for any race or official trial may be rejected or cancelled.

(6) The Manager (or his or her Authorised Agent) of an Eligible Horse or a Named Horse must, unless otherwise contained in a stable return lodged in accordance with this rule, disclose:

(a) the location of that horse upon request by Racing NSW, including as required under any registration, ownership transfer or other form;

(b) any change in the previously notified location of that horse, to the satisfaction of Racing NSW, immediately.

(7) Any person who fails to provide details as to the location in accordance with the provisions of this rule may be penalised.

*[amended 1.8.16]*

**LR 39A** A trainer must adhere to the following conditions pertaining to the pre- training of racehorses

(i) The notified trainer of a horse shall ensure that any horse being pre-trained must be returned to his/her care, control and supervision at his/her registered stable address no later than two weeks prior to such horse competing in an official trial and no later than one month prior to it competing in a race.

(ii) The trainer shall ensure that the owner of a horse being pre-trained is fully acquainted with the details of the pre-training arrangement including the location of the horse and with a full disclosure of the associated costs.

(iii) Should any provisions of sub rules (1) and (2) not be complied with the trainer concerned may be penalised and the Racing NSW may withdraw such horse from any trial or race engagement.

*[Rule added 1.5.14]*

**LR 40.** Further to AR 45, two year olds:

(a) may between 1st October and 31st December in country areas race against older horses, but only in races programmed up to and including 1000 metres in distance, provided that Stewards may apply a variance to this rule for races that require an alteration in distance. Maximum variation up to and including 1100 metres.

(b) are not permitted to race at registered picnic meetings.

**LR 41.** (1) Every horse must have competed in an official barrier trial to the satisfaction of the Stewards before being eligible to race, unless otherwise determined by the Stewards.

(2) Any horse trialling for the purpose of obtaining a permit to start in a race must carry the gear in which it is to race, unless otherwise specifically authorised by the Stewards.

**LR 42.** (1) The trainer of any horse accepted in more than one race at the same NSW race meeting, must by no later than 5:00pm on the day of acceptances for such meeting, elect which engagement the horse will fulfil by withdrawing the horse from all other engagements at that meeting, except where the horse is an emergency runner in an alternate race.

*[sub-rule amended 1.10.16]*

(2) No horse may compete in more than one race on any one day.

*[rule deleted and replaced 1.6.08] [rule deleted and replaced 1.5.11]*

**LR 43.** (1) Without affecting the generality of the powers under AR 50, the Stewards may reject the entry of any horse which does not correspond in all particulars with the description in the Document of Description or Thoroughbred Identification Card for such horse.

(2) If the horse does not correspond with such description in that the brand is not distinguishable, but the Stewards are satisfied that the horse is otherwise identified, they may allow such horse to start on the undertaking of the owner, nominator or trainer that it will be re-branded as directed by the Registrar by such time as they determine. *[rule amended 1.7.05]*

**LR 44.** (1) Further to the powers contained in AR 8(j), the stewards may order that a horse not be permitted to race until such tests as they consider necessary are conducted to determine whether any prohibited substance is present in the system of that horse.

(2) Unless ordered otherwise, the cost of such tests shall be borne by the owners of the horse.

**LR 45.** Blinkers of a design approved by the Stewards may be used in races in accordance with the provisions of AR 140B and in accordance with the conditions which are approved by the Board and published in the *Racing Calendar*.

**LR 46.** All horses engaged to run in a race must be on course and in the saddling paddock:

(a) for metropolitan race meetings no later than two hours;

(b) for provincial and country race meetings no later than 90 minutes,

prior to the appointed starting time for such race. Horses must at all times then remain in the saddling paddock until the order is given to proceed to the mounting yard.

*[rule amended 1.9.05]*

**LR 47.** (1) Without the permission of the Board, a licensed person or official must not whilst present on any racecourse:

- (a) during the conduct of any race meeting or official trials, or
- (b) during any event related to racing which is open to attendance by the public, or
- (c) at any other specified time or place on any racecourse as the Board may from time to time prescribe;

- (i) display any advertising, or

(ii) wear any item of clothing displaying advertising, or

(iii) display advertising on a horse or any of its gear.

(2) For the purpose of this rule, the word advertising means any advertising, registered or unregistered trademark, logo, design or other distinguishing pattern, colour or feature promoting or associated with any business enterprise, undertaking, product or service, but does not include any such advertising, trademark, logo, design, or other pattern, colour or feature registered by the Board in accordance with the rules.

## VACCINATIONS

**LR 48.** (1) All horses that are involved in the activities of racing or breeding, including any horses used in trainers' stables or used for any purpose on a racecourse, training area, registered stables, spelling or breaking property or places elsewhere that are frequented by thoroughbred horses, must be vaccinated against equine influenza in accordance with the general requirements of subrule (2) of this Rule with a vaccine specifically approved by the Board; provided that this Rule will not apply to any foal which is less than six months old and whose dam was, prior to foaling, vaccinated in accordance with the general requirements of subrule (2) of this Rule.

(2) All horses that are involved in the activities of racing or breeding must, at a minimum, be vaccinated against equine influenza as follows:

- (a) Two primary doses of vaccine given no less than 14 days apart and no more than 42 days apart.
- (b)
  - (i) For horses whose primary vaccination was between 14 days and 21 days a booster vaccination given no less than 90 days and no more than 120 days.
  - (ii) For horses whose primary vaccination was between 22 and 42 days a booster vaccination given no less than 120 days and no more than 160 days.
- (c) Subsequent booster vaccinations at intervals of not more than a year apart, or such lesser time as the Board may, in an emergency, decide.
- (d) For recovered horses a vaccination no earlier than 1 July 2008 and no later than 1 August 2008 with subsequent vaccinations in accordance with subsection 2(c).

(3) A horse is ineligible to race until 7 days after receiving any dose of vaccine. All vaccination intervals referred to in this Rule are to be calculated by ignoring the day of the vaccination and counting the day of the race.



(4) Except in the case of horses that are domiciled outside NSW, each vaccination given in accordance with subrule (2) of this Rule must be notified to the Board by lodging advice on the vaccination history web page that is maintained by the Australian Stud Book, and lodging any other advice as required by any Principal Racing Authority.

In the case of horses that are domiciled outside Australia, such a horse must, while in Australia, be accompanied by a passport showing its vaccination history; or if it is normally domiciled in New Zealand then vaccination records must be available for inspection in the form of a combined identification certificate correctly identifying the horse, signed by a veterinarian who is neither the Owner nor the Trainer of the horse, stating that it has received the vaccinations required under subrule (2) of this Rule, and giving the dates of such vaccinations.

(5) Subject to subrule (7) of this Rule, no person shall bring to any area referred to in subrule(1) a horse that has not been vaccinated in accordance with subrule (2) of this Rule.

(6) A horse which, in the opinion of the Board, has not been vaccinated in accordance with subrule (2) is ineligible to be nominated for or run in any race. Provided, however, that in relation to nominations only, this provision shall not apply to races for which nominations close more than seven days prior to the advertised date for the running of such event.

(7) In the case of other horses which are brought to any area referred to in subrule (1) for any reason, its vaccination records must be available for inspection and may be accepted, provided that they are in the form of a combined identification certificate correctly identifying the horse, and that the certificates have been signed by a veterinarian who is neither the Owner nor the Trainer of the horse, stating that it has received the vaccinations required under subrule (2) of this Rule and giving the dates of such vaccinations.

(8) The Board, subject to the provisions of subrule 2(d), may, at their discretion, exempt a horse from the provisions of this Rule for such period as they may determine if they are satisfied that the horse has sufficient immunity against equine influenza as a consequence of having been infected with that disease. In giving consideration to such exemption the Board require the owner or trainer to provide information as to the positive immune status of such horse and the dates relative thereto.

(9) Any person in breach of this rule or responsible for a horse which has not fulfilled the provisions of this rule participating in racing or breeding activities may be penalised and any horse concerned shall be subject to whatever order the Board in their discretion may apply.

(10) The Board in their discretion may vary any of the requirements of this rule and in so doing make such orders concerning a horse as in the circumstances they see fit.

*[rule rescinded 01.07.2001] [rule added 18.2.08]*

## **JUDGING**

**LR 49.** *[Deleted 1.10.07]*

**LR 50.** Further to the provisions of AR 156, whether prior or subsequent to the declaration of correct weight, if the Stewards are satisfied on the evidence of the available prints or images that the judge has made a mistake in the determination of the finishing order of a race, the Stewards may correct such mistake and alter the places accordingly. No alterations to the judges places after correct weight will have any effect on previous orders given by the Stewards as to the payment of bets.

## **LICENSING - GENERAL**

**LR 51.** (1) Any person seeking a licence, permit, registration, transfer or indentureship as provided by the Rules must apply to the Board on such form as the Board may from time to time direct. Any such application must be accompanied by the prescribed fee.

(2) The Board may grant any licence or permit upon such terms and conditions and for such period and for such locality as they may see fit, and may refuse to grant any such licence or permit without assigning any reason for such refusal, and may at any time cancel or suspend or vary without giving any reason any such licence registration or permit before the termination of the period for which such licence or permit was granted.

(a) It is a condition of any Licence that the licensee must notify Racing NSW within 14 days if the licensee is:

- i) charged with a criminal offence, or
- ii) convicted of a criminal offence, or
- iii) made bankrupt or becomes the subject of a court judgement requiring payment to a racing industry participant or provider

(b) Any licensee who fails to comply with sub rule (a), or fails to comply with the other terms and conditions of their licence may be penalised, may have his or her licence suspended, varied or revoked and/or be stood down from his or her licensed rights and/or privileges.

*[subrule amended 1.11.17]*

(3) Under the powers of AR 7(o) and AR 7(p), the Board delegates for the time being and under such conditions as they may from time to time impose, the function of licensing as provided for by this rule to the Racing NSW Licensing Committee.

*[subrule amended 18.6.08]*

(4) The holder of a licence, permit or registration must immediately notify the Board in writing any change of address.

(5) Unless otherwise determined all licences, permits and registrations expire on the 30th day of June each year, excepting Forepersons, Stablehands & Bookmaker's Clerks licenses which expire on the 31<sup>st</sup> day of October each year. *[subrule amended 18/6/08]*

(6) Any person who has had an application for a licence or registration refused, or had a license or registration cancelled or revoked, must not make a further application, or reapply for a license or registration that has been cancelled or revoked, until the expiration of 12 months from the date of such refusal, cancellation or revocation. The Board may however in its discretion reduce the said period. *[subrule added formally LR 53][amended 1.4.17]*

**LR 52.** Upon a licensed person having reasonable grounds to suspect a contravention of a Rule of Racing, he or she must report same to the Stewards as soon as practicable.

**LR 53.** Further to the provisions of AR69P, should a Promoter intend to promote shares in a racehorse/s through an Authorised Representative (as permitted by the Corporations Act 2001) then:

(a) Racing NSW may carry out such investigations of the Authorised Representative as it considers necessary to assess the Authorised Representative's ability and appropriateness to perform such role;

(b) Racing NSW shall record any Authorised Representative who satisfies the investigative procedure referred to in sub rule (a) in a Register of Approved Authorised Representatives established by Racing NSW for such purpose; and

(c) an Authorised Representative shall not carry out, and the Promoter must ensure that the Authorised Representative does not carry out, any promotional activities:

(i) until such time as Racing NSW notifies the Authorised Representative and Promoter that the Authorised Representative has been recorded in the Register of Approved Authorised Representatives; or

(ii) after Racing NSW notifies the Authorised Representative and Promoter that the Authorised Representative has been removed from the Register of Approved Authorised Representatives.

*[rule renumbered to LR 51(6), new rule added 21.6.04][rule amended 25.7.08]*

**LR 53A.**

(1) Any person must not make an offer to promote shares in a racehorse unless:

(a) the share is an interest in a registered managed investment scheme under the Corporations Act 2001;

- (b) the share is an interest in a managed investment scheme which, under the Corporations Act 2001 (without any modifications, exemptions or other relief granted by ASIC), does not require to be registered as a managed investment scheme;
  - (c) the share is an interest in a managed investment scheme offered by a person exempted under ASIC Class Order 02/319 where all requirements and conditions of that Class Order are satisfied.
- (2) A Promoter or Authorised Representative must not advertise an offer to promote shares in a racehorse or publish any statement that is reasonably likely to induce people to acquire a share in a racehorse unless the advertisement or statement has been approved:
  - (a) by Racing NSW; or
  - (b) if the disclosure statement under which that offer was made was approved by a Lead Regulator (as defined in ASIC Class Order 02/319) other than Racing NSW, by the Lead Regulator who approved the disclosure statement under which the offer was made.
- (3) If an offer of a share in a horse is made in breach of LR 53A (1) or an advertisement or statement regarding a share in a racehorse is made in breach of LR 53A (2), Racing NSW may:
  - (a) decline to register the racehorse to which the offer, advertisement or statement related or any transfer of ownership or lease of that racehorse;
  - (b) request the Registrar or any other Principal Racing Authority not to register the racehorse to which the offer, advertisement or statement related or any transfer of ownership or lease of that racehorse; or
  - (c) decline any nomination or entry of the racehorse to which the offer, advertisement or statement related to any race in New South Wales.
- (4) Racing NSW may remove a Promoter from the register of approved promoters maintained by Racing NSW for the purposes of ASIC Class Order 02/319 if the Promoter:
  - (a) breaches conditions of their Australian Financial Services Licence;
  - (b) breaches any of the conditions of ASIC Class Order 02/319;
  - (c) breaches LR 53A(1) or (2) or any other provision of these Local Rules of Racing NSW or of Australian Rules of Racing,
- (5) Racing NSW may remove an Authorised Representative from the Register of Approved Authorised Representatives maintained by Racing NSW if the Authorised Representative:
  - (a) breaches conditions of the Australian Financial Services Licence of the Promoter for whom they are an Authorised Representative;
  - (b) breaches any of the conditions of ASIC Class Order 02/319;

- (c) breaches LR 53A(1) or (2) or any other provision of these Local Rules of Racing NSW or of Australian Rules of Racing,

Any action taken by Racing NSW in respect of an Authorised Representative under this LR53A(5) does not restrict or prevent any action Racing NSW may take against the Promoter for whom that person was an Authorised Representative as a result of the conduct of that person in their capacity as Authorised Representative of that Promoter.

*[rule added 25.7.08]*

## **RIDERS**

**LR 54.** (a) Unless otherwise determined by Racing NSW, every jockey, apprentice jockey and approved rider must have satisfactory and current public liability insurance before being eligible to be licensed or to ride. The conditions for and minimum requirements of such insurance, including a requirement for satisfactory Professional Indemnity Insurance, will be as Racing NSW may from time to time prescribe.

(b) An application to Racing NSW for the grant or renewal of a jockey's licence, apprentice permit or approved rider licence must, if so requested by Racing NSW, be accompanied by documentary evidence of subsisting insurances that meet the conditions for and minimum requirements of coverage as may be prescribed by Racing NSW under LR 54 (a).

(c) A person granted a jockey's licence, apprentice permit or approved rider licence by Racing NSW must, at any time during the period of such licence, permit or permission to ride, if so requested by Racing NSW, provide documentary evidence of subsisting insurances that meet the conditions for and minimum requirements of coverage as may be prescribed by Racing NSW under LR 54(a).

*[rule amended 18.05.09]*

**LR 55.** (1) Unless the Board otherwise determines, no jockeys licence may be granted to any person unless he or she has completed an apprenticeship or held a licence as a jockey, under the Rules of Racing of a Principal Club.

(2) A person holding a bookmakers or bookmakers clerks licence is not eligible to be granted a trainer or jockeys licence and vice versa.

**LR 56.** (1) A person holding a trainer's licence in New South Wales is not eligible to be granted a jockey's licence in New South Wales and vice versa.

(2) A person who holds a trainer's licence and a jockey's licence from a Principal Racing Authority of another State or Territory of Australia or an Overseas Authority is permitted to start horses in New South Wales as a trainer but is not permitted to be licensed as a jockey in New South Wales. For the avoidance of doubt, this applies irrespective of whether the person has been issued with a separate trainer's licence and a separate jockey's licence or a dual licence to operate as both a jockey and a trainer. *[Rule deleted 30.6.03][Rule added 28.11.16]*

**LR 56A.** *[deleted 16.11.09]*

**LR 56B.** *[deleted 16.11.09]*

**LR 57.** After weighing out, every rider must ensure that the correct saddle cloth number is placed with his or her saddle and gear.

**LR 58.** All lead or other weight included by a rider when weighing out for a race riding engagement must be secured in a rider's lead bag or saddle pouch.

**LR 59.** (1) The Stewards may at any time require any licensed jockey, or any person granted permission to ride in races or track work, to undergo a physical and/or medical assessment at centres specifically authorised by the Board for such purpose.

(2) If in the opinion of the Stewards any such assessment is unsatisfactory, insofar as race riding or track riding is concerned, they may suspend the licence or permit of such jockey or permit holder.

(3) Any rider who fails or refuses to submit to any such fitness or medical assessment procedure when required to do so may be punished by the Stewards.

**LR 60.** Further to the provisions of AR 85B should a rider's explanation for failing to fulfil riding engagements be in the opinion of the Stewards not satisfactory, then they may suspend such rider's license to ride in races for such period as they think fit.

**LR 61.** (1) No rider shall enter or use a sauna located on-course unless:

- (a) the rider's name has been recorded in the register of riders authorised by the Board to enter or use a sauna located on-course; and
- (b) the rider has first obtained the permission of the person authorised by the Stewards to supervise the use of the sauna on the day of the race meeting.

(2) No rider's name shall be recorded in the register of riders authorised by the Board to enter or use a sauna located on-course unless the rider satisfies, and continues to satisfy, the admission criteria as may be required by the Board from time to time.

(3) Every rider admitted to use a sauna located on-course must:

- (a) comply with the procedures and guidelines on the use of saunas notified by the Board from time to time; and
- (b) comply with the directions of the Stewards and persons authorised by the Stewards to supervise the use of the saunas on the day of the race meeting.

(4) Where a rider breaches any part of this **LR61**, the Stewards may:

- (a) suspend the rider's privilege to use on-course saunas for such periods of time as the Stewards think fit; and/or
  - (b) stand down the rider from riding on the day that the breach occurred; and/or
  - (c) remove the rider's name from the register of riders authorised to enter or use saunas located on-course; and/or
  - (d) punish the rider as otherwise provided under the Rules.
- (5) No rider shall enter or use a spa facility on-course or engage in any activity that may reduce his/her body weight without the permission of Stewards between the period the rider has weighted out for a race until the completion of that riding engagement. *[added 23.3.09]*

## **APPRENTICE JOCKEYS**

**LR 62.** No trainer, permit holder, or owner is permitted to have under his or her control any apprentice unless indentures in the form prescribed by the Board have been lodged with and approved by the Board. The period of indentureship, unless otherwise approved, must be for a period of not less than 4 years.

**LR 63.** The Board may refuse to approve any apprenticeship indentures and may at any time, by written notice to the parties, cancel any indentures if in their opinion the employer or the apprentice has failed to carry out his or her obligations, or has committed any act or been guilty of any conduct as a result of which the Board considers it undesirable for the apprenticeship to continue.

**LR 64.** (1) During the term of his or her indentures, every apprentice or trainee apprentice must attend the Board or Association apprentice school as required and must otherwise conform to the requirements of the Board in connection with his or her training.

(2) The Board may cancel the indentures of any apprentice or trainee apprentice who fails to conform with the provisions of this rule, or otherwise punish such person in such manner as the Board or the Stewards deem fit.

**LR 65.** Every trainer must keep a wages book or such other payroll record as approved by the Board in which the name, class of employment and the current earnings of each apprentice must be kept. Each apprentice must by signature acknowledge receipt of such earnings. The wages book/records must be made available for inspection, on demand by the Board, the Stewards or an official authorised by the Board.

**LR 66.** The Board may grant permission to ride in races to any person bound as an apprentice outside New South Wales if:

- (a) it is satisfied that such apprentice has the qualifications required under the Rules of Racing and Regulations in force where he or she has been bound, and
- (b) the apprentice produces a certificate of clearance from the body from whom he or she holds his or her permit to ride, and
- (c) such apprentice is in the care of his or her master, or by written authority is placed in the care of a person approved by the Stewards.**LR 67.** (1) With the consent of his or her master, an apprentice may be granted permission by the Board to ride in races after the apprentice has competed in a minimum of 20 official barrier trials to the satisfaction of the Stewards.

*[subrule amended 1.9.05]*

(2) No apprentice is permitted to ride in any race or trial for two-year-olds until he or she has ridden in at least 10 races.

(3) No apprentice may ride in the metropolitan area unless he or she has been assessed to be competent to do so by Racing NSW.

*[subrule amended 1.6.08]*

**LR 68.** If an apprentice is to ride at a race meeting in the absence of his or her master, written permission to ride for that meeting must be given by the master placing the apprentice in the care of a trainer, or a person approved of by the Stewards. Such notice must be handed to the Stewards before the apprentice is weighed out.

**LR 69.** An apprentice is entitled to claim a weight allowance in accordance with the 3 tier scale provided for in AR 92 unless:

- (1) the conditions of the race specify apprentices may not claim or
- (2) the race is run under quality handicap conditions or
- (3) the race is run under fixed weight conditions where the prizemoney exceeds \$100,000 excluding trophies or bonuses.

*[rule amended 21.6.04] [subrule (3) amended 13.8.12]*

**LR 70.** Every apprentice shall, where the conditions of the race permit, claim that portion of his/her available allowance down to his/her notified riding weight. Should any apprentice seek to adjust the amount he/she may claim so as to ride above or below his/her notified riding weight then he/she must no later than rider declaration time for the meeting concerned, obtain the permission of the Stewards to do so.

*[amended 1.11.06]*

**LR 71.** All gratuities for apprentices must be paid to the Board to be held in accordance with the conditions of the apprenticeship agreement.



## FEES & PERCENTAGES

**LR 72.** (1) For such time that Racing NSW has a policy that various expenses of owners are paid on their behalf as part of the returns to owners:

(a) Clubs shall at the direction of Racing NSW pay, on behalf of the owners of a horse, such fee for a jockey or apprentice jockey in consideration for their riding a horse in a race or a barrier trial as may be set from time to time by the Board.

(b) Nothing in this LR72 (1) makes the Clubs personally liable for those fees, other to the extent that they are making those payments on behalf of the owners as part of the returns to owners.

*[sub-rule amended 1.7.14]*

(2) The total prizemoney paid in respect of a horse being placed first, second, third, fourth or fifth, sixth, seventh, eighth, ninth or tenth shall be paid as follows:

Race meeting	Metropolitan, Provincial and Country		Picnic	
Prizemoney	\$250 or over	Less than \$250	\$100 or over	Less than \$100
Nominator (Owner)	82.65%	87.6%	87.6%	97.5%
Trainer	9.9%	9.9%	9.9%	Nil
Jockey	4.95%	Nil	Nil	Nil
Stablehand Prizemoney Scheme *	1.5%	1.5%	1.5%	1.5%
Jockey Insurance & Welfare Program *	1%	1%	1%	1%

**\* Subject to Racing NSW's Terms and Conditions, as amended from time to time in Racing NSW's absolute discretion**

For the purposes of this rule "prizemoney" does not include:-

- (a) rewards available for a horse being successful in a series of races,
- (b) rewards for an unplaced runner starting in a race,
- (c) trophies,
- (d) breeder, owner or trainer bonuses,
- (e) any payment that was not available to all horses that were eligible to be nominated for such race.

*[rule amended 21.6.04, 1.07.09, 1.07.12 & 1.7.15]*

**LR 73.** *[deleted 1.2.01]*

**LR 74.** *[deleted 1.7.00]*

## **APPROVED RIDERS**

**LR 75.** Only persons licensed by the Board as approved riders may ride in races at a registered picnic meeting. Applications for an approved riders licence must be made on the form provided by the Board, accompanied by the required fee and all applicants must:

- (a) obtain the approval of the Stewards, and
- (b) not be licensed as a trainer, and
- (c) not be licensed as a bookmaker or bookmakers clerk, and
- (d) make payment of the prescribed insurance premiums to the TRB Insurance Fund, and
- (e) fulfil such other conditions as the Board may from time to time impose.

**LR 76.** Unless otherwise provided in the conditions of the race, approved riders at picnic race meetings may claim an allowance on the following scale:

If he or she has not ridden 5 winners.....3kg

If he or she has ridden 5 winners but has not ridden 10 winners .....2kg

If he or she has ridden 10 or more winners ..... no claim permitted

Further provided that, an approved rider may claim the same allowance during a day of racing to which he or she was entitled to claim at the beginning of the day.

## **TRAINERS**

**LR 77.** Permits may be granted to owners to train horses owned or leased by the owner solely or in partnership with his or her spouse, de facto spouse, their children over 18 years, father, mother, sisters and brothers. Owner-trainers are not permitted to train for syndicates.

**LR 78.** (1) A trainer is at all times responsible for the administration and conduct of his or her stables.

(2) A trainer is at all times responsible for the care, control and supervision of the horses in his or her stables.

(3) If a trainer is to be absent from his or her stables, for a period longer than 48 hours, he or she must, with the Stewards permission and approval, deputise a licensed or registered person to be in charge of such stables during his or her absence.

(4) Such deputation does not relieve the trainer in any way from his or her responsibilities for the care, control and supervision of his or her horses and the conduct of his or her stables.

(5) The person to whom responsibility is delegated does not have the authority to further delegate this responsibility.

**LR 79.** (1) If a trainer is unable to attend a race meeting while horses being trained by him or her are running at such meeting, he or she must delegate his or her stable foreman or another licensed person specifically approved by the Stewards, to be responsible for the presentation of his or her horses at that meeting.

(2) Such trainer must notify to the Stewards of the meeting, in writing and as soon as practicable prior to the meeting, the name of the person to whom he or she has delegated this responsibility.

(3) The person to whom responsibility is delegated does not have the authority to further delegate such responsibility.

(4) The delegation of responsibility to another person by a trainer for horses which are running at a meeting does not relieve him or her of the responsibility and liability for the care, control, management and supervision of those horses at that meeting.

**LR 80.** A trainer must ensure that every horse in his care that is being led or ridden outside his/her stable premises on a public roadway or thoroughfare prior to sunrise wears a rug or other gear with reflective strips and that its rider or attendant wears a reflective vest of a design approved by the Stewards.

*[added 1.4.04]*

**LR 80A**

(1) A person must not, whilst driving a motor vehicle on a registered racecourse, public thoroughfare or grounds associated with a registered racecourse lead a horse from a motor vehicle in any manner including, but not limited to, by tethering a horse either behind or to the side of a motor vehicle or the use of any apparatus being towed by a motor vehicle;

(2) Any person who breaches this rule, or is a party to breaching this rule, commits an offence and may be penalised.

*[Rule added 20.9.17]*

**LR 81.** (a) Unless otherwise determined by Racing NSW, every licensed Trainer must have satisfactory and current public liability insurance before being eligible to be licensed or to train, barrier trial or race a horse. The conditions for and minimum requirements of such insurance, including a requirement for satisfactory Professional Indemnity Insurance, will be as Racing NSW may from time to time prescribe

(b) An application to Racing NSW for the grant or renewal of a Trainer's licence or Permit to Train must, if so requested by Racing NSW, be accompanied by documentary

evidence of subsisting insurances that meet the conditions for and minimum requirements of coverage as may be prescribed by Racing NSW under LR 81(a)

(c) A person granted a Trainer's licence or Permit to Train by Racing NSW must, at any time during the period of such licence or permit, if so requested by Racing NSW provide documentary evidence of subsisting insurances that meet the conditions of coverage as may be prescribed by Racing NSW under LR 81(a)

*[deleted 1.7.00] [rule added 18.05.09]*

**LR 81A.** Every trainer must keep wages/payroll and payment records as approved by Racing NSW in which the name, class of employment and the current earnings of each employee, including persons engaged under contract for service, must be kept. The wages/payment records must be made available for inspection on demand by Racing NSW, the Stewards or an official authorised by Racing NSW.

*[added 17.12.12]*

## **STABLEHANDS**

**LR 82.** (1) Every person holding a trainers licence or permit to train or a racing employee contractor licence from the Board must on or before 1st November each year apply to the Board to register every person employed by him or her or assisting him or her in connection with the training or care of racehorses (in this rule referred to as an "employee"). Any such registration, except as hereinafter provided, remains in force until the 31st day of October in the following year.

*[subrule amended 18.6.08]*

(2) Application for the registration of employees engaged subsequent to 31<sup>st</sup> October each year, in respect of whom no transfer is registered as hereinafter provided, must be made at the time of such engagement.

*[subrule amended 18.6.08]*

(3) No employee unless duly registered may be employed by a trainer. This requirement also applies to stablehands transferring from another trainer.

(4) On termination of any employee's engagement, the employer must either:

- (a) register a transfer of the employment to another trainer or person holding a permit to train, or
- (b) notify the Board that such employment has been terminated whereupon the name of the employee in question may be removed from the register and his or her registration may be deemed to have ceased from the date of such termination.

(5) Unless with the consent of the Board, or its authorised official, no trainer or person holding a permit to train shall engage a registered employee without a written reference from his or her last employer, and no employer shall withhold a reference without good cause.

(6) Trainers licensed by the Board, or persons holding a permit to train, must only authorise to ride work those stablehands certified as fit and competent to do so by a Steward, or other official appointed for the purpose.

(7) Only those stablehands registered as a stablehand rider may at any time ride any horse in connection with racing.

(8) A registered stablehand must openly display his or her stablehand identity card at all times whilst working at any race meeting.

(9) Notwithstanding any other provisions of these rules to the contrary, a licensed racing employee contractor may with the approval of the Board:

(a) employ a stablehand directly, and

(b) enter into a contract to supply a trainer with the services of a stablehand.

(10) A racing employee contractor must:

(a) register with the Board any stablehand employed by the contractor,

(b) provide such further information as is from time to time requested by the Board, and

(c) register with the Board a copy of each contract between the contractor and the trainer for the supply to the trainer of the services of the stablehands,

(d) exercise all such responsibility for the actions of a stablehand employed by that contractor in accordance with the responsibilities exercised by trainers for stablehands directly in their employ.

**LR 82A** (1) To assist in the supervision of training track operations, a Race Club may appoint a Track Supervisor to supervise the conduct of trackwork and related activities on race club grounds.

(2) The Track Supervisor shall have authority to control track operations and personnel including trackwork riders, stablehands and trainers. His powers shall include, but not be limited to;

(a) determine track availability, including cancellation or limitation of trackwork sessions on any track or tracks;

(b) supervise the conduct of licensed persons to ensure adherence to track regulations and safety requirements;

(c) monitor both horse and rider's gear, including but not limited to protective vests, skull caps, safety irons, safety lights and reflective gear, and ensure that a track rider, whilst mounted on a horse, does not carry, wear or use any object, appliance, or gear during track work that is not approved by the Stewards;

(d) supervise all horses using racecourse facilities, with the authority to order away from any facility any horse that presents a safety concern or any horse which is not entitled to use such facility;

(e) with the approval of the Stewards, assess the competency of stablehand riders engaged to ride trackwork and to ensure only approved stablehand riders ride on club training grounds.

(f) monitor and report to the race club any incidents, accidents or safety concerns relating to horses and personnel, and take the necessary action to ensure accident warning devices are appropriately activated; and

(g) refer to the Stewards any misconduct involving licensed persons' usage of race club facilities or non-adherence to the Rules of Racing, club regulations, by-laws or conditions set down by the race club for the conduct of such facility.

*[rule added 1.10.05]*

**LR 82B** (1) Any person employed by or assisting a trainer in the training, care or superintendence of a racehorse upon any racecourse, training centre or registered stable commits an offence and may be penalised if

(a) a sample taken from him/her is found upon analysis to contain the presence of a substance banned by AR81B; or

(b) he/she refuses or fails to deliver a sample as directed.

(2) In the event of an analysis or preliminary analysis of a sample indicating the presence of a substance banned by AR81B, or if, pursuant to this rule, a person refuses or fails to deliver a sample when directed to do so, the Stewards may forthwith, pending the determination of any inquiry or other proceedings, stand down such person.

(3) In the event of a person incurring a penalty under this rule, he/she shall not resume duties until he/she delivers a sample as directed by the Stewards that is free of any substance banned by AR81B.

(4) Further, provided that the provisions of AR81A(5) as they apply to a rider shall apply *mutatis mutandis* to any person under this rule.

*[rule added 1.12.05]*

## **VETERINARY PERMIT**

**LR 82C** (1) Subject to subrule (2):

- (a) No veterinarian shall provide veterinary services to a horse in training and/or competing in New South Wales unless that veterinarian is registered with the Veterinary Practitioners Board of NSW or equivalent interstate body and has been issued a permit by Racing NSW.
- (b) A trainer shall not allow a horse under his care or control in New South Wales to receive veterinary services from any person other than a veterinarian who is registered with the Veterinary Practitioners Board of NSW or equivalent interstate body and has been issued a permit by Racing NSW.

(2) Subrule (1) of this rule does not apply in emergency circumstances where the health or welfare of a horse is at risk if veterinary services are not provided immediately and a veterinarian who has been issued a permit by Racing NSW is not available to provide those services.

(3) For the purposes of this rule and LR 82D:

”permit” is a permit as referred to in the definition of “Licence” in the Rules and is subject to the Policy Statement that appears at the end of these Local Rules;

“veterinary services” means any services (including the prescribing or provision of any medication) provided to or in connection with a horse by a person who is a registered veterinarian.

*[LR82C effective 1.9.15 in the metropolitan area & effective 1.12.15 in the provincial and country areas]*

**LR 82D** Prior to Stewards exercising their powers under AR 8B in respect of a premises or surgery occupied by or under the control of a veterinarian who has been issued a permit by Racing NSW, the following shall apply:

(1) Racing NSW shall make an application to the Principal Member for the issue of a permit to search.

(2) The Principal Member shall have the power to, and shall:

- (a) grant the application and issue a permit to search in terms sought by Racing NSW or as otherwise amended by the Principal Member; or
- (b) reject the application and not issue a permit to search.

(3) A permit to search shall contain the following information:

- (a) the name of the veterinarian who has been issued a permit by Racing NSW;
- (b) the address of the premises or surgery occupied by or under the control of the veterinarian who has been issued a permit by Racing NSW;
- (c) the purpose of the search including specific item/s being searched for;
- (d) the scope of the search including specific item/s that are permitted to be taken into the possession of Racing NSW; and
- (e) an outline of the process to be undertaken by Racing NSW in respect of the imaging of data from the electronic records of the veterinarian who has been issued a permit by Racing NSW (if relevant).

(4) This rule does not apply to any search of the vehicle or person of a veterinarian who has been issued a permit by Racing NSW conducted by Stewards while that veterinarian is located on a trainer's approved premises or racecourse.

(5) For the purposes of this rule:

“permit to search” means a permit to search issued by the Principal Member prior to Stewards exercising their powers under AR 8B in respect of a premises or surgery occupied by or under the control of an approved veterinarian;

“Principal Member” means the Principal Member of the Appeal Panel appointed pursuant to section 46 of the *Thoroughbred Racing Act 1996* (NSW).

*[LR82D effective 1.9.15 in the metropolitan area & effective 1.12.15 in the provincial and country areas]*

## **BOOKMAKERS**

**LR 83.** No person at any race meeting, betting auditorium or authorised betting office on a racecourse, or at an approved betting premise, may carry on, or assist in carrying on, the business of a bookmaker, or act as clerk to any person carrying on such business, unless he or she holds the required licence with the Board. *[amended 1.3.2011]*

**LR 83A (1).** Further to the provisions of AR 175B no licensed person may place or have placed on his/her behalf, a bet on any Australian horse race with any operator who is not licensed to accept such a bet by a Principal Racing Authority or state or territory government in Australia.



(2) Further to the provisions of AR 175B no person present on the grounds of a racecourse or at an approved betting premise whilst betting is taking place shall, by electronic or other means access the website, contact or bet with any operator who is not licensed to accept bets on Australian horse racing by a Principal Racing Authority or state or territory government in Australia.  
*[rule amended 5.5.04, 20.2.06, 1.3.06 & 1.3.11]*

**LR 84.** An applicant for a bookmakers licence, and for the annual renewal of it, must sign an application in the form for the time being prescribed by the Board. Any person making an application for a bookmakers licence must supply such evidence of character, fitness and experience as the Board may require and unless authorised by the Board must have attained the age of 21 years. If resident within the jurisdiction of the Board the applicant must have the required guarantee provided to the NSW Bookmakers Co-Operative Limited or in the event that membership of the Bookmakers Co-Operative has been declined by that body, such other financial guarantee as is required by the Board and is satisfactory to it.

**LR 84A.** In respect of claims made against a guarantee there shall be no obligation to pay successful bets unless a written claim in respect of such bet is received by the Board within 28 days from the date of the determination of the bet. The level of guarantee and conditions attached to the guarantee for each bookmaker shall be determined by the Board.

**LR 85.** Except with the permission of the Board, a bookmaker must not accept any bet in relation to any race except upon a licensed racecourse and during such hours as the Committee of the Club may determine, or at an approved betting premise if authorized to do so by Racing NSW.  
*[amended 1.3.2011]*

**LR 86.** If any bookmaker or bookmakers clerk be convicted of an offence under the provisions of the *Unlawful Gambling Act* 1998 or otherwise be found by the Board or Association to have been engaged in illegal off-course bookmaking, the Board or Association may revoke or suspend his or her licence for such period as the Board thinks fit.

**LR 87.** A Bookmaker shall only operate on a stand or in a location under license as may be determined by the Committee of the Club, or in an approved betting premise duly authorised by Racing NSW, and on the condition that such bookmaker complies with the directions, conditions and policies of the Board.  
*[amended 1.3.2011]*

**LR 88.** A licensed bookmaker must not carry on his or her business on behalf of or in conjunction with any other person, without the permission of the Board.

**LR 89.** A bookmaker must not allow a person to remain in the vicinity of his or her allotted betting stand during the conduct of betting, unless such person is a licensed clerk and is directly engaged in the betting operations by the bookmaker on the day of the race meeting.

**LR 90.** A bookmakers licence is granted on the express condition that the person to whom the license is granted does not:

- (a) bet on any unregistered race meeting, or
- (b) employ a clerk who is not the holder of a license from the Board, or
- (c) bet on the result of a photo-finish or a protest, or

- (d) except with the permission of the Board;
  - (i) hold any significant interest, directly or indirectly, in a non-Australian bookmaking or totalisator operation; or
  - (ii) hold a position as a director, executive, employee or consultant with a non Australian bookmaking or totalisator operation; that accepts wagers or investments on a horse race, harness race or greyhound race that is conducted anywhere in Australia unless that bookmaking or totalisator operation is conducted with the written approval of the controlling body that administers that racing in Australia except where that operation accepts wagers from residents in the jurisdiction that licensed the wagering operator in accordance with that license.

**LR 91.** Every bookmaker must:

- (a) conform to, observe and comply strictly with the *Racing Administration Act* 1998, the *Unlawful Gambling Act* 1998, the *Thoroughbred Racing Board Act* 1996, and with the Rules of Racing which include the Rules of Betting,
- (b) be present at his or her respective stand on race days (or have present a clerk authorised to accept directions from the betting supervisor) at least one hour before the starting time advertised for each race,
- (c) be on the allocated betting stand and display the price of each horse competing in the first race at least 30 minutes before the advertised starting time of such race and thereafter throughout the race day within 5 minutes after the declaration of correct weight or announcement of a protest,
- (d) ensure that his or her name and the number of his or her pay out stand are conspicuously displayed on his or her betting stand,
- (e) indicate clearly on his or her board whether the bookmaker is betting win-only or each-way. A bookmaker may change his or her mode of betting during the betting on any race,
- (f) indicate clearly on his or her board any horse which is a non-starter,
- (g) subject to BR 24 and BR 25, bet on all horses and be prepared to commence pay-outs on bets immediately on notification of the correct-weight signal,
- (h) keep true and accurate betting books, records or sheets,  
[amended 1.3.11]
- (i) keep a settling list or register which includes all cash, client and account transactions, and a record of all unpaid bets, to be available on race days for Stewards or other officials, and records of any payments on Board authority,

such records to contain the serial number of such authority,

*[amended 1.3.11]*

- (j) upon making any bet, including a bet made as a layer, backer and when betting back, immediately record the bet in a legible manner in the authorised betting book, records or sheets; provided that such record of any such bet must identify with whom the bet was made,
- (k) record the full serial number of the first betting ticket at the top of the betting sheet and do all such things as may be necessary to ensure that clear and legible carbon copies will be made of all entries in such betting book. Provided that for the purpose of compliance with this rule, bookmakers may use any computerised recording system as approved by the Board and the NSW Department of Gaming and Racing,
- (l) write all tickets in respect of both credit and cash bets in consecutive order and immediately upon making such bets, cause to be entered in the betting book the particulars of such bets, the number of the betting tickets issued in respect of such bets, which must be in strict numerical order, and in respect of any credit bets, the name of the backers,
- (ll) issue a betting ticket to the customer in respect of all bets other than, in the case of bookmakers who have been issued with the relevant telephone or internet betting authorities by the Minister for Gaming and Racing, where the bet is placed by telephone or via the internet. *[added 27.8.08]*
- (m) have printed on all betting tickets an address at which the bookmaker issuing the same may be conveniently found,
- (n) write the name of the horse or sporting contingency and the amount of the bet legibly on the ticket,
- (o) not alter or allow to be altered any erroneous entries in the betting book but must cause the same to be ruled through and the proper entry made underneath,
- (p) ensure that all betting tickets are written to show the exact value of the ticket to the nearest 10 cents, *[amended 1.3.11]*
- (q) enter accordingly all book bets in a recognisable name of the person with whom they are made and none but legitimate wagers must be so entered,
- (r) not enter or permit to be entered in his or her betting sheets, false, misleading or fictitious entries, or bets made in fictitious names,
- (s) denote each-way bets by placing a cross on the back of the betting ticket or by clear wording on computerised tickets,

- (t) not bet one horse to win another to run second (known as betting "one, two"), but may in the case of an odds-on favourite (the price of which is displayed) or if special permission to do so has been given by the Board, bet against it and another horse to finish first and second irrespective of order (quinella betting),
- (u) remain on the allocated stand and be prepared to pay out any outstanding bets until 20 minutes after the declaration of weight of the last race on the programme at the meeting on which he or she is operating,
- (v) at the request of Racing NSW or its authorized officers immediately make available any documents in connection with his or her bookmaking activities including but not limited to his or her authorized betting book, records or sheets for recording of bets made by him or her, the schedule of account customers required under LR91A and Proof of Customer's Identity obtained under LR91B *[amended 1.6.08]*
- (w) furnish a return (including a nil return) to the Club or Board office within 7 days of all meetings detailing all unpaid bets.
- (x) if receiving a bet placed by telephone with the bookmaker, read back the details of the bet, including the amount, the horse name or number and the race or event, to the customer. *[added 27.8.2008][amended 1.3.11]*
- (y) if receiving a bet placed electronically ensure that the client is able to view a confirmation screen of the bet details. *[added 1.3.11]*

**LR 91A.** Bookmakers must maintain at all times an up-to-date schedule of all of the bookmaker's account customers, including the customer's names and address, and must provide a copy of that schedule to Racing NSW on request. *[added 1.6.08]*

**LR 91B.** (1) Any person who, after the Effective Date, makes an application to the bookmaker to open an account must provide the bookmaker with Proof of the Customer's Identity.

(2) A bookmaker must request Proof of the Customer's Identity from:

- (a) any person who opens an account with the bookmaker on or after the Effective Date; and
- (b) any person who opened an account with the bookmaker on or after 1 January 2008 and who has not provided the bookmaker with Proof of the Customer's Identity on or before the Effective Date;
- (c) any person who had an account with the bookmaker before 1 January 2008 and who the bookmaker has reasonable grounds to suspect may not be the person he or she claims to be.

(3) Subject to LR 91B(4), (5) and (6), a bookmaker may accept a bet from a customer utilizing an account prior to the customer providing the bookmaker with Proof of the Customer's Identity.

(4) If a customer who opened an account with a bookmaker on or after the Effective Date has not provided the bookmaker with Proof of the Customer's Identity within 30 days after the account was opened, then the bookmaker must:

- (a) not accept any bets from the customer; and
- (b) suspend all withdrawals from the customer's account,

until the customer provides the bookmaker with Proof of the Customer's Identity.

(5) If a customer who opened an account with a bookmaker on or after 1 January 2008 but before the Effective Date has not provided the bookmaker with Proof of the Customer's Identity by the date which is 3 months after the Effective date, then the bookmaker must:

- (c) not accept any bets from the customer; and
- (b) suspend all withdrawals from the customer's account, until the customer provides the bookmaker with Proof of the Customer's Identity.

(6) Unless a customer who opens an account with a bookmaker on or after the Effective Date has provided a bookmaker with Proof of the Customer's Identity, the bookmaker must not:

- (a) pay any winnings to the customer; or
- (b) accept a deposit into the account of \$1,000 or more or deposits which in total amount to \$1,000 or more; or
- (c) accept a bet from a customer of more than \$1,000 or an aggregate of bets of more than \$1,000.

(7) If a bookmaker has reasonable grounds to suspect that a customer who has an account with the bookmaker may not be the person he or she claims to be, until that customer has provided a bookmaker with Proof of the Customer's Identity, the bookmaker must not:

- (a) pay any winnings to the customer; or
- (b) accept a deposit into the account of \$1,000 or more or deposits which in total amount to \$1,000 or more; or
- (c) accept a bet from a customer of more than \$1,000 or an aggregate of bets of more than \$1,000.

(8) A bookmaker must comply with the obligations of ongoing customer due to diligence under section 36 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth).

(9) In this Rule LR 91B:

"Effective Date" means 1 June 2008; and

"Proof of the Customer's Identity" means:

- (a) information sufficient for the prescribed verification procedure (100 point check) pursuant to the Financial Transactions Reports Act 1988 (Cth) and as set out in the Financial Transactions Reports Regulations 1990 (Cth); or
- (b) documents or identification as may be required or sufficient to verify the individual's identity for the purposes of the Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth) and the Anti-Money Laundering and Counter Terrorism Financing Rules Instrument 2007 (Cth) and any requirements of AUSTRAC provided that, in the case of an individual, in addition to any requirements which apply and even if not otherwise required, the Proof of a Customer's Identity must include at least a "primary photographic identification document" as defined in the Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (Cth).

(10) This rule does not affect bookmakers obligations under:

- (a) the Financial Transactions Reports Act 1988 (Cth) and the Financial Transactions Reports Regulations 1990 (Cth);
- (c) the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and the Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (Cth); or
- (c) LR 91(q) and (r) which continue as absolute obligations notwithstanding any requirements under this Rule to obtain Proof of the Customer's Identity or the absence of such requirements under this Rule. *[rule added 1.6.08][amended 25.7.08]*

**LR 92.** In the event of a betting dispute, a bookmaker must agree to that dispute being heard and decided upon by the Stewards.

**LR 93.** No person, other than the bookmaker, will be allowed to call the odds or write tickets for any class of betting without the permission of the Board provided however:

- (a) with the approval of the Board, a licensed bookmakers clerk may operate in the absence of a bookmaker. Applications must be in writing, accompanied by the appropriate guarantees, and be lodged with the Board or Association by 10:00am on the day preceding the race meeting,
- (b) with the permission of the Board, approved clerks will also be permitted to write tickets while the bookmaker remains on his or her stand on the understanding that the bookmaker accepts full responsibility, or while the bookmaker who is an owner or part-owner temporarily leaves his or her stand to view a race in which his or her horse is taking part,
- (c) a bookmaker must not leave his or her stand to place a bet, nor use any person other than his or her licensed clerks to place bets.

**LR 94.** (1) Upon the conditional or unconditional acceptance by a bookmaker of a commission or request for the placement of a bet or bets on a horse or horses running in a race conducted under the Rules of Racing, the bookmaker must immediately make and keep a

written record in duplicate of each such commission or request, in the form specified by the Board from time to time.

(2) Within 48 hours of the conclusion of a race meeting, in respect of which a bookmaker has accepted a commission or request for the placement of a bet or bets on a horse or horses in a race at such meeting, the bookmaker must lodge with the Board or Association the duplicate copy of the written records specified in subrule (1).

**LR 95.** Unless authorised by the Board, and/or unless in compliance with the conditions set down for the conduct of betting at a race meeting, betting auditorium or betting office, no bookmaker may:

- (a) send information from a racecourse relating to betting at that or any other race meeting to any person off the course, or
- (b) while on a racecourse, obtain any such information from any person off the course, or
- (c) while on a racecourse, make any bets back with any person off the course, or
- (d) field at a harness race meeting or greyhound race meeting which coincides with a registered race meeting being held within the particular area.

**LR 95A.** Unless otherwise approved by Racing NSW, every Bookmaker fielding at a metropolitan race meeting shall provide electronic wagering information from their betting operations directly to the Stewards, in accordance with specifications, security and integrity requirements as may be determined by Racing NSW. *[added 16.11.09]*

## **BET-BACKS**

**LR 96.** (1) Where a bookmaker backs a horse, competitor or contingency in relation to a declared betting event, for the purpose of reducing his or her liability for bets already accepted against that horse, competitor or contingency, any such bets are regarded for the purposes of these rules as bet-backs. *[subrule amended 1.3.11]*

(2) Where a bet is made by a bookmaker with another licensed wagering operator:  
*[subrule amended 1.3.11]*

- (a) the bookmaker receiving the bet must record the name of the licensed wagering operator making the bet alongside the record of the bet,  
*[sub-paragraph amended 1.3.11]*

- (b) the bookmaker making the bet must record in his or her ledger, in a separate column the name of the licensed wagering operator, the bet and particulars thereof, *[sub-paragraph amended 1.3.11]*
- (c) if the bet is a bet-back, the bookmaker must record the transaction in his or her book as a bet-back,
- (d) the provisions of this rule apply whether or not the bet is made in cash.

*[subrules (3) & (4) deleted 1.3.11]*

For the purposes of this rule, any bet made on behalf of a bookmaker is a bet made by such bookmaker.

## **TELEPHONE BETTING**

**LR 97.** (1) Bookmakers who have been issued with the relevant telephone betting authority by the Minister for Gaming and Racing may conduct telephone betting subject to the provisions of the *Racing Administration Act* 1998, and any conditions imposed by the Minister under the Act, and subject to such conditions as imposed from time to time by the Board.

(2) A bookmaker or bookmakers clerk must not without the permission of the Stewards, whilst betting is taking place on a racecourse, bring onto, have in his or her possession or use any portable telephone, radio transmitter, radio transceiver or other appliance, apparatus, instrument or equipment capable of receiving or transmitting information that has not been approved under an authority issued by the Minister for Gaming and Racing.

(3) Any bet transactions placed by a bookmaker via telephone during a race meeting upon which he or she is conducting his or her business as a bookmaker must only be with a licensed wagering operator operating at another registered race meeting, licensed betting auditorium, authorised betting office or approved betting premise within Australia. Full details of the transaction, including the name of the licensed wagering operator with whom such bet is made, must be recorded separately and must be lodged with the Board in accordance with the Rules. *[subrule amended 1.3.11]*

## **ELECTRONIC INTERNET ACCESS/BETTING**

### **BOOKMAKERS**

#### **LR 97A**

- (1) Bookmakers who have been issued with an Electronic Betting Authority by the Minister for Gaming and Racing may access the Internet and transact betting



subject to the provisions of the Racing NSW Electronic and Approved Betting Premise Betting Conditions and the *Racing Administration Act 1998* on a licensed thoroughbred racecourse, in an authorised betting auditorium, in an authorised betting office on a licensed racecourse or in an approved betting premise at a date and time approved for that purpose. *[amended 1.3.11]*

- (2) A bookmaker or bookmakers clerk must not without the permission of Racing NSW, whilst betting is taking place on a racecourse, bring onto, or have in his or her possession or use a device which permits Internet access that has not been approved by Racing NSW. *[subrule (2) deleted and replaced by subrule (3) 1.3.11]*
- (3) Any bets transacted by a bookmaker electronically while he or she is conducting his or her business as a bookmaker must only be with a licensed wagering operator. Full details of the transaction, including the name of the licensed wagering operator with whom the bet or bet back is made, must be recorded separately in the bookmaker's ledger and identified as an Electronic Internet bet. *[previously subrule (4) amended and renumbered 1.3.11]*
- (4) Any bet backs may only be for the express purpose of reducing the liability on bets already laid by the bookmaker upon such events on which he or she is currently fielding. *[previously subrule (5) renumbered 1.3.11]*

*[rule amended 17.2.10]*

**LR 97B.** *[Deleted 16/8/10]*

## **SPORTS BETTING**

**LR 98.** (1) Bookmakers who have been issued with an events betting authority by the Minister for Gaming and Racing may conduct events betting, subject to the provisions of the *Racing Administration Act 1998*, on an approved racecourse, in betting auditoriums, authorised betting offices on an approved racecourse or in an approved betting premise, at a date and time approved for that purpose. *[amended 1.3.11]*

(2) Events betting may be conducted subject to such conditions and on such sporting events and forms of betting as from time to time approved by the Minister for Gaming and Racing. *[amended 1.3.11]*

(3) A bookmaker authorised to carry out sports betting must receive the approval of the Board for a bookmakers clerk to act in his or her absence. *[amended 1.3.11]*

(4) An authorised events bookmaker must hold an appropriate guarantee to cover sports betting transactions. *[amended 1.3.11]*

(5) Duplicate copies of all betting sheets or printed copies of all computerised betting recording systems must be lodged with the Board or be made available to racing NSW electronically within a period of 7 days of the taking of any bet or at such other time required by Racing NSW. *[amended 1.3.11]*

(6) A bookmaker must agree to a submission of any events betting dispute to arbitration by the Events Betting Disputes Panel. *[amended 1.3.11]*

### **BOOKMAKERS CLERKS**

**LR 99.** An applicant for a licence to act as a clerk to a licensed bookmaker, and for the annual renewal thereof, must sign an application in the form for the time being prescribed by the Board. Any person making application for a bookmakers clerks licence must supply such evidence of character and fitness as the Board may require and unless authorised by the Board must have attained the age of 18 years.

**LR 100.** A licensed bookmakers clerk must:

- (a) conform to, observe and comply strictly with the *Racing Administration Act 1998*, the *Unlawful Gambling Act 1998*, the *Thoroughbred Racing Board Act 1996*, Sports Betting Rules and conditions and Telephone Betting conditions approved by the Minister for Gaming and Racing, and with the Rules of Racing which includes the Rules of Betting,
- (b) dress in a tidy manner and observe decorum and courtesy when attending a race meeting,
- (c) display his or her identity card at all times whilst working at a race meeting or betting auditorium,
- (d) walk in an orderly manner when moving from one place to another to carry out transactions on behalf of his or her employer,
- (e) work for one employer only at a particular meeting, and confine his or her activities to assisting his or her employer in the conduct of his or her business.

### **COLOURS**

**LR 101.** (1) All colours are subject to the approval of the Board.

(2) Nominators of horses must declare by stable return the colours to be carried and such colours must be worn by the horse's rider. Provided that at any time, the Stewards or an authorised official of the Club concerned may direct that alternative colours must be worn.

(3) Every horse which races within the Metropolitan Area must carry colours registered by the nominator (or if more than one, by one of the nominators). Provided that the Stewards, or an authorised official of the Club concerned, may give permission for other colours to be worn.

(4) If 2 or more persons declare the same colours at the time of entry, the Committee of the Club or the Stewards shall decide which person shall have the use of such colours and direct or authorise the other person or persons to adopt other colours.

**LR 102.** (1) A register of colours shall be kept by the Board.

(2) A fee to register colours may be set from time to time by the Board.

(3) Subject to this rule, registration entitles the person registering to the exclusive use of the colours during the period covered by such registration.

(4) Registration may be renewed on or before the 1st March each year or on such year determined by a 5 year renewal cycle period. If application is not made for renewal of registration within 3 months of the due date, any right of renewal shall lapse.

*[subrule amended 18.6.08]*

(5) The representatives of a deceased owner, or other person becoming entitled to race a horse on the death of an owner, shall subject to this rule have the exclusive right to use the deceased's colours without registration until the time for the annual renewal of registration.

(6) The Board reserves the right to refuse the renewal of registration of any colours.

(7) Disputes as to the right to any colours shall be determined by the Board.

## **ASSOCIATIONS**

**LR 103.** Subject to such terms and conditions as the Board may impose, the Board may:

- (a) recognise the formation of Associations of registered Clubs and whose constituent race Clubs hold race meetings,
- (b) delegate to the Committee of any such Association such of the powers and duties conferred or imposed on the Board by the Rules of Racing, subject to such conditions or limitations as the Board may from time to time impose,

- (c) empower the Committee of such Association to hear and determine all appeals from any decision of a racing authority, subject to the limited jurisdiction prescribed by LR 105, and
- (d) at any time withdraw all or any of the delegated powers and duties of any such association. Upon such withdrawal, all powers and duties delegated by the Board to such Association or Committee shall immediately cease and be determined.

## APPEALS

**LR 104.** Pursuant to AR 7(o) and the relevant provisions of the Act, the Board appoints the Committees of the Racing Associations and the Broken Hill and Far West Racing Registration Board to hear and determine appeals, as provided for by section 42 of the Act, subject to the limitation on the jurisdictions of such Committees of Associations that is imposed on them by LR 105.

**LR 105.** Pursuant to section 42(3) of the Act, and subject to the provisions of AR 199A and LR 12(4), the delegation to the Committees of Associations of the power to hear and determine appeals is limited to:

- (a) appeals against decisions of racing authorities whereby the appellant is not to be legally represented which involve penalties no greater than a fine of \$2,500 and/or a 4 weeks suspension of any licence, right or privilege, and/or associated disabilities imposed on a horse, and *[para amended 21.11.05]*
- (b) provided that, the delegation does not include the power to hear and determine appeals from decisions of racing authorities under AR 64G, AR 80E, AR 81A, AR 135(a), (b) and (c), AR 175(h), AR 177, AR 177A, AR 177B, AR 178, AR 178A, AR 178E and LR 82B.

*[para amended 16.1.04 & 21.11.05]*

**LR 106.** (1) Subject to section 42 of the Act, any person considering himself or herself to be aggrieved by a decision of a racing authority has the choice of appealing to either one, but not both, of the following Appeal Bodies:

- (a) the Appeal Panel under the Act, or
  - (b) subject to the jurisdictional limitations prescribed by LR 105, the Committee of the Association in whose territory the decision appealed against was made.
- (2) (a) Any appeal against a period of suspension incurred by a jockey or an apprentice jockey of four weeks or less must be lodged by the appellant

within one day of becoming aware of the decision appealed against and any appeal must be heard and determined within 9 days of the date that the suspension was imposed. (unless the Appeal Body is unable to do so solely due to unavailability of Appeal Body members, in which case the appeal is to be heard and determined as soon as the Appeal Body is able to do so).

*[paragraph amended 1.2.17, 10.4.17 & 20.9.17]*

- (b) All other appeals must be lodged by the appellant within 2 days of becoming aware of the decision appealed against.
- (c) Provided that, the Appeal Body may in its discretion entertain an appeal which for exceptional circumstances is out of time.

For the purpose of this rule LR 106(2), a reference to ‘day’ shall exclude a Saturday, Sunday or declared Public Holiday other than the requirement that any appeal must be heard and determined within 9 days of the date that the suspension was imposed.

*[subrule amended 13.8.12 & 1/2/17]*

(3) All appeals must be made in writing by the appellant in the form prescribed by the Board, and lodged with either:

- (a) the appeals coordinator, in the case of appeals to the Appeal Panel, or
- (b) the Secretary of the Association, in the case of appeals to any Association.

(4) All appeals must be accompanied by:

- (a) a fee of \$200.00, and
- (b) in the event of a stay of proceedings being sought, by an application in writing in the form prescribed by the Board.

(5) No appeal may be withdrawn except with leave of the Appeal Body concerned, on such terms and conditions as it imposes.

(6) The Appeal Panel and the Committees of Associations, shall, subject to the provisions of AR 199A and LR 12(4), hear and determine appeals that come within their jurisdictions provided for in the Act, or in the delegations made under LR 104.

(7) All appeals must be in the nature of rehearings, the evidence to be considered being the evidence adduced at the hearing in respect of the decision appealed against, subject to the discretion of the Appeal Body to admit or receive further evidence called by the parties.

(8) The general procedure at all appeals is governed by section 43 of the Act, which may be supplemented from time to time by these Local Rules.

(9) Before the Appeal Panel an appellant may be represented by leave of the Panel by a member of the legal profession only, provided, however an apprentice jockey may be represented by his master. *[subrule added 1.8.04]*

(10) The Appeal Body may have such persons to assist it as in its discretion it may deem necessary. *[subrule added 1.8.04]*

(11) Any fresh evidence not tendered at the original Stewards hearing intended to be relied upon by any party to an appeal must be served on the Appeals Coordinator at least five clear days prior to the date set down for the hearing of the Appeal. *[subrule added 18.10.04]*

(12) The Appeal Body is to commence the hearing of an appeal as soon as practicable, and in any event, within 28 days of the lodging of the appeal. The Appeal Body may extend the period within which it is to commence the hearing of an appeal if the Appeal Body determines that special or exceptional circumstances exist that justify that extension. For the avoidance of doubt, the unavailability of the appellant's preferred legal counsel on the date set down for the hearing of the appeal will not ordinarily constitute special or exceptional circumstances. *[subrule added 18.10.04][sub-rule amended 1.2.17]*

**LR 107** (1) On the lodging of an appeal and an application for a stay of proceedings, the Appeal Body has the following powers:

- (a) grant a stay of proceedings in circumstances where it considers that a substantial injustice may be caused to the appellant if the stay were not granted. Provided that a stay of proceedings is not to be granted in respect of an appeal against a period of suspension incurred by a jockey or an apprentice jockey of four weeks or less which is required to be heard and determined pursuant to LR106(2)(a) within nine days of the date that the suspension was imposed (unless the Appeal Body is unable to do so solely due to unavailability of Appeal Body members) and provided that in other cases this power to grant a stay may be exercised in respect of appeals to:
  - (i) the Appeal Panel, by the Presiding Member or the Convenor of an Appeal Panel,
  - (ii) an Association, by the Committee or Chairman of the Committee of such Association,

*[sub-rule amended 1.2.17, 10.4.17] [LR107(1)(b) deleted 20.9.17]*

(2) On the hearing of an appeal, the Appeal Body has the following powers:

- (a) remit the matter in dispute to be reopened or reheard by the racing authority from whose decision the appeal is brought,

- (b) in the case of an appeal against conviction, may confirm, quash, or set aside the decision appealed against; or in the case of an appeal against penalty, may confirm, quash, set aside, mitigate, reduce, alter, vary, increase or add to the penalty imposed by the racing authority,
- (c) upon dismissal or upon the granting of leave to withdraw any appeal, if such appeal is deemed to be frivolous or vexatious, to impose such punishment or penalty as it thinks fit,
- (d) to make such order as it thinks appropriate as to the amount of costs and expenses of any appeal and for the payment of same, and with reference to the disposal of any deposit. *[subrule amended 16.2.04]*  
*[rule amended 15.12.03]*
- (e) in respect of a suspension or disqualification of a rider that has not yet commenced, to defer any such suspension or disqualification for a period of 2 days from its decision (or 3 days following a decision that occurs on a Friday) in order to enable that rider to fulfil any riding engagement during that period. For the avoidance of doubt, any such period of suspension or disqualification is not to be deferred for any longer period. *[paragraph added 20.9.17]*

## PENALTIES

**LR 108.** (1) Unless otherwise ordered, fines or costs imposed by the Board, Appeal Body, Association, Club or Stewards, must be paid within 14 days. If a fine remains outstanding after 14 days of its imposition, such person may be placed on the forfeit list.

(2) For the purposes of AR196(5), special circumstances means where:

- (a) the person has pleaded guilty at an early stage and assisted the Stewards or the Board in the investigation or prosecution of a breach of the Rule(s) relating to the subject conduct; or
- (b) the person proves on the balance of probabilities that, at the time of the commission of the offence, he:
  - (i) had impaired mental functioning; or
  - (ii) was under duress,

that is causally linked to the breach of the Rule(s) and substantially reduces his culpability.

*[Rule amended 1.3.13]*

(c) in the case of offences under AR178E, the medication in the opinion of the Stewards does not contain a prohibited substance, is of an insignificant nature and is for the welfare of the horse; or *[paragraph added 18.11.13]*

(d) the person proves, on the balance of probabilities that, he did not know, ought not to have known and would not have known had he made all reasonable inquiries, that his conduct was in breach of the Rules of Racing.  
*[paragraph added 18.11.13]*

(3) Except where one or more of AR 196(3) (in relation to cumulative penalties), AR 196(6) (in relation to deferral of a period of disqualification), or subrule (4) of this rule (in relation to backdating of a period of disqualification) apply, a period of disqualification imposed on a person is to commence on the day that it is imposed. *[sub-rule added 28.11.16]*

(4) At the discretion of Racing NSW (or the Stewards exercising powers delegated to them), a period of disqualification may be backdated, but only if:

(a) a person has been suspended pursuant to AR 8(z) pending the determination of the relevant charge, in which case it may be backdated to a point no further back than when the suspension commenced; or

(b) Racing NSW (or the Stewards exercising powers delegated to them):

(i) have communicated in writing to a person (whether or not following an application from the person) prior to the Racing NSW (or the Stewards exercising powers delegated to them) determining the penalty for a charge against the person, to the effect that any period of disqualification may commence from a date the person ceased doing all the things set out in AR 182(1); and

(ii) consider that backdating the period of disqualification to the date on which the person ceased do all the things set out in AR 182(1) or some other date is appropriate at the time of determining the penalty for the relevant charge.  
*[sub-rule added 28.11.16]*

**LR 109.** Unless otherwise determined by Racing NSW:

(a) any period of suspension, disqualification, revocation or cancellation of licence imposed upon a person is deferred for any such period that the person is in receipt of racing related workers compensation benefits; and

(b) each day that such benefits are received shall not be regarded as being part of the penalty served, and as a consequence an additional day will automatically be added to the original period of penalty for each day that benefits are received

*[deleted 21.3.05][Rule added 21.11.11]*



**LR 110.** Racing NSW may penalise, decline to receive nominations and entries from, or impose conditions on the licence of, any licensed person, owner or other person engaged in or associated with racing who fails or refuses to comply with any order, direction or requirement of Racing NSW, the Stewards or any official, or provides in any format false or misleading information to Racing NSW.

[Rule deleted 21.3.05][new Rule added 17.12.12]

**LR 110A.**

- (1) A person who possesses inside information in connection with a horse that is entered in a race can be penalised if the person:
  - (a) in the case of a bookmaker, accepts a bet on the subject horse;
  - (b) has a lay bet or an interest in a lay bet on the subject horse and/or has a bet or an interest in a bet on another horse in the subject race;
  - (c) encourages another person to have a lay bet or an interest in a lay bet on the subject horse and/or to have a bet or an interest in a bet on another horse in the subject race; or
  - (d) communicates the information, directly or indirectly, to any person who the first person knows or ought reasonably to know would or would be likely to bet on the race in which the horse is to run, provided that it is not an offence to:
    - (i) make the information publicly available; or
    - (ii) communicate the information to the horse's owner, trainer, trainer's representative or a stable employee or service provider engaged by the trainer or owner and actively and necessarily involved in the care or management of the subject horse.
- (2) For the purposes of this rule:
  - (a) Information is "*inside information*" about a horse if:
    - (i) it is not publicly available; and
    - (ii) it would or would be likely to influence persons who commonly bet in deciding whether or not to bet on the horse or making any other betting decision in respect of a race in which the horse is to be run.
  - (b) Information is "*publicly available*" if:
    - (i) it consists of a matter that is readily observable or known by the public;
    - (ii) it has been made known in a manner that would or could bring it to the attention of the public; or

- (iii) it consists of deductions, conclusions or inferences made or drawn from information referred to in paragraph (i) or (ii).
- (c) “*Lay*” has the meaning given to that term in AR175B(7).

*[Rule added 10.7.13]*

**LR 110B**

(1) A trainer, jockey, stablehand or any other person engaged or employed in the training or racing of thoroughbred horses must not:

- (a) unless approved by Racing NSW in writing, enter into, or be a party to, any arrangement, agreement or understanding, either directly or indirectly, with any party, whether it be a wagering operator, a person or entity representing a wagering operator or a third party, that results in a wagering operator:
  - (i) referring to that person (including any image, video or other recording of that person) in;
  - (ii) seeking to link that person to; and/or
  - (iii) basing upon that person (including any image, video or other recording of that person),

any advertising, commentary or promotions (or part thereof);
- (b) unless approved by Racing NSW in writing, enter into, or be a party to, any arrangement, agreement or understanding, either directly or indirectly, with any party, whether it be a wagering operator, a person or entity representing a wagering operator or a third party, that:
  - (i) confers special privileges or concessions which are, or might be, prejudicial to the image of racing; or
  - (ii) result, or might result, in that person, or a close associate of that person, directly or indirectly, receiving a pecuniary or other gift or other consideration from a wagering operator;
- (c) accept any gift or inducement that might impair that person’s judgment or might be perceived to be a conflict of interest, bribe or inappropriate gift;
- (d) prefer the interests of one owner or group of owners to the interests of another owner or group of owners in the care or management of horses owned by different owners;

- (e) put that person's secondary interest before or above his or her primary interest; or
  - (f) be influenced by his or her secondary interest over his or her primary interest.
- (2) For the purposes of this rule:
- (a) a "*primary interest*" is the activity for which the person holds a licence, registration or permit from a Principal Racing Authority or is engaged in or associated with thoroughbred racing; and
  - (b) a "*secondary interest*" is:
    - i. any material reward, gift, favour or benefit in kind not directly arising from or in addition to the primary interest;
    - ii. any favour for any immediate family member or other person with whom the person has a close professional or personal relationship.
- (3) For the purposes of this rule, an owner who holds a financial interest in the horse only and does not play any active role in the training or racing of the horse is not subject to sub-rule (1).
- (4) A wagering operator must not, without the approval of Racing NSW in writing:
- (a) refer to in;
  - (b) seek to link to; and/or
  - (c) base,
    - any advertising, commentary or promotions in any form of media (including social media) to a family member or other person with whom the person has a close personal or professional relationship engaged in or associated with the training or racing of thoroughbred horses, other than in circumstances where such reference is in the normal course of the wagering operator's wagering operations.
  - (d) Any person who commits a breach of this rule may be penalised, and Racing NSW may make any such other order as it considers appropriate.

*[rule added 10.7.13][rule amended 1.8.16]*

#### **LR 110C.**

- (1) Except with the written approval of Racing NSW:

(a) a person must not, in connection with or for any purposes relating to thoroughbred racing, associate with a disqualified or warned off person;

(b) a disqualified or warned off person must not associate with persons engaged in or associated with the thoroughbred racing industry for any purposes relating to that industry.

(2) A person who breaches LR110C(1) is guilty of an offence and may be penalised.

(3) Unless otherwise determined by Racing NSW, the period of disqualification of any person who contravenes LR110C(1)(b), shall automatically recommence as from the most recent date of such contravention, and the person may also be subject to further penalty.

*[Rule added 1.9.17]*

## **INSURANCE FUND**

**LR 111.** (1) The Board will provide workers compensation insurance to persons engaged in the racing industry as specified in these rules in accordance with its licence under the *Workplace Injury Management and Workers Compensation Act, 1998* and Board policies determined from time to time.

(2) In the interpretation of the following rules relating to insurance the following words unless the context otherwise requires, have or include meanings as follows:

“Racing Club” means a Club registered by the Board in accordance with the Australian Rules of Racing and the *Thoroughbred Racing Board Act 1996*.

“Owner” when a horse has been leased means the lessee.

“Rider” includes any person who rides a horse in connection with racing.

“Racing Year” means the period of twelve calendar months commencing 1st July and finishing 30th June the following year.

“Trainer” includes persons granted a permit to train and owner-trainers.

(3) In relation to Racing Clubs;

(a) the Board will set premiums from time to time in respect of:

(i) a per meeting fee,

- (ii) a fee for every horse weighed out for any race,
- (iii) a fee for every horse participating in any official barrier trial,
- (iv) a fee for every horse nominated for any race,
- (b) all Racing Clubs shall pay a premium calculated at a rate determined by the Board upon the wages paid to their employees (but not including those deemed to be employees by Schedule 1. 9(1) of the *Workplace Injury Management and Workers Compensation Act 1998*, namely race riders and persons riding work on a racecourse),
- (c) the Racing Clubs must pay these fees to the Board within one month of dispatch of their premium assessments.

(4) Subject to the provisions of the *Workplace Injury Management and Workers Compensation Act, 1998* as amended, all Racing Clubs and trainers must, except with the approval of the Board, effect workers compensation insurance with the NSW TRB Insurance Fund at the rates determined by the Board from time to time.

(5) Trainers must pay to cover their liability as employers under the *Workplace Injury Management and Workers Compensation Act, 1998* as follows:

- (a) a premium calculated at the rate determined from time to time by the Board upon the wages paid to their employees plus the value of their keep when kept by the employers, with a minimum as determined from time to time by the Board, whether the trainer has any person employed or not.
- (b) a contribution as prescribed from time to time by the Board in respect of any unpaid stablehand registered to the trainer, who rides work on a racecourse.
- (c) if holding a licence or permit from another Principal Club or the New Zealand Racing Conference, while visiting New South Wales, a premium as prescribed from time to time by the Board.

The charges mentioned in this sub-rule shall be reduced by one-half for the current racing year, if the relevant licence or permit is granted after 1st February.

(6) The premiums charged by the Board shall cover, in addition to other risks, the risks run by owners of racehorses, in that the policies deemed to be issued by the Board shall include an indemnity to the owners concerned from and against the following claims under the *Workplace Injury Management and Workers Compensation Act, 1998*, and any amendment thereof, namely:

- (a) all claims which may be made against the owner by any jockey, apprentice or stablehand in the employ of such owner for injuries received by such

jockey, apprentice or stablehand whilst engaged to ride in a race run under the management of such Racing Club or Association or whilst engaged in riding work on any racecourse or other premises of such Racing Club or Association, and

- (b) all claims by any jockey, apprentice and stablehand employed by any trainer, against the owners of the racehorses trained.

(7) Before any horse shall be weighed out for any race to be run at any registered race meeting, or take part in any official barrier trial, there must be paid in respect of such horse for and on behalf of the owner thereof to the secretary or other authorised officer of the registered race meeting or trials, such premium as is prescribed by sub-rule (3).

(8) A policy shall be issued, or a renewal or other receipt given, in respect of each and every premium paid. Such policy must be in the form approved by the *Workplace Injury Management and Workers Compensation Act* 1998 with such lawful variations as may from time to time be determined.

(9) It is a condition precedent to any application for or on behalf of any owner or trainer, Racing Club or Association to be indemnified by the Board, that such owner or trainer, Racing Club or Association must have complied with the conditions of the policy issued to him or her or them, and also must in the current racing year in which the personal injury is received and prior to the receiving of such personal injury, have paid the premium prescribed.

(10) Every application for compensation in respect of any personal injury received by a jockey, apprentice or stablehand must be accompanied by a certificate from the secretary of the registered meeting at which the injury was received, or by a certificate from the employer if the injury was received elsewhere, and either case giving particulars of the occurrence out of which the claim arose, the period during which it disabled the person injured, the wages (if any) which he or she was earning previously, and such other facts and be supported by such further or other evidence as the Board may require.

(11) Any person who, in the opinion of the Board makes a willfully false statement in support of any application to it for payment of compensation, either for himself or herself, or for or on behalf of any employee or any other person, will be deemed to be guilty of an improper action or practice under the Rules and may be punished.

(12) No trainer or other person is permitted to work his or her horse or horses on a racecourse unless he or she can produce on demand a policy of insurance, or a receipt showing payment of any insurance, for his or her full liability under the *Workplace Injury Management and Workers Compensation Act*, 1998, or any amendment thereof.

(13) A trainers licence to train may be suspended if his or her insurance premium is not paid within one month of the dispatch of the premium assessment.

(14) (a) Any licensed person suffering an injury upon any racecourse or training ground owned or occupied by any racing club or racing association must within the period of that

same day report such injury to a Steward or official appointed for that purpose by the relevant club or association.

(b) Should such injured person not be able to fulfil the requirements of this rule due to the degree of incapacitation caused by the injury, then it shall be the responsibility of the trainer or person in charge of the horse concerned to make the injury report on behalf of the injured person to the nominated officials by the appointed time.

(c) Any person failing to comply with the provisions of this rule may be punished and may also be subject to penalties under the relevant workers compensation legislation.

**LR 112.** The Board shall effect a public risks insurance policy covering all race Clubs and Associations whose meetings are registered by the Board, other than those specifically exempted by the Board. The following provisions apply:

- (a) the cover will be for \$100,000,000,
- (b) the contribution to premiums to be made by each Club and Association will be determined by the Board from time to time,
- (c) such contributions must be remitted to the Board at the commencement of each financial year.

Provided further, that Clubs must not make any admissions and must as soon as possible after any incident for which there may be a liability under the policy, give notice in writing to the Board and furnish such information and assistance as may be required.

### **BENEVOLENT FUND**

**LR 113.** (1) The Board will manage a fund hereafter referred to as the TRB Benevolent Fund established and maintained from:

- (a) funds transferred from the AJC Benevolent Fund,
- (b) donations received,
- (c) any other amounts the Board may from time to time determine.

(2) At its absolute discretion the Board may make payments from the funds for the relief or assistance of any trainer, jockey or other person connected in racing in distressed circumstances.

(3) The Board may require applicants for funds to furnish such evidence as the Board feels is necessary or expedient.

**EQUINE WELFARE**  
**(Effective 1.10.17)**

**LR 114.**

(1) The purpose and objective of this Local Rule 114 is to ensure the welfare of thoroughbred horses from birth, during their racing careers and on retirement.

(2) A registered owner, trainer or any person that is in charge of or has in his or her possession, control or custody of any horses (Eligible Horses, Unnamed Horses and Named Horses) must ensure that any such horses are provided at all times with:

- (a) proper and sufficient nutrition and water;
- (b) proper exercise;
- (c) stabling and paddocks of a standard approved by Racing NSW, which are adequate in size, which are adequately maintained and kept in a clean and sanitary condition;
- (d) veterinary treatment where such treatment is necessary or directed by Racing NSW.

(3) A registered owner, trainer or any person that is in charge of or has in his or her possession, control or custody of any horses (Eligible Horses, Unnamed Horses and Named Horses) must exercise reasonable care, control and supervision as may be necessary to prevent any such horse from being subject to cruelty or unnecessary pain or suffering.

(4) A registered owner, trainer or any person that is in charge of or has in his or her possession, control or custody of any horses (Eligible Horses, Unnamed Horses and Named Horses) is not to euthanize or destroy a horse (or permit a horse to be euthanized or destroyed) unless a registered veterinary surgeon has certified in writing that it necessary on welfare or safety grounds or for reasons approved in writing by Racing NSW or unless under extreme circumstances where it is necessary for a horse to be euthanized immediately and the decision is subsequently confirmed by a veterinary surgeon.



(5) Further to AR64JA(1), where a decision has been made to retire a horse, or not to commence racing an Eligible Horse, and that horse has been domiciled in New South Wales for the majority of its life:

(a) the Manager, in addition to any forms to be lodged with Racing Australia pursuant to AR64JA(1), is to lodge with Racing NSW the Retirement Notification form prescribed by Racing NSW, such form to include details of the retirement option, where that horse will be located and contact details of the new owner (if that horse is being transferred to a new owner);

(b) that horse is not to be transferred to a location which does not meet minimum standards prescribed by Racing NSW to ensure the ongoing welfare of that horse and the owners are required to provide Racing NSW with all information and assistance (including access to the proposed location) in order to enable Racing NSW to assess that those minimum standards are met;

(c) the owners are to make all reasonable endeavours to find a home for that horse that meets Racing NSW's minimum standards in any of the following options:

(i) breeding purposes;

(ii) equestrian, working, pleasure or companion horse;

(iii) any other option approved by Racing NSW

(d) in the event that the owners are unable to find a home for that horse, having used all reasonable endeavours, then the remaining options for that horse are:

(i) an official retirement or retraining program (either operated by Racing NSW or approved by Racing NSW in writing);

(ii) any other option that ensures the ongoing welfare of the horse approved by Racing NSW in writing;

(e) the horse is not to be, directly or indirectly, sent to an abattoir, knackery or similarly disposed of;

(f) the horse is not to be sold/gifted at a livestock auction not approved by Racing NSW; and

(g) if that horse is in need of veterinary treatment (including ongoing veterinary treatment), it is not to be transferred to a new home until that veterinary treatment

has been provided or Racing NSW is satisfied that it will receive that veterinary treatment.

- (6) Any person who fails to comply with LR114(1)-(5) commits a breach of these Rules and may be penalised.

*[Rule effective 1.10.17]*

## **TRAINING DISPUTE TRIBUNAL**

### **LR 115.**

- (1) The Racing NSW Training Dispute Tribunal (RNSW TDT) is to be constituted by the Racing NSW General Counsel, who is to act as Principal Member, and such other legal counsel as engaged by Racing NSW from time to time.

- (2) The function of the RNSW TDT is to:

- (a) hear and determine disputes between a Trainer (as defined in the TOR Rules) and an Owner (or Owners) (as defined in the TOR Rules) in relation to the payment of Training Fees and/or Training Disbursements (as defined by the TOR Rules); and
- (b) enforce and exercise any policies or procedures in respect of the role, powers and functions of the RNSW TDT, including any powers referred to in TOR Rule 8 or otherwise provided in this Local Rule 115.

- (3) A dispute is deemed to have been allocated to the RNSW TDT once:

- (a) the RNSW TDT has received formal notice from Racing Australia that Racing Australia has allocated a matter to the RNSW TDT under the TOR Rules (and specifically, TOR Rule 5(4)); and
- (b) Racing NSW has received the Filing Fee (as defined in the TOR Rules and referred to in TOR Rule 8(1) from Racing Australia.

(4) The Principal Member of the RNSW TDT is to determine, upon allocation of a dispute to the RNSW TDT, the constitution of the RNSW TDT for the purposes of that dispute and the RNSW TDT as constituted is to, as soon as is reasonably practicable, notify the parties to confirm that the matter has been allocated to the RNSW TDT.

(5) On a dispute, the RNSW TDT:

- (a) is bound by the rules of natural justice and procedural fairness;
- (b) is not bound to act in a formal manner;
- (c) is not bound by the rules of evidence and may inform itself on any matter in any way that it considers to be just;
- (d) may draw inferences of fact and is to make its decision on the real merits and justice of the dispute and is not bound to follow strict legal precedent; and
- (e) is otherwise to abide by the processes, and has the powers, set out in TOR Rules 8(4)-(7).

*[Rule added 1.9.17]*



## **POLICY STATEMENT**

### **PROVISION OF PERMITS TO VETERINARIANS TO PROVIDE SERVICES IN THE NEW SOUTH WALES THOROUGHBRED RACING INDUSTRY**

**NSW Local Rules 82C and 82D**

1. **Policy Statement**

This policy is developed to assist veterinarians in understanding the protocols and obligations associated with the implementation of NSW LR82C, which is due to be implemented into NSW on the following dates.

- Metropolitan Area – 1 September 2015
- Provincial & Country Area – 1 December 2015

The policy sets out operational protocols and rules relating to the implementation.

2. **Legislation**

Racing NSW is the body appointed by the ***Thoroughbred Racing Act 1996*** to control and supervise Thoroughbred Racing in New South Wales. Racing NSW's powers include the power to license or register persons associated with racing.

*Section 42* of the Act details the right of a person aggrieved by the decision of a racing authority to appeal to the Racing NSW Appeals Panel.

*Section 15* of the ***Racing Appeals Tribunal Act 1983*** details the right of a person aggrieved by a decision of the Racing NSW Appeals Panel or Racing NSW to appeal to the Racing Appeals Tribunal.

3. **Rules of Racing**

**NSW LR82C** mandates that no veterinarian shall provide veterinary services, other than emergency services, to a thoroughbred horse in training &/or competing in NSW unless that veterinarian has been issued a permit by Racing NSW. **LR82C** states;

**LR 82C (1) Subject to subrule (2):**

- a) *No veterinarian shall provide veterinary services to a horse in training and/or competing in New South Wales unless that veterinarian is registered with the Veterinary Practitioners Board of NSW or equivalent interstate body and has been issued a permit by Racing NSW.*
- b) *A trainer shall not allow a horse under his care or control in New South Wales to receive veterinary*

*services from any person other than a veterinarian who is registered with the Veterinary Practitioners Board of NSW or equivalent interstate body and who has been issued a permit by Racing NSW.*

(2) *Subrule (1) of this rule does not apply in emergency circumstances where the health or welfare of a horse is at risk if veterinary services are not provided immediately and a veterinarian who has been issued a permit by Racing NSW is not available to provide those services.*

(3) *For the purposes of this rule and LR 82D:*

*“permit” is a permit as referred to in the definition of “Licence” in the Rules and is subject to the Policy Statement that appears at the end of these Local Rules;*

*“veterinary services” means any services (including the prescribing or provision of any medication) provided to or in connection with a horse by a person who is a registered veterinarian.*

#### **4. Powers to Inspect, Observe or Search**

In light of the concerns expressed by veterinarians in respect of privacy considerations in relation to their premises and surgery, Racing NSW is prepared to put in place procedures that have to be followed by the Stewards in exercising their powers under AR8B to enter and search premises of licensed persons (a veterinarian that has been issued a permit by Racing NSW is a licensed person for the purposes of the *Thoroughbred Racing Act 1996* (NSW) and the Rules of Racing).

Accordingly, **AR8B** is subject to LR82D and the matters set out in in the remainder of this clause 4.

**AR8B** states;

**AR 8B.** *The Stewards shall have the power at any time to enter upon the premises occupied by or under the control of a licensed person and used in any manner in relation to any licence (hereinafter referred to as the premises) to:*

- (i) *Inspect, observe and search the premises and also search any licensed person thereon.*
- (ii) *Examine any horse, take possession thereof and cause such horse to be-*
  - (a) removed from the premises and detained ; or*
  - (c) confined to, or otherwise detained at, or within, the premises –*  
*for such period and on such terms and for such purposes as they consider necessary.*
- (iii) *Examine the premises and any article or thing situated thereon and take possession of any article or thing found as the result of such search and remove from the premises any article or thing of which possession has been taken and retain the same for such period as Stewards consider necessary under these rules.*

#### **4.1 Premises**

As it relates to veterinarians, the power for Racing NSW to inspect, observe and search shall be limited to a veterinarian being located on or adjacent to the premises of a licensed trainer or a racecourse and may include the search and/or inspection of the veterinarian's vehicle or person. It is a requirement of the veterinarian to comply with any request made by Racing NSW in those circumstances.

*For example, if a veterinarian is at the stables of a licensed trainer and the Racing NSW Stewards attending the stables witness the veterinarian and trainer injecting a horse with the veterinarian then putting the needle in his car which is parked in the carpark outside the stables, then the Racing NSW Stewards will be able to search the veterinarian's person, his/her bag and his/her car (which is adjacent to, not on the stables of the licensed trainer) and take possession of items relevant to whether there has been a breach of the Rules of Racing.*

#### **4.2 Veterinary Premise or Surgery**

Racing NSW acknowledges privacy considerations in respect to the enacting of AR8B as it relates to a veterinary premise or surgery. Having regard to this, Racing NSW will adhere to the following protocol as set out in clause **4.3** – which shall require the issue of a “Permit to Search” – prior to conducting a search or inspection of a premise or surgery occupied by or under the control of a veterinarian who has been issued a permit by Racing NSW. Such a search or inspection may include, but is not limited to, a search or inspection of the veterinarian’s vehicle or person. For the avoidance of doubt, clause 4.3 does not refer to a search covered by clause 4.1.

#### **4.3 Permit to Search Protocol**

- 4.3.1** Upon having just cause to do so, Racing NSW shall make an application to the Principal Member of the Racing NSW Appeals Panel for the issue of a Permit to Search a premise or surgery occupied by or under the control of a veterinarian who has been issued a permit by Racing NSW.
- 4.3.2** The Principal Member shall give consideration to the application having regard to the just cause being shown by the Stewards.
- 4.3.3** The Principal Member shall have the power to grant, deny or amend the terms of the application as he/she sees fit.
- 4.3.4** Upon a Permit to Search being granted by the Principal Member, the permit must include the following details.
  - (i) Name of the veterinarian in respect of which the premise or surgery is to be searched
  - (ii) Address of the premise or surgery to be searched
  - (iii) Purpose of the search including specific item/s being searched for
  - (iv) Scope of the search including what items are permitted to be taken into the possession of Racing NSW
  - (v) In respect to electronic veterinary records the permit shall outline the process to be undertaken in respect to the imaging of data from the veterinarian’s electronic records



such as mobile devices and computers. Racing NSW shall take all reasonable measures to ensure that the veterinarian's business is not impacted by having mobile devices and computers taken away from the premises or surgery. Whenever possible Racing NSW shall endeavour to have electronic records imaged on site and, if it is necessary to retain possession of mobile devices and computers, will endeavour to do so outside business hours. Racing NSW will implement appropriate chain of custody and secure storage mechanisms in respect of any items retained by Racing NSW.

**4.3.5** The search of the premises or surgery is to be conducted by Racing NSW Stewards and/or Investigators and must be done so in the presence of the Racing NSW Official Veterinarian, his/her nominated independent veterinarian or a Veterinary Practitioners Board Inspector.

**4.3.6** Subsequent to the Permit to Search being executed, Racing NSW shall inform the Principal Member that the search has been completed and a report prepared to ensure that such search was conducted in accordance with the permit. The report shall include a list of items taken by Racing NSW and data imaged.

**4.3.7 Definition of Just Cause**

Refers to the reasonable grounds upon which Racing NSW shall apply for a Permit to Search a premise or surgery occupied by or under the control of a veterinarian who has been issued a permit by Racing NSW. Reasonable grounds include:

- (i) Reasonable suspicion of Racing NSW that, in connection with thoroughbred racing, the veterinarian has been procuring, purchasing, supplying, administering or otherwise dealing with substances that are banned by the Rules of Racing.
- (ii) The finding of a substance banned by the Rules of Racing in a sample taken from a horse in which Racing NSW has a reasonable suspicion was treated by the veterinarian.

- (iii) Statistical and/or scientific information obtained or produced by Racing NSW whereby a licensed person or persons utilising the veterinary services of the veterinarian has a significantly increased level of success.
- (iv) Reasonable suspicion of Racing NSW of any unethical or banned practice or action in connection with thoroughbred racing by the veterinarian.

**LR82D** dealing with the above process states as follows:

***LR 82D*** *Prior to Stewards exercising their powers under AR 8B in respect of a premises or surgery occupied by or under the control of a veterinarian who has been issued a permit by Racing NSW, the following shall apply:*

*(1) Racing NSW shall make an application to the Principal Member for the issue of a permit to search.*

*(2) The Principal Member shall have the power to, and shall:*

- (a) grant the application and issue a permit to search in terms sought by Racing NSW or as otherwise amended by the Principal Member; or*
- (b) reject the application and not issue a permit to search.*

*(3) A permit to search shall contain the following information:*

- (a) the name of the veterinarian who has been issued a permit by Racing NSW;*
- (b) the address of the premises or surgery occupied by or under the control of the veterinarian who has been issued a permit by Racing NSW;*
- (c) the purpose of the search including specific item/s being searched for;*

- (d) *the scope of the search including specific item/s that are permitted to be taken into the possession of Racing NSW; and*
- (e) *an outline of the process to be undertaken by Racing NSW in respect of the imaging of data from the electronic records of the veterinarian who has been issued a permit by Racing NSW (if relevant).*

*(4) This rule does not apply to any search of the vehicle or person of a veterinarian who has been issued a permit by Racing NSW conducted by Stewards while that veterinarian is located on a trainer's approved premises or racecourse.*

*(5) For the purposes of this rule:*

*"permit to search" means a permit to search issued by the Principal Member prior to Stewards exercising their powers under AR 8B in respect of a premises or surgery occupied by or under the control of a veterinarian who has been issued a permit by Racing NSW;*

*"Principal Member" means the Principal Member of the Appeal Panel appointed pursuant to section 46 of the Thoroughbred Racing Act 1996 (NSW).*

## **5. Protocols for Dealing with Irrelevant or Legally Privileged Information**

Upon Racing NSW obtaining data or records from a veterinarian such data is to be placed into the exclusive possession of Racing NSW's Legal Department for consultation with the veterinarian or the veterinarian's legal representative to identify information which may be considered irrelevant or legally privileged.

Racing NSW's Legal Department shall exclude any irrelevant or legally privileged data or records (as reasonably determined by Racing NSW's Legal Department) before providing the data or records to Racing NSW.

- 5.1** Irrelevant information is communications made or documents prepared that are not relevant to the Racing NSW investigation.
- 5.2** Legally privileged information is communications made or documents prepared for the dominant purpose of:
- (i) the veterinarian's legal representative providing legal advice to the veterinarian; or
  - (ii) the veterinarian being provided with legal services in relation to current or anticipated legal proceedings.

**6. Stewards' Investigations and Inquiries and Appeals**

**6.1 Stewards' Investigations and Inquiries**

The primary role of the Stewards outside the running of race meetings is to investigate possible breaches of the Rules of Racing. This frequently involves investigating whether horses have been administered prohibited substances or received treatment in breach of the Rules of Racing including treatment on race day.

The Stewards conduct preliminary investigations, including interviewing persons and taking statements, in order to form a view whether a formal Inquiry should be commenced. When a formal Inquiry is commenced, witnesses and the person(s) alleged to have breached the Rules of Racing are required to attend Racing NSW's offices to give evidence. After consideration of all of the evidence, the Stewards then determine whether charges should be laid.

When charges are laid, a date is set for the hearing of those charges by the Stewards. The persons charged are entitled to require any witnesses relied upon to attend for cross-examination. At the conclusion of that hearing of the charges, the Stewards will consider all of the evidence and determine whether the charges are proven and, if so, what penalty should be applied. The penalties can range from a reprimand, a fine not exceeding \$100,000, a suspension and, in the most severe of cases, a disqualification.

Inquiries and investigations conducted by Racing NSW, involving the attendance of a veterinarian, shall be done so in the presence (either in person or by tele-conference) of the Racing NSW Official Veterinarian or

his/her duly authorised veterinarian representative. The veterinarian shall be provided with reasons as to why they are required to attend the inquiry or investigation and whether their attendance is for a possible contravention of the rules or as a witness. In respect to emergency circumstances, the Racing NSW Official Veterinarian shall assess and provide evidence as to what is considered to be an emergency circumstance.

## **6.2 Appeal Panel**

A person that is disqualified, suspended or fined more than \$10 by the Stewards has a right of appeal to the Appeal Panel which is appointed by Racing NSW pursuant to Part 4 of the *Thoroughbred Racing Act 1996* (NSW). The Appeal Panel is presided over by the Principal Member who must be an Australian lawyer of at least 7 years standing. The current Principal Member is Mr R Clugston who was a Magistrate for many years and also includes two Senior Counsels. Racing NSW will appoint a senior veterinarian to the Appeal Panel who will sit on any appeals relating to an appeal by a veterinarian that has been found guilty of breaches of the Rules of Racing.

Any appeal to the Appeal Panel is a rehearing and the parties are entitled to rely on new evidence. Further, an appellant is able to apply to the Appeal Panel for a stay of the decision appealed against pending the outcome of the appeal to the Appeal Panel.

## **6.3 Racing Appeals Tribunal**

There is a further right of appeal to the Racing Appeals Tribunal from the Appeal Panel in respect of disqualifications, suspensions for 3 months or more, revocations of licences or fines of \$2,000 or more. The Racing Appeals Tribunal is appointed by the Minister for Racing and is currently Mr David Armati, who was a Magistrate for many years and also the Chairperson of the Liquor Administration Board and NSW Licensing Court. The Racing Appeals Tribunal can also seek assistance of an expert, such as a veterinarian, from any person who, in its opinion, has special knowledge of, and experience in, the racing industry.

An appeal to the Racing Appeals Tribunal is also a rehearing and the parties are entitled to rely on new evidence. As with appeals to the Appeal Panel, an appellant can apply for a stay of the findings of the decision appealed against, pending the outcome of the appeal to the Racing Appeals Tribunal.

#### **6.4 Attendance at Stewards Inquiries and requirement to give evidence**

**AR175(f)** provides Racing NSW with the power to penalise any person who refuses or fails to attend or give evidence at any investigation, inquiry or appeal. Therefore it is a requirement that if a veterinarian is required to attend an inquiry they do so.

**AR175** – *The Principal Racing Authority (or the Stewards exercising the powers delegated to them) may penalise;*

*(f) Any person who refuses or fails to attend or give evidence at any investigation, inquiry or appeal when directed or requested by the Principal Racing Authority, or other person authorised by the Principal Racing Authority, to do so.*

#### **6.5 Legal Representation at an inquiry or hearing**

Even though **AR199B** provides that a person shall not be entitled to be represented by any other person, whether a member of the legal profession or otherwise, it is the policy of Racing NSW to allow persons to be assisted by a legal representative at an inquiry or investigation. This assistance does not absolve the veterinarian of his or her obligation to provide evidence, however it is the practice of Racing NSW to allow legal representatives to ask questions of witnesses and make submissions on behalf of their client.

#### **6.6 Raceday Stewards Inquiries or Investigations**

Due to the short time frames in respect to inquiries and investigations conducted on raceday, veterinarians are required to attend these inquiries or investigations when requested at short notice. In these circumstances it may not be possible for a legal representative to be available and this does not provide grounds for the veterinarian refusing or failing to attend a raceday inquiry or investigation when directed or requested to do so.

## **7. Carriage & Dispensing of Veterinary Medications**

Racing NSW recognises the requirement of a veterinarian to carry a range of medications to service both racing and non-racing clients. However, the Rules of Racing require that the possession and supply of such medications should conform to the requirements of relevant Commonwealth and NSW State legislation which include:

- Agricultural and Veterinary Chemicals Code Act (Cth) (Agvet Code)
- Poisons and Therapeutic Goods Act and Regulation (NSW)
- Stock Medicines Act (NSW)
- Veterinary Practice Act and Regulation (NSW)

This legislation currently includes (but is not limited to) the following obligations:

- The proper supply of restricted (S4) drugs, including the proper labelling of any S4 that is dispensed to a client, that the quantity of supply and purpose of any prescription is appropriate, and that proper records of supply are kept by the veterinarian.
- The possession and supply by the veterinarian of an unregistered veterinary chemical product only if:
  - the product does not require registration according to the requirements of the Agvet code, or
  - the product is supplied to the veterinarian under a permit issued by the APVMA, or
  - the product is compounded and properly labelled by the veterinarian or a registered pharmacist for the treatment of a particular horse for a particular condition, when no other product registered for veterinary use can effectively treat that condition.
- The proper storage and recording of use any Schedule 8 drugs carried by the veterinarian.

### **7.1 Anabolic steroids**

There is a total ban on the administration of anabolic androgenic steroids to thoroughbreds, from birth to retirement from racing. It is acknowledged that a veterinarian may carry supplies of anabolic steroids for use in horses outside of racing, but that proper records of their use must be maintained as required by law.

### **7.2 Substances specified in AR177B(2)**

Veterinarians must be aware of AR177B(2) which specifies a range of substances that are totally banned in racing. Their presence in any premises used in relation to the training or racing of horses is an offence. The exceptions to this Rule for the purpose of carriage by a veterinarian are registered veterinary products containing Schedule 8 substances for veterinary use, and anabolic androgenic steroids for use in horses not associated with thoroughbred racing.

## **8. Suspension or revocation of permit**

A veterinarian's permit will not be suspended or revoked unless it has been proven that there has been a serious breach of the Rules of Racing. All decisions made by Racing NSW and its Stewards are subject to the rules of procedural fairness and natural justice including the rights of a veterinarian to respond to any charges by way of calling evidence and making submissions.





## **RULES OF BETTING**

Of

## **RACING NSW**

### **INTERPRETATION**

**BR 1.** In interpretation of the Betting Rules, the following words shall have or include the following meanings:

**“All-in”** – means, if your horse does not start in a race, your money is forfeited.

*[added 9.3.06]*

**“Bet”** - bet or wager does not include pari-mutuel or fixed price investments on the totalisator.

*[amended 1.8.11]*

**“Starter's Orders”** - a horse comes under starters orders when a rider is called upon by the starter to take up his or her place for the start. Provided that, no horse shall be deemed to have come under the starters orders whereby bets have been declared off under BR 14.

**“Face Value”** - face value of the ticket means the total sum of moneys payable to the backer including the stakes in the event of a bet being successful.

**“Starting Price”** - means the odds declared by the Club conducting the meeting to be the starting odds of any runner at such meeting.

All other words in these rules have the same meaning as ascribed to them in the definitions of the Rules of Racing.

### **POWERS OF STEWARDS**

**BR 2.** The Stewards may suspend the operation of any of these rules and may declare off any bet in connection with which there has in their opinion been any fraud, or corrupt practice or action.

**BR 3.** If any question arises which is not provided by these rules, it will be determined by the Stewards.

**BR 4.** The Stewards powers set out in BR 14 may be exercised by the Chairman of Stewards or the Steward acting as such at any meeting.

### **CONDITIONS**

**BR 5.** In all bets there must be a possibility of winning when the bet is made.

**BR 6.** (1) Bets go to the backers of the horses placed by the judge, subject to any alteration made before weight is declared by the Stewards in accordance with the Rules of Racing.

(2) Provided that, if in the opinion of the Stewards there are circumstances requiring further investigation which might lead to disqualification of a horse or a rider, they may make an order postponing the settlement of all bets on the race in question and refer the matter to the Board who may make such declaration as they think fit in respect of the betting and, in particular, may declare off all or any bets on such race.

**BR 7.** A bet, other than a credit bet, will not be accepted as laid unless the stake money has actually been received by the bookmaker or his or her clerk.

**BR 8.** Upon being satisfied by a bettor that there are reasonable grounds for demanding that stakes be made before a race is run, the stewards may order that the bet be off unless covered or sufficient security given.

**BR 9.** Unless as provided for by these rules, no bet may be declared off, except by mutual consent.

**BR 10.** Subject to any express agreement to the contrary and to the rules governing doubles, bets are off and any stake paid must be returned to the backer in the following cases:

- (a) if the bet is made after the declaration of final acceptances of the race on a horse which at any race meeting does not come under starter's orders within the meaning of these rules, *[amended 1.3.11]*
- (b) in the case of a match race if either horse does not come under starter's orders,
- (c) if the bet is made on a horse after final acceptances in a race which is subsequently postponed to another day; provided however, in the event of a race being ordered to be re-run the same day, all bets in favour of any horse which started on the first run shall stand, unless the Stewards in their absolute discretion decide otherwise. *[amended 1.3.11]*

**BR 11.** Subject to any express agreement between the parties all win and place bets taken on a horse withdrawn between the time of final acceptances and the display for such race of betting odds by bookmakers on the day of the race must be refunded and if such withdrawal in the opinion of the Stewards has had a material effect on the odds of the remaining horses then all successful fixed-price wagers must be paid subject to deductions calculated in accordance with the algorithm approved by the Australian Racing Board or alternatively at the discretion of the Stewards may be paid at starting price odds or by any other method provided for by these rules. *[amended 1.8.11]*

**BR 12.** There shall be no obligation upon a bookmaker to pay a bet if the bet has been paid to a claimant, and there were reasonable grounds for believing that such claim was genuine.

## **BETTING LIMITS**

**BR 13.** (1) At a race meeting within the Metropolitan Area, a bookmaker is obliged to lay the odds displayed if demanded by the backer, except that the bookmaker is not compelled to lose on any one bet more than the amount Racing NSW may determine and publish as the minimum bet list entitled "Betting limits for on-course Bookmakers to comply with BR 13", as published on its website and amended from time to time.

(2) When the backer claims the bookmaker for a win and place bet which is greater than the limits prescribed by this rule, the bookmaker must bet the backer the proportional equivalent of an each-way wager.

(3) At a race meeting outside the metropolitan area or at an auditorium or betting office, unless otherwise determined by Racing NSW, the Committee of a Club may from time to

time determine the minimum wager which bookmakers must be bound to lay when betting on any part of the Club's premises.

(4) Once a race has started a bookmaker is not compelled to accept any bet or alternatively is not compelled to bet the minimum limits prescribed by this rule.

*[Rule amended 1.12.15 & 11.8.16]*

## WITHDRAWALS

**BR 14.** (1) In the event of the Stewards permitting or ordering the withdrawal of a horse from a race after the time for withdrawal, or if they declare a horse a non-starter under AR 128(2), AR 130, AR 134A and AR134B, bets made on the day on the racecourse, or in an approved betting auditorium or in an approved betting premise, shall be settled in accordance with the decision of the Stewards.

*[sub-rule amended 1.8.11 & 28.11.16]*

(2) Upon notification of the withdrawal, bookmakers must draw a line on their betting records immediately below the last bet taken on each runner in the race.

(3) The Stewards may declare off all bets made on the withdrawal and order all moneys invested on the withdrawal be refunded. If in their opinion such late withdrawal has had a material effect on the odds already bet on the remaining horses, they may also make such further order, in accordance with this rule, as is considered necessary as to the settlement of successful bets on the race.

(4) With respect to all successful wagers placed prior to the time of the withdrawal on win-only, traditional win and place, place-only, doubles, and favourite out, bets must be paid the face value of the ticket less the amount of cents in the dollar deduction calculated in accordance with the algorithm approved by the Australian Racing Board .

*[sub-rule amended 1.8.11]*

(5) Where 2 or more withdrawals occur simultaneously during betting, successful wagers made prior to the withdrawal time must be paid the face value of the ticket less a deduction calculated in accordance with the algorithm approved by the Australian Racing Board

*[sub-rule amended 1.8.11]*

(6) Where withdrawals occur at different times during betting on a race, successful wagers placed prior to each withdrawal must be paid the face value of the ticket, less deductions calculated in accordance with the algorithm approved by the Australian Racing Board.

*[sub-rule amended 1.8.11]*

(7) Provided however, in circumstances they deem appropriate, and when there is sufficient time, the Stewards may declare off all bets on the remaining horses and order that betting on

the race be re-opened, or they may order all bets be paid at totalisator odds or order deductions in any other manner approved by the Board. *[sub-rule amended 1.8.11]*

(8) Further provided that, except in the case of a dead heat, no order must be made the effect of which would oblige a backer to receive less than his or her stake.

(9) In the event of the late withdrawal of a horse from a race at a meeting other than at which the bet is made, bets shall be paid in accordance with the order of the Stewards who are officiating at the meeting upon which the bet is made. *[sub-rule amended 1.8.11]*

(10) If a late withdrawal is odds-on at the time of its withdrawal, all quinella bets on the race will be void and all moneys will be refunded.

(11) If one of the nominated horses in a quinella is even-money or longer at the time of its withdrawal, all quinella bets incorporating the withdrawn horse are off, and all moneys are to be refunded. Winning bets made prior to the time of withdrawal are subject to a deduction in accordance with the scale of deductions in BR 15 for quinella betting

## **BR 15.**

### **SCHEDULE OF DEDUCTIONS FOR QUINELLA AND CONCESSION BETTING**

<b>DIVIDEND</b>	<b>IMPERIAL CONVERSION</b>	<b>QUINELLA</b>	<b>CONCESSION</b>
1.05	1/20		0.70
1.06			0.70
1.07		<b>A</b>	0.70
1.08	1/12	<b>L</b>	0.70
1.09		<b>L</b>	0.70
1.10	1/10		0.70
1.12	1/8	<b>B</b>	0.70
1.14	1/7	<b>E</b>	0.70
1.16	1/6	<b>T</b>	0.70
1.18		<b>S</b>	0.70
1.20	1/5		0.70
1.22		<b>V</b>	0.70
1.24		<b>O</b>	0.68
1.26	1/4	<b>I</b>	0.66
1.28	2/7	<b>D</b>	0.66
1.30	1/3		0.64
1.35	4/11	<b>A</b>	0.62
1.40	2/5	<b>N</b>	0.61
1.45	4/9	<b>D</b>	0.59

1.50	1/2		0.56
1.55	8/15	<b>R</b>	0.55
1.60	4/7	<b>E</b>	0.53
1.65	4/6, 8/13	<b>F</b>	0.52
1.70		<b>U</b>	0.50
1.75	8/11	<b>N</b>	0.48
1.80	4/5	<b>D</b>	0.47
1.85		<b>E</b>	0.46
1.90	9/10	<b>D</b>	0.45
1.95			0.43
2.00	Evens	0.70	0.42
2.05		0.70	0.41
2.10		0.70	0.40
2.15	10/9	0.70	0.39
2.20		0.65	0.38
2.25	5/4	0.65	0.38
2.30		0.65	0.37
2.35		0.65	0.37
2.40	11/8	0.65	0.36
2.45		0.65	0.35
2.50	6/4	0.65	0.35
2.60		0.65	0.33
2.70	13/8	0.60	0.31
2.80	7/4	0.60	0.31
2.90	15/8	0.60	0.30
3.00	2/1	0.55	0.29
3.10		0.55	0.28
3.20		0.55	0.27
3.30	9/4	0.55	0.26
3.40		0.50	0.25
3.50	5/2	0.50	0.25
3.60		0.50	0.24
3.70		0.50	0.24
3.80	11/4	0.50	0.23
3.90		0.45	0.23
4.00	3/1	0.45	0.22
4.20	13/4	0.45	0.21
4.40		0.40	0.21
4.60	7/2	0.40	0.20
4.80	15/4	0.40	0.19
5.00	4/1	0.40	0.18
5.50	9/2	0.35	0.17
6.00	5/1	0.35	0.16
6.50	11/2	0.30	0.14
7.00	6/1	0.30	0.14
7.50	13/2	0.25	0.12
8.00	7/1	0.25	0.12
8.50	15/2	0.25	0.11
9.00	8/1	0.20	0.11

9.50		0.20	0.09
10.00	9/1	0.20	0.09
11.00	10/1	0.16	0.08
12.00	11/1	0.16	0.08
13.00	12/1	0.16	0.08
14.00		0.14	0.07
15.00	14/1	0.12	0.06
16.00	15/1	0.12	0.06
17.00	16/1	0.12	0.06
18.00		0.12	0.05
19.00		0.10	0.04
20.00		0.10	0.04
21.00	20/1	0.08	0.04
26.00	25/1	0.08	0.03
31.00	33/1	0.06	0.03
41.00	40/1	0.04	0.02
51.00	50/1	0.04	0.02

*[amended 20.11.07 to incl concession column] [amended 1.8.11]*

## DEAD-HEATS

**BR 16.** Subject to any deductions authorised by BR 14;

(a) The backer must be paid one-half of the face value of the ticket in the event of a dead heat for

(i) first

(a) (ii) second place, where there are 5,6, or 7 starters in place betting,

(b) (iii) third place, where there are 8 or more starters in place betting.

(b) In quinella betting, if one horse wins and the other runs a dead heat, the backer must be paid one-half of the face value of the ticket.

*[rule amended 1.8.11]*

## EACH-WAY BETTING

**BR 17.** Subject to any deductions authorised by BR 14 each way bets must be paid as follows;

(a) 8 or more starters in a race when an each-way bet is made, the odds for a place are one-quarter of the odds for a win bet for the first 3 places,

- (b) 5, 6 or 7 horses in the race when an each-way bet is made, the place bets shall be paid on the 1st and 2nd horses at one-third of the odds for a win bet.  
*[rule amended 1.8.11]*

### **PLACE-ONLY BETTING**

**BR 18.** Subject to any deductions authorised by BR 14, place-only bets must be paid as follows:

- (a) if there are 8 or more runners in the race when the bet is made, place-only bets must be paid on the first, second and third horses,
- (b) if there are 5, 6 or 7 runners in the race when the bet is made, place-only bets must be paid on the first and second horses.

### **CONCESSION BETTING**

**BR 18A.** Concession betting means a bet to win with the stake being refunded to the backer if the horse concerned is placed second or third, provided:-

- (i) Concession betting must not be conducted on any race in which there are three or less horses running.
- (ii) In the event of a dead-heat for first, concession bettors must be paid an amount equivalent to the amount of the face value of the ticket divided by the number of horses adjudged to have dead-heated.
- (iii) If there are eight or more horses in the race when the bet is made:
  - (a) The backers of the second and third horses must have their Stake refunded.
  - (b) If there is a dead-heat for second, the backers of the dead-heaters must be paid an amount equal to their Stake divided by half the number of horses adjudged to have dead-heated for second
  - (c) If there is a dead-heat for third, the backers of the dead-heaters must be paid an amount equal to their Stake divided by the number of horses adjudged to have dead-heated for third.
- (iv) If there are no less than four and no more than seven horses in the race when the bet is made:
  - (a) The backers of the second horse must have their stake refunded.



(b) If there is a dead-heat for second, the backers of the dead-heaters must be paid an amount equal to their stake divided by the number of horses adjudged to have dead-heated for second.

(v) Subject to the provisions of BR 14, in the event of the Stewards permitting or ordering the withdrawal of a horse from a race after the time for withdrawal, or if they declare a horse a non-starter under AR 128(2), AR 130 , AR 134A and AR134B, and if the Stewards declare win and place bets be paid at totalisator odds, winning concession bets must:

(a) have their stake divided half for win and half for place; and

(b) be paid at totalisator odds.

*[paragraph (v) amended 1.8.11 & 28.11.16]*

*[rule added 20.11.06]*

## **DOUBLES**

**BR 19.** Bookmakers may offer win-doubles and/or place-doubles. In relation to place-doubles all references to the words “win” and “winner” include being placed second and third and all references in relation to dead heats include being placed third and all references to starting price odds means one-quarter of starting price odds. The following conditions apply to all doubles events:

- (a) bets are determined when the first event is lost,
- (b) if one leg of the double wins outright and the other leg dead heats for first, then the backer be paid one-half of the face value of the ticket,
- (c) if both legs of a double run dead heats, then the backer is to be paid one-quarter of the face value of the ticket,
- (d) if one leg of the double wins outright, and the other leg is part of a triple dead heat, then the backer is to be paid one-third of the face value of the ticket.

**BR 20.** In the absence of any express stipulation to the contrary, doubles bets stand though one or both horses do not start; provided that, doubles bets, excluding feature doubles, made on the day on which the first event is to be run are subject to the following conditions:

*[amended 1.3.11]*

- (a) if the selected horse in the first event of a doubles wager is subsequently ordered or permitted to be withdrawn or otherwise declared a non-starter, the stake must be invested on the horse in the second leg and backers of the winner paid at starting-price odds. If the selected horse in the second event of a doubles wager is subsequently ordered or permitted to be withdrawn or

otherwise declared a non-starter, the backers of the winner of the first event of the double must be paid at starting-price odds of the winner of that event,

- (b) if the first event of a double is decided, and the second event of that double is postponed to another day, the backers of the winner of the first event of the double must be paid at the starting-price odds of the winner of that first event,
- (c) if one of the events is re-run on the same day, all bets stand, and winning wagers are paid subject to any deductions for late scratchings,
- (d) if both events of a double are postponed to another day, or if both selections are withdrawn, all bets are void and stake money must be refunded.

**BR 21.** (1) In the event of late scratchings, deductions made on the face value of successful doubles tickets must be made using win and place deductions calculated by reference to BR 14(4).

(2) In the event of scratchings occurring in one event prior to the commencement of straight-out wagering on that race, the prices used in determining the deductions must be the opening prices provided to the Stewards at the commencement of wagering on the day's programme. The deductions must be made using win and place deductions calculated by reference to BR 14(4). *[rule amended 1.8.11]*

**BR 21A.** For all fixed price feature race doubles bets, whereby the time of bet placement

(1) is before final declarations have been declared for one or both races:

(a) All bets shall be regarded as "all-in";

(2) is after final acceptance for both races:

(a) The withdrawal of a selected horse from one such event shall result in the stake being invested on the selected horse in the alternate leg at the agreed fixed price odds for such horse;

(b) The withdrawal of the selections from both races shall result in the stake being refunded;

(c) The withdrawal of any horse from a leg of the double shall result in winning bets being subject to deductions made using win and place deductions calculated by reference to BR 14(4). *[paragraph amended 1.8.11]*

(d) The winning payment shall be the multiple of the stake and the product of the cumulative prices of the winning horses subject to any deduction given in accordance with Part (c) of this Rule. *[rule added 9.3.06]*

## TREBLES

**BR 22.** Trebles are subject to the rules governing Doubles as far as applicable, with the additional condition that if a bet covers 2 winning horses and a third scratched horse, the backer is paid:

- (a) the multiplication of the odds on the 2 winning horses, plus
- (b) the addition of the odds on the 2 winning horses.

## FIELD-AGAINST-FAVOURITE BETTING

**BR 23.** *[deleted 1.9.05]*

## FAVOURITE-OUT BETTING

**BR 24.** (1) Favourite-out betting means bookmakers may bet on a race whilst excluding from that betting the odds-on favourite, and where subsequently the finishing position of such horse or the withdrawal of such horse, will have no bearing on how bookmakers will settle bets for such event.

(2) Approval for a bookmaker to operate favourite-out betting shall be granted subject to the following conditions:

- (a) if a horse, other than the horse excluded from betting, is withdrawn or declared a non-starter, a set of deductions for favourite-out betting will be declared by the Stewards using win deductions calculated by reference to BR 14(4). *[paragraph amended 1.8.11]*
- (b) a bookmaker must, prior to the commencement of betting on an event, obtain the approval of the betting supervisor, or the Stewards, to operate favourite-out betting and must continue to operate on this mode only for the duration of betting,
- (c) no more than 40% of bookmakers operating on an event may operate favourite-out betting. In the circumstances of more than that number of bookmakers seeking approval, then a ruling will be made via ballot by the betting supervisor or the Stewards.

**BR 25.** (1) Approval for a bookmaker to bet favourite-out betting is granted subject to the following further general conditions:

- (a) each betting ticket issued by the bookmaker must clearly outline the type of bet between the bookmaker and the backer,
- (b) a bookmaker operating a particular mode of betting must continue to operate in that same mode for the duration of betting on a particular event, unless otherwise ruled by the betting supervisor or the Stewards,
- (c) the Stewards may at any time without assigning any reason direct bookmakers to cease or suspend operations on any particular mode of betting and may make such rulings as to bets already laid in their discretion they deem appropriate. *[rule amended 1.9.05]*

### **PLACEQUAD BETTING**

**BR 26.** (1) Placequad betting means doubles bookmakers may offer odds on four nominated races whereby the backers to be successful must select a horse in each race which is placed first, second or third.

(2) Approval for a bookmaker to operate placequad betting is granted subject to the following conditions;

- (a) Successful bets are to be paid at odds determined by the sum of the displayed win odds or the selected horses or alternatively the product of one quarter of each of the displayed win odds of the selected horses, whichever is the greater.
- (b) No betting deductions apply in the event of the withdrawal of a non-selected horse from a nominated race after commencement of betting or the decision of the Stewards to declare a non selected horse a non-starter under AR 128(2), AR 130 or AR134A. *[paragraph amended 1.8.11]*
- (c) Placequad bets stand in the event of a selected horse being a withdrawal after the commencement of betting or being declared a non-starter under AR 128(2), AR 130 or AR134A. The return for such a successful bet must be recalculated by determining the product of one-quarter of the win odds obtained, provided however if such odds are less than 7 to 1 a multiple of 1.75 must apply. *[paragraph amended 1.8.11]*



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