Rules of Racing
of
Racing NSW

as amended 1 March 2025

[including amendment to AR 167 (2) effective 1.3.25]

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

Dr S Cooke (Chairman)
Mr G Souris (AM) (Deputy Chairman)
Mr S J Tuxen
Mr A F Shepherd (AO)
Mr M Crismale
Mr G S Charny
Mr P N V'landys (AM)

Racing NSW
Level 7, 51 Druitt Street
SYDNEY NSW 2000

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PART 1 – INTERPRETATION, DICTIONARY & APPLICATION OF THESE AUSTRALIAN RULES

Division 1 – Interpretation

AR 1 Interpretation principles

(1) If there is any conflict or inconsistency between a rule contained in these Australian Rules and a Local Rule, to the extent of the conflict or inconsistency the provision in these Australian Rules will prevail.

(2) References in these Australian Rules to Racing Australia should be read as a reference to the ARB or RISA (as applicable) up until 13 April 2015, and to Racing Australia thereafter.

(3) Where they appear, headings are for reference purposes only and are not to be regarded as operative parts of these Australian Rules.

(4) Words importing the singular include the plural and vice versa, unless the context requires otherwise.

(5) Words importing the male sex include the female sex and vice versa, unless the context requires otherwise.

Division 2 – Dictionary

AR 2 Dictionary

In the interpretation of these Australian Rules (and any race meeting held under them), unless the context requires otherwise, the words and phrases below have the meanings set out in this rule.

advertised or **advertisement** includes the publication of information in any newspaper, journal, magazine, circular, racing calendar or poster, whether in print or electronic format.

Anabolic Androgenic Steroid Clearing Certificate means a certificate from an Official Racing Laboratory stating that a sample (taken under the supervision of the Stewards or another official employed or engaged by a PRA to do so) is free of anabolic androgenic steroids or that any anabolic androgenic steroids that are present are at or below the relevant thresholds set out in Schedule 1, Part 1, Division 3 and Schedule 1, Part 2, Division 3 to these Australian Rules.

apprentice jockey means a person who is bound to a trainer in accordance with the Local Rules of the PRA with jurisdiction over the State or Territory in which that trainer resides.

approved rider means a rider that has been given that status by a PRA or the Stewards, including for the purposes of riding at picnic race meetings.

ARB means the Australian Racing Board, which up until 13 April 2015 was the peak regulatory body for thoroughbred racing in Australia.

Arrears includes:

(a) any sum due and payable including subscriptions, fines, fees, stakes or forfeits in respect of any race or race meeting conducted under the Rules; and

(b) any sum in respect of which a person has been declared a defaulter or placed on the Forfeit List.

ASIC means the Australian Securities and Investment Commission.

Australian Residue Limit (ARL) means the concentration of a substance of environmental origin or its specified metabolite present in a sample during a screening test or analysis as set out in AR 257B (2), above which the substance of environmental origin will be specified as a prohibited substance. *[added 1.2.24]*

Australian Stud Book means both the officially published records of thoroughbred bloodlines in Australia, and the division of Racing Australia which is responsible for the maintenance, accuracy, quality and integrity of those records.

Australian Stud Book Rules means the official rules published by the Australian Stud Book.

authorised agent means a person who has been validly authorised by his or her principal to act on behalf of the principal. *[amended 1.5.21]*

banned substance means a substance specified in Part 7 of these Australian Rules as a substance banned for use by a rider or horse handler.

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 may be in another's name, or any individual or group of individuals that either directly or indirectly has the power to vote or participate in business decisions in respect of the horse.

blistering means the application of a substance to cause blistering (vesiculation) and inflammation of the skin and underlying tissues. *[added 1.2.24]*

bloodletting means the withdrawal of blood from a horse for any purpose, including the withdrawal, manipulation and reinfusion of homologous, heterologous, or autologous, blood products or blood cells into the circulatory system other than for;

(i) diagnostic/laboratory testing procedures; or

(ii) use by a veterinary surgeon in any procedure/s performed for lifesaving purposes; or

(iii) in the use of veterinary regenerative therapies for the treatment of musculoskeletal injury or disease.

as the case may be. *[added 1.2.24]*

breeder means the person responsible for a broodmare in whose name the relevant Mare Return is lodged or is intended to be lodged. *[added 1.5.21]*

breeding horse means a broodmare or a stallion which was an unnamed horse or a named horse but which has subsequently been registered for breeding under these Australian Rules. *[added 1.5.21]*

broodmare means a female horse used to produce foals. *[added 1.5.21]*

bullying means repeatedly acting unreasonably towards a person, which behaviour creates a risk to health and safety. (Acting unreasonably includes victimising, humiliating, intimidating or threatening. Reasonable management action that is carried out in a reasonable way is not bullying.)

business day means a day that is not a Saturday, Sunday or public holiday in the place concerned.

Certificate of Analysis means a certificate or formal written record issued by an Official Racing Laboratory setting out the results of its analysis of a sample taken from a horse.

Certificate of Registration (Breeding) means the official registration document of that name in relation to the ownership or leasing of a horse for breeding purposes. *[Added 1.5.21]*

Certificate of Registration (Racing) means the official registration document of that name in relation to the ownership or leasing of a horse for racing purposes. *[Added 1.5.21]*

Chairmen of Stewards means the Chairmen of Stewards Committee to Racing Australia.

Clear day means a 24 hour period from 12.00am to 11.59pm.

Clerk of the Course means the person employed or engaged by a PRA or the Stewards to perform that role under the Rules.

Clerk of the Scales means the person employed or engaged by a PRA or the Stewards to perform that role under the Rules.

Club includes any body approved to hold a race meeting under these Australian Rules.

Code of Practice means any code of practice published by Racing Australia which sets out standards of conduct for persons associated with Australian thoroughbred racing.

company means:

(a) a company incorporated or registered under the Corporations Act or any statute or ordinance of any State and/or Territory of the Commonwealth of Australia;

(b) a 'foreign company' within the meaning of the Corporations Act.

co-owner 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.

Corporations Act means the *Corporations Act 2001* (Cth), as amended from time to time.

correct weight means a declaration by the Stewards officiating at a race meeting that the result of a race is official.

covering season means the 9 month period from 1 September to 31 May. *[Added 1.5.21]*

cruelty includes any act or omission as a consequence of which a horse is mistreated.

Declaration of Service means the form required to be lodged with the Australian Stud Book for each stallion declaring (among other things) the broodmares covered by the stallion, or the decision not to cover any broodmares, in the previous month. *[Added 1.5.21]*

Deputy Registrar of Racehorses or **Deputy Registrar** means any person employed or engaged to act in that position by and under the direction of a PRA, whose role includes performing State or Territory based registration functions.

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 the TOR Rules, and in the STA, both as amended from time to time.

disqualification includes the adoption or confirmation in accordance with these Australian Rules of any disqualification. (**disqualify** has a corresponding meaning.)

Enforcement Action Application (EAA) means the Racing Australia form of that name referred to in the TOR Rules and in the STA, both as amended from time to time, which a trainer is entitled to submit to Racing Australia under 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/s 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 to cover administrative costs of the 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 under TOR Rule 3, and pursuant to the STA.

Foal Identification Card means the card of that name issued by the Australian Stud Book (and from 13 April 2015 by Racing Australia) or an Overseas Racing Authority in relation to the identity of the horse described on that card.

Foal Ownership Declaration means the form required to be lodged with Racing Australia for each foal declaring (among other things) the name of each person with a beneficial interest in that foal from its birth to the date of the declaration. *[Amended 1.5.21]*

forfeits means all overdue and unpaid nomination, acceptance or qualification fees, moneys, stakes, fines, arrears, subscriptions, course, track, and other fees (excluding entrance fees), and prize money recoverable and unpaid which are:

(a) due from or imposed upon any person;

(b) due in respect of or imposed upon any horse; or

(c) published by a PRA as so due or imposed.

Forfeit List means the list published from time to time by Racing Australia and/or PRAs which records forfeits and the persons to whom they relate. Forfeits incurred at any meeting in any other territory or country may be included in the list on the authority of the relevant PRA.

freeze means, in relation to prize money to which an owner would otherwise be entitled, a direction by a PRA that that prize money be withheld or not allowed for a period of time that is fixed by the PRA.

Group Races, Listed Races and **Restricted Listed Races** means, in relation to races run in Australia, races which are published as such by Racing Australia.

Group and Listed Races means, in relation to races run outside Australia, races which are published as such by the International Cataloguing Standards Committee.

horse handler means any licensed person who handles any horse at any race meeting, trial, jump-out or in training. A horse handler includes but is not limited to stablehands, trainers, veterinarians, farriers and barrier attendants.

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 means a registration form of that name that an owner must lodge with Racing Australia to register a horse (or an interest in a horse) for racing.

Interest in respect of a horse includes:

(a) the ownership or leasing interest of a natural person in relation to a horse;

(b) membership of a Syndicate which owns or leases a horse;

(c) where relevant, membership of a company, unincorporated organisation or Syndicate which owns or leases a horse, or has any direct or indirect interest in a horse, or has any direct or indirect interest in a company, unincorporated organisation or Syndicate which owns or leases a horse.

Jockey is a person licensed by a PRA to ride for hire.

Judge means the person employed or engaged by a PRA or the Stewards to perform that role, and includes any assistant judge and any substitute employed or engaged by a PRA or the Stewards, under the Rules.

jump-out means a trial, other than an official trial, which is organised, supervised and controlled by a PRA or a Club or the management of a racecourse or recognised training track, which is started from barrier stalls, and which is conducted in accordance with requirements set by a PRA.

lay means the offering or 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) to not be placed in a race in accordance with the provisions of AR 214(3).

lease includes any agreement by the which the owner of a horse permits another person to race the horse or to use the horse for breeding. *[amended 1.5.21]*

Licence includes any approval or permit.

Licensed person means a person who has a licence required by or issued pursuant to the Rules.

Licensed wagering operator means a wagering operator that holds a licence or authority pursuant to Commonwealth, State, or Territory legislation to carry out wagering operations in Australia.

List of Disqualifications means a list of horses or persons who have been disqualified or warned off.

Local Rules are rules of racing made from time to time by a PRA which are in force within its State or Territory.

Maiden means a horse which:

(a) at the time of starting a flat race has never won a race on the flat at a registered meeting or an advertised race in any country; or

(b) at the time of starting a steeplechase or hurdle race has never won a steeplechase or hurdle race at a registered meeting or an advertised race in any country.

Manager means a person registered with Racing Australia as the manager of a horse owned or leased by a natural person, a group of natural persons, or a Syndicate. Unless established otherwise:

(a) the first named person appearing in the Foal Ownership Declaration, Certificate of Registration (Racing), Certificate of Registration (Breeding), or other official ownership or leasing record held by Racing Australia will be deemed to be the manager (subject to AR 63(1)); and

(b) if a horse is owned or leased by more than one Syndicate, the first named person appearing in the Foal Ownership Declaration, Certificate of Registration (Racing), Certificate of Registration (Breeding), or other official ownership or leasing record held by Racing Australia will be deemed to be the manager.

[definition amended 1.5.21]

Mare Return means the form required to be lodged with the Australian Stud Book for each broodmare declaring (among other things) the outcome of the broodmare's covering by a stallion or the decision not to have the broodmare covered. *[amended 1.5.21]*

Medication means any drugs or other substances.

Member includes any person who has an interest of any kind in a structure through which horses can be owned pursuant to these Australian Rules, including in any Syndicate.

Metropolitan area means any area designated in that way by the Rules.

Microchip means an electronic identifier transponder encoded with a unique unalterable number approved by Racing Australia for implantation in a horse.

Month means a calendar month.

Named horse means a horse which was an unnamed horse but which has subsequently been registered for racing under these Australian Rules. *[amended 1.5.21]*

National Equipment Register – Horses and Riders means the register of all gear, and the conditions for the use of that gear, approved by the Chairmen of Stewards.

Nominator means a person authorised to nominate a horse for a race. It includes:

(a) any owner;

(b) if a horse is leased, any lessee by or on whose behalf the horse is entered;

(c) any registered manager for a company;

(d) any Syndicate manager for a Syndicate; and

(e) 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.

non-approved wagering operator means any wagering operator, including a totalizator operator, bookmaker, corporate bookmaker, betting exchange or other wagering service provider, that does not hold a current licence, approval or authority to use or publish the thoroughbred racefields of a State or Territory in accordance with the relevant State or Territory legislation and/or regulations.

Notice of Election of Hearing means the Racing Australia form of that name referred to in the TOR Rules and in the STA, both 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.

Notifiable disease or condition means one of the animal diseases or conditions set out in AR 89(1).

Official means any:

(a) director, board member or committee member of Racing Australia, a PRA or a Club;

(b) person employed, engaged or appointed by Racing Australia, a PRA, a Club or a government body in relation to the management and/or control of racing, including but not limited to the conduct of race meetings or any other matter regarding its business and affairs. *[definition amended 6.4.22]*

Official Racing Laboratory means an analytical racing laboratory which is approved by Racing Australia.

Note: *The following have been approved by Racing Australia* as *Official Racing Laboratories:*

Australian Racing Forensic Laboratory, Sydney

Queensland Racing Integrity Commission – 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

Sport and Specialised Analytical Services, LGC, 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

Laboratory of Racing Chemistry, Tochigi, Japan (reserve portion/B sample analysis) [added 1.6.19]

Official trial means a trial:

(a) that is approved and advertised by a PRA;

(b) that is conducted in accordance with the conditions set by a PRA;

(c) that is supervised by the Stewards; and

(d) for which official entries are taken and results are officially recorded.

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

Owner means a person with an actual interest, beneficial interest or share in a horse.

Participant in racing includes:

(a) a trainer;

(b) a person employed or contracted by a trainer in connection with the training or care of a horse;

(c) an owner;

(d) a nominator;

(e) a rider;

(f) a rider's agent; and

(g) any person who provides a service/s connected with the keeping, training or racing of a horse.

Penalty includes the suspension or partial suspension of any licence, disqualification, reprimand and the imposition of a fine. (**penalise** has a corresponding meaning.)

Person includes any Syndicate, company, combination of persons, or other organisational structure recognised by these Australian Rules which owns or races a horse/s.

Possession means:

(a) an article, substance or thing is in the custody or control of a person;

(b) the person has and exercises access to the article, substance or thing; or

(c) the article, substance 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 paragraph (c) does not apply if the person proves that he or she did not know of the existence or the identity of the article, substance or thing.

Premises includes land, buildings or any fixed or moveable structure, including any vehicle.

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).

Previous Australian Rules means the Australian Rules of Racing in effect immediately before 1 March 2019.

Principal Racing Authority (PRA) means a body (statutory or otherwise) recognised as a principal racing authority under Racing Australia's Constitution, that has the control and general supervision of racing within a State or Territory, and comprises:

(a) Racing New South Wales in New South Wales;

(b) Racing Victoria Limited in Victoria;

(c) Racing Queensland Board in Queensland;

(d) Racing S.A. Limited in South Australia;

(e) Racing and Wagering Western Australia in Western Australia;

(f) Tasracing Pty Ltd in Tasmania;

(g) Thoroughbred Racing NT in the Northern Territory; and

(h) Canberra Racing Club Incorporated in the Australian Capital Territory.

Prize includes any moneys, cups, trophies or any material gain, award or benefit capable of being valued in money (but not including the value of any stallion services) from whatever source awarded to the nominator, trainer or jockey of a horse or to any other person pursuant to the conditions of a race as a result of the horse winning or being placed in any other position in a race as determined by a PRA or by the conditions of a race.

Prize money to which an owner would otherwise be entitled means, for the purpose of the TOR Rules, any prize money which, but for the 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/s owned or part owned by the owner which is trained by the trainer (or that received the training services). Such prize money therefore includes prize money earned through the results of a horse/s other than the horse/s that received the relevant training services the subject of action under the TOR Rules and prize money of the horse/s that received the relevant training services (even if the trainer no longer provides training services in respect of such horse/s).

Prohibited List A means the list of prohibited substances set out in Schedule 1, Part 1, Division 1 to these Australian Rules.

Prohibited List B means the list of prohibited substances set out in Schedule 1, Part 2, Division 1 to these Australian Rules.

Prohibited method means a method or process identified in AR 254 or AR 255 as being prohibited.

Prohibited substance means a substance specified in these Australian Rules to be a prohibited substance, or which falls within any of the groups or categories of substances specified in these Australian Rules to be prohibited substances, unless it is specifically exempted.

Promoter means any person or company who for valuable consideration offers or invites any other person or company to subscribe for shares or to participate in any scheme with objects that include the breeding and/or racing of a horse/s.

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 and/or offered pursuant to *ASIC Corporations (Horse Schemes) Instrument 2016/790* or a successor or predecessor instrument to it.

Protest means any protest, objection or complaint lodged by a person with a PRA or the Stewards.

Provincial area means any area designated in that way by the Rules.

Qualified veterinary surgeon means a veterinarian who is:

(a) registered with the Veterinary Practitioners Board (or equivalent regulatory body) in a State or Territory of Australia; and

(b) approved by the relevant PRA (including by way of permit, approval or licence) if required by a Local Rule of that PRA. *[added 1.1.20]*

Race includes each division of a divided race.

Racing Australia means Racing Australia Limited (formerly RISA) and any successor entity substantially carrying out Racing Australia's functions. Racing Australia took over the functions and role of RISA and the ARB from 13 April 2015.

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 calendar means the publication published under that name or any similar name by or under the authority of a PRA.

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 PRA by which the company has been registered as a Syndicate.

Registered meeting includes any race meeting held or overseen by a PRA.

Registrar of Racehorses or **Registrar** means any person employed or engaged to act in that position by and under the direction of Racing Australia, whose role includes recording information regarding the ownership, leasing and identity of thoroughbred horses for racing in Australia. Prior to 13 April 2015, the Registrar was a nominated position within RISA.

Restricted race conditions means those conditions for restricted races as prescribed by Schedule 4 to these Australian Rules.

Rider means a jockey, apprentice jockey, approved rider, or any other person who rides a horse in a race, official trial, jump-out or during trackwork.

Rider's agent means a person licensed by a PRA who by a contract or any other arrangement assists a jockey or the master of an apprentice jockey in relation to the organisation and/or obtaining of riding engagements.

RISA means Racing Information Services Australia Pty Ltd, which up until 13 April 2015 conducted registration functions in relation to the ownership and identity of horses for racing in Australia.

Rules of Betting means the authorised rules of betting made from time to time by a PRA which are in force within its State or Territory.

Sample means a specimen of saliva, urine, perspiration, breath, blood, tissue, hide, hair, or any other excretion, product or bodily fluid from a horse or person.

Scratching means the withdrawal of a horse from a race, official trial or jump-out, whether by order of the Stewards or by a decision of the connections of the horse, and includes all communications which convey such withdrawal.

Screening limit means the concentration of a therapeutic substance or its specified metabolite present in a sample during a screening test or analysis as set out in AR 257(2), above which the therapeutic substance will be specified as a prohibited substance.

Selective Androgen Receptor Modulator Clearing Certificate means a certificate from an Official Racing Laboratory stating that a sample (taken under the supervision of the Stewards or another official employed or engaged by a PRA to do so) is free of selective androgen receptor modulators.

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,

where the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so:

(i) with the intention of offending, humiliating or intimidating the other person; or

(ii) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

The conduct described in paragraphs (b), (c) and (d) includes, without limitation, conduct involving the internet, social media, a mobile phone, or any other mode of electronic communication.

Special circumstance means a circumstance stipulated to be a "special circumstance" under the Rules.

Stable Return means a notification submitted by a trainer to Racing Australia or a PRA, which contains information required by the Rules in respect of each horse under that trainer's care or control. A Stable Return can be amended or supplemented from time to time in the event of any changes to the information previously submitted.

stallion means a male horse used to produce foals. *[added 1.5.21]*

stallion proprietor means the person responsible for a stallion in whose name the relevant Stallion Return and Declarations of Service are lodged or are intended to be lodged.

[added 1.5.21]

Stallion Return means the form required to be lodged with the Australian Stud Book for each stallion declaring (among other things) the stallion will be used to cover broodmares during that covering season. *[added 1.5.21]*

Starter means the person employed or engaged by a PRA or the Stewards to perform that role under the Rules.

Steward means a person appointed in that role in accordance with the Local Rules of a PRA or by a State or Territory government (or government body) (as applicable).

Stomach-tubing (and variations of that term) means the application to a horse of a naso-gastric tube.

Stud means a person, company or unincorporated organisation which breeds horses for racing and which during the period of 12 months immediately prior to any relevant point of time, has returned to and had accepted 5 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, registration, permit, permission, right or privilege granted under the Rules. (**suspend** has a corresponding meaning.)

Syndicate refers to any one of the following structures or entities by which a horse can be owned or leased which is accepted as a Syndicate for registration under these Australian Rules:

(a) a combination of more than one but no more than 20 persons (or a combination of more than one but no more than 50 in the case of a Promoter 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);

(b) a company;

(c) an unincorporated organisation (including a partnership or other form of unincorporated organisation, such as an unincorporated sole trader with a business name or a Stud which has been registered as a syndicate in the name of the Stud); or

(d) a Promoter Syndicate.

Syndicate Rules means the rules in relation to Syndicates set out in Schedule 3 to these Australian Rules.

The Rules means these Australian Rules together with the Local Rules of a PRA.

Therapeutic substance means a prohibited substance to which a screening limit applies, and which is promulgated and published as such from time to time by Racing Australia.

These Australian Rules means the Australian Rules of Racing (including the Schedules to it).

Thoroughbred Identification Card means the card of that name issued by Racing Australia or an Overseas Racing Authority in relation to the identity of the horse described on it.

TOR means the trainer and owner reforms in relation to arrangements between trainers and owners, and between co-owners

TOR Commencement Date means 1 August 2017.

TOR Rules means the rules in relation to the TOR set out in Schedule 2 to these Australian Rules, as amended from time to time.

Trackwork means any training activity, excluding an official trial or jump-out or race, undertaken by a horse in the care of a trainer on a racecourse, recognised training track, private training establishment, or other place.

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.

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) means the decision-making body set up by each PRA to determine disputes in relation to training fees and/or training disbursements, as provided for in the TOR Rules and in the STA.

Training Disputes Trust Account means 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.

Unincorporated organisation means an organisation that has not been incorporated under the Corporations Act, and which is not a separate legal entity from its members.

Unnamed horse means a horse which is eligible to be, but has not been, registered for racing or breeding under these Australian Rules. *[amended 1.5.21]*

Walk-over occurs where a rider has weighed out, mounted his or her horse and ridden past the Judge's box, and that horse is the only runner in the race.

Warned off means a person is not permitted to enter a racecourse under the jurisdiction of the PRA that warned him or her off and, pursuant to AR 265, is subject to the same restrictions or consequences applicable to a disqualified person. (**warning off** has a corresponding meaning.)

Workplace harassment means behaviour of one person towards another person with whom the person 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.

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

Division 3 – Application of these Australian Rules

AR 3 Application of these Australian Rules

Any person who takes part in any matter or race meeting coming within these Australian Rules agrees with Racing Australia and each PRA to be bound by and comply with them.

AR 4 Races and race meetings subject to these Australian Rules

(1) These Australian Rules:

(a) apply to all races held under the management or control of a PRA (subject to AR 150); and

(b) together with any Local Rules made by a PRA from time to time (provided they are not repugnant to or inconsistent with these Australian Rules) shall be read and construed as the rules of the PRA and apply to all races held under the management or control of the PRA.

(2) Unless a PRA otherwise determines, if any race or race meeting is not held under these Australian Rules:

(a) any horse taking part shall be disqualified;

(b) any person taking part in that race or race meeting will be ineligible to enter a horse for any race, or to hold or continue to hold any licence or registration under these Australian Rules; and

(c) any person who acts in connection with that race or race meeting as promoter, organiser, president, chairperson, secretary, treasurer, committee member, or in any advisory or official capacity, shall be prohibited from acting in any official capacity at any race meeting, and any horse in which the person has an interest shall be ineligible to race at any registered meeting.

(3) Subrules 2(b) and (c) do not apply to any race or race meeting in which thoroughbreds do not take part and which is 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.

(4) Any question not provided for by these Australian Rules will be determined by the PRA of the State or Territory concerned.

AR 5 Breaches of these Australian Rules and their consequences

(1) A person breaches these Australian Rules if:

(a) a rule expressly provides as such;

(b) the person is required to do something under a rule but does not do it; or

(c) the person is prohibited from doing something under a rule but does it.

(2) If a person breaches any of these Australian Rules the person may be penalised, regardless of whether or not the rule expressly provides that the person may be penalised.

AR 6 Exercise of rights, powers or authorities to be final and conclusive

Any act done or decision made by a PRA or by the Stewards in the exercise or intended exercise of any right, power, function or authority conferred by or under the Rules is, except where otherwise provided in the Rules, final and conclusive.

AR 7 Calculation of time periods

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

AR 8 Commencement of these Australian Rules

(1) These Australian Rules come into operation and effect on 1 March 2019 and replace the previous Australian Rules.

(2) Everything arising, done or suffered under the previous Australian Rules is deemed to have arisen, been done or suffered under these Australian Rules and, without limiting the generality of the foregoing:

(a) **Appointments**: all appointments of officials and any other persons (including but not limited to the Stewards) made under or pursuant to the previous Australian Rules are deemed to have been made, and to continue in effect, under or pursuant to these Australian Rules.

(b) **Decisions made, action taken, etc**: all decisions made, action taken, and discretions and powers exercised under or pursuant to the previous Australian Rules are deemed to continue in force and effect and upon the same terms and conditions as if properly and validly made or taken under or pursuant to these Australian Rules.

(c) **Licences, permits, etc**: all licences, permits, registrations, authorisations and any other rights or privileges granted under or pursuant to the previous Australian Rules are deemed to continue in full force and effect and upon the same terms and conditions as if properly and validly made under or pursuant to these Australian Rules.

(d) **Obligations and liabilities**: all obligations and liabilities of any kind (including but not limited to pecuniary obligations and liabilities) incurred or arising under or pursuant to the previous Australian Rules are deemed to have been incurred or to have arisen under or pursuant to these Australian Rules.

(e) **Offences**: any offence committed under or breach of the previous Australian Rules is deemed to be an offence committed under or breach of these Australian Rules.

(f) **Penalties, restrictions, etc**: all penalties, restrictions, disabilities, warnings-off, disqualifications, suspensions and obligations of any kind (including fines and other pecuniary obligations) imposed, incurred or arising under or pursuant to the previous Australian Rules are deemed to have been imposed, incurred or to have arisen under or pursuant to these Australian Rules.

(g) **Inquiries, investigations and proceedings**: all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the previous Australian Rules are deemed to have been initiated or conducted under or pursuant to these Australian Rules.

Division 4 – New rules

AR 9 Only Racing Australia to make new rules

(1) Racing Australia and only Racing Australia may make new rules forming part of these Australian Rules, or rescind, vary or amend any provision of these Australian Rules.

(2) Without limiting subrule (1), Racing Australia may, at any time, rescind, vary or amend any list of prohibited substances (or exemptions or thresholds) set out in these Australian Rules.

(3) A PRA may not make new rules (other than Local Rules) or rescind or alter these Australian Rules, and a PRA which does not comply with this requirement shall *ipso facto* cease to be a PRA.

Division 5 – Notices and communications

AR 10 Service of notices

(1) Any notice to be given under these Australian Rules in writing (including an entry, scratching, or other notice required) may be provided to a person in any of the following ways:

(a) personal service;

(b) by post in a prepaid envelope addressed to the recipient at the person's last known address or residence, in which case it is deemed to have been received on the fourth business day after the document was posted;

(c) by email sent to the recipient at the person's last known email address, in which case it is deemed to have been received on the day and at the time it appears from the record of email communication that the sending of the email concluded;

(d) by facsimile, in which case it is deemed to have been received when the facsimile is received by the addressee; or

(e) if appropriate with reference to the nature of the notice, by advertising in one daily newspaper published in the capital city of the State or Territory in which the PRA or the Club giving the notice is located, in which case it is deemed to have been served on the day the advertisement appears.

(2) In proving service it is sufficient to prove that a letter containing the notice was properly addressed, stamped, and posted.

(3) A signature on any notice may be written, printed or typed.

(4) Where a given number of days' notice, or notice extending over any period, is required to be given, the day of service must be included, but the day upon which the notice will expire is not to be included in the calculation of the number of days or other period.

Division 6 – Racing Australia

AR 11 Role of Racing Australia

(1) Racing Australia is a limited liability company incorporated under the Corporations Act established to:

(a) make and amend these Australian Rules;

(b) together with the PRAs, administer these Australian Rules;

(c) employ or engage a person to act in the position of the Registrar of Racehorses;

(d) operate the Australian Stud Book;

(e) make, amend and administer the Australian Stud Book Rules; and

(f) otherwise do all things that it considers to be conducive to developing, encouraging, promoting or managing the Australian thoroughbred racing industry.

(2) Racing Australia may, from time to time, publish Codes of Practice.

PART 2 – POWERS OF PRAS & REGISTRATION OF CLUBS

Division 1 – Powers of PRAs

AR 12 General powers

PRAs have the following powers:

(a) to control and supervise racing within its State or Territory;

(b) at any time to exercise any power conferred on Stewards or another person employed, contracted or approved by a PRA, under the Rules;

(c) to prescribe the forms to be used under the Rules;

(d) to make Local Rules; and

(e) to appoint subcommittees and to delegate to any such subcommittee any of the PRA's powers under these Australian Rules.

AR 13 Licensing and registration

Without limiting any other PRA powers, a PRA has the following powers in respect of licensing and registration:

(a) to license riders, trainers and other persons on terms and conditions as it thinks fit;

(b) to register Clubs, race meetings, owners, companies, bookmakers, horses, riders, trainers and their employees or contractors and other persons on terms and conditions as it thinks fit; and

(c) at any time to suspend, vary or revoke any licence or registration (or the terms of any licence or registration) without giving any reason.

AR 14 Functioning of race meetings and Clubs

Without limiting any other PRA powers, a PRA has the following powers to facilitate the proper functioning of race meetings:

(a) to appoint or approve the appointment by any Club of any official, deputy, or assistant official;

(b) to decide on the dates on which race meetings may be held within the State or Territory of the PRA and to make directions in respect of the order and number of races at a race meeting;

(c) to cancel or abandon any race or race meeting, or postpone any race or race meeting to a day approved by the PRA, either before or after the race meeting has commenced; and

(d) to recognise any registered Club or race meeting, or other racing body approved by it, and approve its rules, articles or constitution.

AR 15 Investigations, inquiries and hearings

Without limiting any other PRA powers, a PRA has the following powers in relation to the facilitation of investigations and inquiries and the determination of matters arising under the Rules:

(a) to investigate, inquire into and deal with any matter relating to racing or the running of any horse on any course, and to refer and/or delegate any such matter to the Stewards or others for investigation, inquiry, report and/or for hearing and determination;

(b) to investigate alleged breaches of any Code of Practice;

(c) to appoint persons to undertake investigations at the direction of the PRA and those investigators will have and may exercise the powers, perform the functions and carry out the duties conferred on Stewards by AR 20(f), AR 22(1)(d), (h), (i), (k) and (l) and AR 22(2);

(d) to appoint persons as the PRA thinks fit to hear and adjudicate upon any matter or charge brought by a PRA or the Stewards relating to a breach of the Rules, and to delegate to any appointee so much of its powers as would enable the appointee to discharge the responsibilities of the appointment;

(e) to hear and decide appeals as provided for in the Rules or by law; and

(f) to appoint persons as the PRA thinks fit to hear and adjudicate upon any matter, charge, application or appeal arising under the Rules, and to delegate to any appointee so much of its powers as would enable the appointee to discharge the responsibilities of the appointment.

AR 16 Disciplinary action

Without limiting any other PRA powers, a PRA has the following powers in relation to disciplining and/or penalising a person:

(a) to warn off any person whose presence on a racecourse or involvement in racing is, in the opinion of the PRA, not desirable;

(b) to penalise:

  (i) any person who breaches the Rules;

  (ii) any person who disobeys any reasonable direction of any official;

  (iii) any licensed person or official whose conduct or negligence in the performance of his or her duties has led, or could have led, to a breach of the Rules;

  (iv) any person who breaches a Code of Practice.

(c) in respect of any person who has been:

  (i) warned off;

  (ii) subject to any suspension, disqualification, or restriction imposed by a PRA, the Stewards or a Club; or

(iii) subject to any suspension, disqualification, or restriction imposed by any harness racing or greyhound racing club, authority, stewards or appeals tribunal (or authorised delegate of any of them) in Australia or in any other country,

to:

(A) refuse to grant any licence or permit to, or to register that person under these Australian Rules; or

(B) warn off, suspend or disqualify, or place a restriction on that person under these Australian Rules.

(d) to confirm, adopt or enforce in accordance with AR 261 any penalty or restriction imposed upon any person by the Stewards of any PRA, or any Overseas Racing Authority;

(e) to annul or alter any penalty incurred within its State or Territory; and

(f) to publish any penalty or restriction imposed or any decision made by it or the Stewards within its State or Territory.

AR 17 Taking samples at horse sales

Without limiting any other PRA powers, a PRA has the following powers in respect of taking samples at horse sales:

(a) if, in the opinion of a PRA, 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 and/or selective androgen receptor modulators, to officially approve as a "PRA-approved vet" (which approval can be withdrawn at the discretion of a PRA) a veterinary surgeon employed, engaged or authorised by the selling agent or organisation, to take a sample from a horse for that purpose; and

[paragraph amended 1.2.24]

(b) to declare either before or after a sample is taken by a PRA-approved vet under subrule (a) that the sample is to be treated as a sample for the purpose of these Australian Rules.

<u>Division 2 – Applications to hold race meetings</u>

AR 18 Applications to hold race meetings

(1) A Club may apply to a PRA to hold a race meeting in the State or Territory in which the Club is located.

(2) An application for a Club to conduct a race meeting must contain information required by a PRA and be provided in a form required by a PRA.

(3) A PRA can make whatever decision and orders it thinks fit in relation to an application by a Club to conduct a race meeting, including to accept or refuse it, or having granted it at any time revoke it or make it subject to specified terms.

PART 3 – ROLE & POWERS OF STEWARDS

Division 1 – Source of Stewards' powers

AR 19 Source of Stewards' powers

Wherever it is stated in these Australian Rules that a Steward has a power or a function, the source of that power or function is to be taken and read as being conferred on the Steward in each of the racing jurisdictions in Australia as follows:

(a) in New South Wales: Stewards' powers and functions are conferred on them solely through delegation by the PRA in New South Wales;

(b) in Victoria: Stewards' powers and functions are conferred on them by the Rules and/or through the Racing Act 1958 (Vic);

(c) in Queensland: Stewards' powers and functions are conferred on them by the Rules read with the Queensland Racing Integrity Commission (QRIC) "Standard – Powers under the Rules of Racing" dated 1 July 2017, made pursuant to section 58(1)(b) of the Racing Integrity Act 2016 (Qld);

(d) in Western Australia: Stewards' powers and functions are conferred on them by the Rules and/or through any valid government statute or legislative instrument which confers powers or functions on Stewards;

(e) in South Australia: Stewards' powers and functions are conferred on them by the Rules and through delegation by the PRA in South Australia;

(f) in Tasmania: Stewards' powers and functions are conferred on them solely by the Rules;

(g) in the Australian Capital Territory: Stewards' powers and functions are conferred on them solely through delegation by the PRA in New South Wales; and

(h) in the Northern Territory: Stewards' powers and functions are conferred on them through delegation by the PRA in the Northern Territory, and/or through any valid government statute or legislative instrument which confers powers or functions on Stewards.

Division 2 – Stewards' powers

AR 20 General powers

The Stewards have the following powers:

(a) to regulate and control, investigate, inquire into, hear and determine matters relating to the conduct of all officials, licensed persons or registered persons, persons connected with a horse, persons attending a racecourse, and any other person connected with racing;

(b) to make or vary any of the arrangements for the conduct of a race meeting under their control;

(c) to take (or cause the taking of) a sample from a horse and to make (or cause to be made) any testing or analysis to determine whether any prohibited substance is present in the system of the horse;

(d) to prohibit any horse from starting in a race;

(e) to refuse or reject the nomination of any horse at any time for any period and/or until that horse has satisfactorily participated in an official trial or a jump-out, or passed any required veterinary examination;

(f) to enter upon and control all lands, buildings and other structures or places used for the purposes of a race meeting, and to expel or exclude any person from the same;

(g) to order the removal of any shoes, racing plates, equipment or gear from a horse which are not approved or are in their opinion unsuitable, unsafe or ineffective;

(h) to inquire at any time into the running of any horse within the jurisdiction of the same PRA;

(i) to hear and determine any claim by a rider that a nominator or trainer of a horse refused to honour a riding engagement, and to make an order regarding that, including in relation to any compensation they think fit in the circumstances; and

(j) to exercise any powers or perform any functions conferred on them by the relevant PRA and/or through any valid government statute or legislative instrument which confers powers or functions on them (as applicable).

AR 21 Race days, official trials and jump-outs

Without limiting any other Stewards' powers, the Stewards have the following powers in relation to race days, official trials and jump-outs:

(a) to determine all questions and/or protests in relation to racing;

(b) to disqualify any horse entered for a race which, contrary to the orders of the Stewards, is removed from the course at the race meeting, or not produced on request;

(c) to require any nominator to satisfy the Stewards that the nominator and/or any horse nominated by that person is not subject to any penalty or restriction under the Rules;

(d) to order down from riding any rider without giving any reason, and to order the substitution of one rider with another if they think fit;

(e) to order any rider to alter the length of the rider's stirrups;

(f) for any reason related to conditions on a race day, including with reference to safety:

  (i) to postpone any race/s, whether before or after the commencement of the race meeting, either to later that day or another day (subject to the approval of the relevant PRA); and/or

  (ii) to alter the distance of any race;

(g) in exceptional circumstances, to extend the time allowed for weighing-out, declaring weight, starting, or for any other thing required by the Rules or related to the conditions of a race;

(h) at any time during the hours of racing, to remove and/or replace the Judge, Starter, Clerk of the Scales, Clerk of the Course, timekeeper, or other official;

(i) to engage any official or assistant necessary for the conduct of a race meeting; and

(j) to order the scratching of a horse from a race at any time before the start of a race if, in the opinion of the Stewards, it is either unfit to run or unable to start without unreasonable delay.

AR 22 Investigations and inquiries

(1) Without limiting any other Stewards' powers, the Stewards have the following powers in relation to investigations and inquiries:

(a) to investigate and/or inquire into any matter in connection with racing, including without limitation:

(i) any matter in connection with any race meeting; and

(ii) any incident or occurrence in connection with any official trial, jump-out, trackwork, or training facility.

(b) to hear and make a determination in relation to any matter in connection with racing, including without limitation:

(i) any matter in connection with any race meeting; and

(ii) any incident or occurrence in connection with any official trial, jump-out, trackwork, or training facility;

(c) to take any action the Stewards deem necessary in respect of any horse involved in any investigation or inquiry conducted under subrule (1)(a) or (b);

(d) to require production and take possession of and examine (by any means) any mobile phones, computers, tablets, other electronic devices, books, documents and records (including telephone or financial records) in relation to any race meeting and/or any investigation, inquiry, hearing or proceeding;

(e) to order the examination of any horse, including to determine its age or identity;

(f) to take possession of any horse, whether dead or alive, in order to conduct whatever tests and/or examinations the Stewards consider necessary;

(g) to take (or cause to be taken) any sample from any horse and perform (or require to be performed) any testing or analysis of that sample to determine whether any prohibited substance is in the system of the horse;

(h) to take (or cause to be taken) any sample from any rider before or after any race, official trial, jump-out or trackwork;

(i) to take (or cause to be taken) any sample from any horse handler before or after handling any horse at any race meeting, official trial, jump-out or trackwork, where a Steward reasonably suspects that the horse handler is affected by a banned substance under AR 137(1).

(j) to arrange or facilitate any test to determine whether any prohibited substance or banned substance is in a sample;

(k) to search any licensed person or any gear or equipment and to take possession of anything the Stewards believe could provide evidence of a breach of the Rules;

(l) at any time to enter the premises occupied by or under the control of a licensed person and used in any manner relating to any licence to:

(i) inspect and search the premises;

(ii) search any licensed person or registered person on the premises;

(iii) examine any horse, take possession of it and cause that horse to be:

(A) removed from the premises and be detained; or

(B) detained at or within the premises,

for a period and on terms the Stewards consider necessary; and

(iv) examine and/or take possession of anything located on or in the premises and retain it for a period the Stewards consider necessary.

(2) Stewards who enter premises under powers in these Australian Rules may bring with them persons or items they consider necessary to assist in the exercise of their powers, performance of their functions or carrying out of their duties.

(3) In relation to the powers of entry of premises under these Australian Rules, the onus of proving that the premises are not being used in any manner relating to any licence is on the licensed person who has the occupation or control of the premises, and the use of them.

AR 23 Suspension pending the hearing and determination of a charge

Without limiting any other rules or Stewards' powers, if a person has been charged with a breach of the Rules or with the commission of an indictable criminal offence, and if the Stewards are of the opinion that the continued participation of that person in racing might pose an unacceptable risk of prejudicing the image, interests, integrity or welfare of racing, the Stewards may pending the hearing and determination of the charge:

(a) suspend any licence, registration, right or privilege, granted to that person under these Australian Rules;

(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 be prevented or suspended;

(d) make any other direction or order the Stewards think fit in the interests of racing.

AR 24 Disciplinary action

Without limiting any other Stewards' powers, the Stewards have the following powers in relation to disciplining and/or penalising:

(a) to penalise any person who breaches the Rules; and

(b) to publish any penalty or restriction imposed or any decision made in the exercise of their powers, performance of their functions or carrying out of their duties.

AR 25 Panel decisions

Any decision made by a panel of Stewards must be done so with a majority vote. If voting is equal, the Chairman of that panel shall have a casting vote.

PART 4 – HORSE REGISTRATION, OWNERSHIP, LEASING & TRACEABILITY

Division 1 – Horse registration

AR 26 Registration of a horse

A horse entered to run in a race or official trial must be registered with Racing Australia, except where a PRA or the Stewards exercise a discretion, after conferring with the Registrar, to permit the entry of a horse registered abroad or an unregistered yearling on terms they think fit.

AR 27 Stud Book requirement for horse registration

A horse cannot be registered unless it has been:

(a) accepted for inclusion as a foal in the Australian Stud Book or the stud book of an Overseas Racing Authority; or

(b) accepted for inclusion in the Australian Non-Thoroughbred Register or non-thoroughbred register of an Overseas Racing Authority.

AR 28 Biological constitution requirement for horse registration

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.

AR 29 Branding and microchip requirement for horse registration

Unless otherwise permitted by Racing Australia, a horse cannot be registered unless:

(a) it is branded with an identifying brand and, subject to any State or Territory legislation, that brand consists of a distinguishing foaling numeral over the last figure of the foaling year in accordance with the provisions of AR 161; and

(b) it has been implanted with a microchip in accordance with the requirements of Racing Australia and the Australian Stud Book Rules.

AR 30 *[Deleted 1.5.21]*

AR 31 Provision of incorrect information

(1) A person must not provide incorrect information in an application to register a horse with Racing Australia.

(1) If a person breaches subrule (1), the Stewards may suspend the horse from racing pending a decision by Racing Australia as to whether or not the registration of the horse should be cancelled.

AR 32 Endorsement of certificates of registration for overseas horses

Racing Australia may endorse the Certificate of Registration or other official registration documentation of a horse registered in a country other than Australia for a 12 month period if the following conditions are met:

(a) payment of a prescribed fee as required by Racing Australia; and

(b) receipt of written confirmation from an approved body functioning in the capacity of a principal racing authority of the country where the horse is based, stating that none of the owners is a jockey, and that none is under any penalty or restriction pursuant to the rules of racing of that country.

AR 33 Registration of a horse foaled outside of Australia

A horse foaled in a country other than Australia cannot be registered with Racing Australia unless the following documents have been provided to Racing Australia:

(a) a certificate of pedigree recording the following information about the horse:

  (i) where it was foaled;

  (ii) its name (if any);

  (iii) its age, sex, colour, pedigree, and microchip number (if any);

  (iv) any brands and markings by which it may be distinguished, as certified by the official stud book authority of the country in which it was foaled; and

  (v) any other evidence required by Racing Australia; and

(b) a certificate of identification stating the horse's age, sex, colour, microchip number (if any) and any brands and markings by which the horse may be identified, as certified by a veterinary surgeon approved by a PRA or the Stewards.

Division 2 – Horse ownership

AR 34 *[Deleted 1.5.21]*

AR 35 Limitation on the number of persons who can own or race a horse

A horse can only be entered or raced by:

(a) a natural person or a combination of up to 20 natural persons;

(b) a Syndicate; and

(c) a combination of one or more registered Syndicates and/or natural persons totaling not more than 20,

provided that any Syndicate has been registered in accordance with these Australian Rules and complies with the Syndicate Rules.

AR 36 Age restriction on persons who can own or race a horse

(1) A person must be at least 18 years old to hold an ownership or lease interest in a horse.

(2) A person must not enter or cause to be entered a horse in a race, official trial or jump-out where a person under the age of 18 years purports to have an ownership or lease interest in the horse.

(3) If a horse starts in a race or official trial in breach of subrule (2), then it may be disqualified from that race or official trial.

AR 36A Fitness and propriety restrictions on persons who can own or race a horse

(1) Racing Australia, a PRA or the Stewards (as applicable) may restrict any person from holding an ownership or lease interest in a horse if, in their opinion, the person is not a fit and proper person to own or lease a horse.

(2) Without limiting subrule (1), except where otherwise permitted by Racing Australia, a PRA or the Stewards (as applicable), a person is not permitted to hold an ownership or lease interest in a horse if the person:

(a) has been convicted of an indictable criminal offence or a criminal offence involving violence against a person or dishonest activity in the previous 10 years;

(b) has been convicted of an offence under any animal welfare or prevention of cruelty to animals legislation in the previous 10 years; or

(c) is an undischarged bankrupt or is taking advantage of the laws in force for the time being relating to bankruptcy.

(3) Subject to subrule (4), a person must not enter or cause to be entered a horse in a race, official trial or jump-out where a person who is not permitted to hold an ownership or lease interest in the horse pursuant to subrule (1) or (2) purports to hold such an interest in the horse.

(4) Notwithstanding Racing Australia, a PRA or the Stewards assessing a person as fit and proper or not, any other PRA/s may conduct its own assessment as to that person's fitness and propriety before permitting him or her to own, lease or race a horse in that PRA's jurisdiction.

(5) For the sake of clarity and without limiting any other provisions of the Rules, an ownership or lease interest includes an interest held by a person (from 0% to 100% inclusive) as a:

(a) director or shareholder of a company;

(b) partner of a partnership or firm;

(c) trustee of a trust;

(d) manager or member of a syndicate,

and any other interest or position where the person is able to exercise any control or influence in respect of a horse, or either directly or indirectly has the power to vote or participate in decisions in respect of the horse. *[Rule added 6.5.22]*

AR 36B Ownership via certain trusts prohibited

Without limiting any other provisions of the Rules and except where permitted by a PRA, an ownership or lease interest in a horse is not permitted to be held in a trust where the persons having an interest in the horse, beneficial or otherwise, are not readily and accurately identifiable (for example, where the trust is a discretionary trust with broad and potentially unlimited beneficiaries). *[Rule added 6.5.22]*

AR 37 *[Deleted 1.5.21]*

AR 38 *[Deleted 1.5.21]*

AR 39 Replacement of horse identification documents

Racing Australia may, upon payment of a prescribed fee to it, issue a person with a replacement copy of a Thoroughbred Identification Card or other official registration or identification document as it sees fit, including if satisfied it has been lost or destroyed.

AR 40 Use by owners of intellectual property associated with a horse

(1) As a condition of, and in consideration for, the registration of a horse or an interest in a horse, each owner (including future owners):

(a) acknowledges that Racing Australia, the PRAs and Clubs use the names, images, jockey silks and other indicia of horses for the purposes of administering, promoting and reporting on thoroughbred racing;

(b) agrees that Racing Australia 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 a horse, whether existing before or after the horse is registered;

(c) assigns to Racing Australia – to the extent the owner owns, by force of law, any 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 – any and all such intellectual property rights;

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

(2) In consideration for the assignment and undertakings in subrule (1), Racing Australia grants to all registered owners of the horse a non-exclusive, royalty-free and non-transferable licence to:

(a) use the name, image, jockey silks and other indicia associated with the horse for any purpose related to racing, training, promoting, merchandising, and otherwise in connection with the horse; and

(b) sub-license that licence to any other person.

AR 41 Refusal to register certain horse names

(1) Racing Australia may refuse to register any horse name it deems undesirable, for any reason.

(2) Racing Australia may cancel any horse's registered name for any reason it thinks fit.

(3) Without limiting subrules (1) and (2), Racing Australia may refuse to register any name, or cancel any horse's registered name, if an owner of the horse breaches AR 40.

AR 42 Use of names previously used by horses

(1) Unless approved by Racing Australia, a horse cannot be registered with the same name as any other horse previously registered in Australia until the latter of:

(a) 17 years after the year of birth of the horse with the same name; or

(b) 20 years after the year of birth of the youngest produce of the horse with the same name.

(2) At the discretion of Racing Australia, a horse imported to Australia from another country may be registered using its existing name together with a number or letters indicating the name of the country in which it was bred (and if that is done the number or letters are deemed to form part of its name).

AR 43 Applications to change horse names

(1) An owner may apply in writing to Racing Australia for permission to change the name of a registered horse.

(2) If permission under subrule (1) is granted, the horse must not be run under the new name until a Thoroughbred Identification Card or other official identification document in the new name has been issued.

(3) Each application for a change in name of a horse is required to be accompanied by a fee determined by and paid to Racing Australia (except that no fee is required to be paid if a change is made pursuant to a direction of Racing Australia).

(4) If there is a change to the name of a horse, the old name as well as the new name must be provided in every entry of the horse in a race until the horse has run in 6 races in the State or Territory of one PRA, or 2 races within its metropolitan area.

AR 44 Naming of hacks/ponies

A PRA may make rules in relation to the registration or naming of hacks and/or ponies in its own State or Territory. This may include exempting them from registration.

Division 3 – Leasing of horses

AR 45 Formal documentation required for leased horses

(1) A person who leases a horse registered for racing must, as soon as practicable after agreeing to a lease and before entering the horse for any race, lodge a copy (or an original if required by the PRA) of the relevant lease or other documents recording the lease arrangement with the PRA of the State or Territory in which the horse is to race.

(2) A person who leases a horse registered for breeding must, as soon as practicable after agreeing to a lease and before lodging a Mare Return or a Stallion Return or Declaration of Service (whichever is earlier), lodge a copy (or an original if required by the Australian Stud Book) of the relevant lease or other documents recording the lease arrangement with the Australian Stud Book.

(3) A lease must either be:

(a) signed by a natural person if that person is the lessee;

(b) lawfully executed on behalf of a company; or

(c) signed by the Syndicate manager or person authorised by the Syndicate manager in the case of a Syndicate.

[amended 1.5.21]

AR 46 Obligation to inform a PRA/Australian Stud Book of the termination of a lease

(1) If a lease in relation to a horse registered for racing is terminated before the end of its term, the PRA holding a copy of the lease must be given written notice of that termination before the horse is next nominated for a race.

(2) If a lease in relation to a horse registered for breeding is terminated before the end of its term, the Australian Stud Book must be given written notice of that termination before a Mare Return or a Stallion Return or Declaration of Service (whichever is earlier) is next lodged in respect of the horse.

[amended 1.5.21]

AR 47 PRA may impose conditions in respect of leases

In respect of a lease for a horse or an interest in a horse, a PRA may in its discretion:

(a) refuse to accept a lease for the purposes of registration;

(b) insist a lease contains certain terms;

(c) prohibit the inclusion of terms that it considers inappropriate; and

(d) prescribe a general form of lease, which may be adopted with or without modification.

Division 4 – Sale or gifting of a horse

AR 48 Prohibition on secret commissions in connection with the sale of a horse

(1) This rule applies to:
  (a) any person bound by these Australian Rules ("person"); and
  (b) any unnamed horse, named horse or breeding horse (for the purposes of this rule, "relevant horse"). *[para amended 1.5.21]*

(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 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 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/s of a relevant horse in connection with the sale of a relevant horse; and

(b) a purchaser/s of a relevant horse in connection with the purchase of the same relevant horse,

that person must comply with the provisions of both subrules (2) and (3).

(5) For the purposes of the consent required by subrule (2)(ii) and (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 under subrule (2)(i) or (3)(i).

(6) For the purposes 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 Racing Australia, the Australian Stud Book or the relevant PRA, with such disclosure being made on the Transfer of Ownership form prior to any of the outgoing or incoming owners signing that form. *[para amended 1.5.21]*

(8) A PRA or the 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. *[para amended 1.5.21]*

AR 49 Horses sold, leased or gifted to retain engagements

(1) In the absence of any agreement to the contrary, and subject to any Local Rules, when a horse is sold its existing engagements are transferred with the horse.

(2) The sale of a horse must be registered in accordance with the Rules and the transfer of the horse's engagements must be submitted to a PRA or the Stewards for approval.

(3) If the approval of a PRA or the Stewards for the transfer of a horse's engagements:

(a) is obtained, the new owner is liable for all payments in respect of those engagements;

(b) is not obtained within 14 days of a request for approval being submitted, the former owner may upon payment of all forfeits then due and payable, strike the horse out of any existing engagements.

(4) For the purposes of this rule, a reference to:

(a) "sale" includes a gift or other transfer of ownership or, where the context permits, a lease; and

(b) "owner" includes, where the context permits, a lessee.

AR 50 *[Deleted 1.5.21]*

AR 51 *[Deleted 1.5.21]*

AR 52 *[Deleted 1.5.21]*

PART 5 – ELIGIBILITY OF HORSES TO RACE

Division 1 – Entry and participation of horses in races

AR 53 Horses can only run in races they are qualified to run in

(1) A:

(a) horse is not permitted to be nominated or run; and

(b) person must not nominate or run a horse,

in a race unless the horse is eligible to run in the race under these Australian Rules.

(2) A horse will only be eligible for a race if it meets any entry qualifications or conditions for the race.

(3) If a horse runs in a race:

(a) it is ineligible for, it may be disqualified;

(b) in which it carries less than the weight prescribed by the conditions of the race or that it is allotted to carry in the race, it will be disqualified from the race, provided that a rider is to be allowed 0.5kg by the Clerk of the Scales.

AR 54 Process of nominating a horse for a race

(1) A PRA is required to publish the days on which nominations for races may be lodged with it.

(2) All nominations for races must comply with the provisions of the Rules and/or any regulations of a PRA.

(3) Nominations for all races must be in the name of either the owner, trainer or lessee (if the horse is leased) of the horse, or an authorised representative of any of those persons.

(4) A lessor may enter a leased horse for a race to be run after the expiration of the lease.

(5) If a lessee enters a horse to be run after the expiration of the lease, the lessee must not scratch the horse without the written consent of the lessor unless otherwise directed by a PRA, provided that if consent is refused, the lessor will be liable for all future payments of fees or forfeits in connection with the relevant entry.

(6) In order for a horse to be eligible for a race, all entries must be made as prescribed and all nomination fees required to be paid must be paid.

(7) The list of entries for a race closes at the time provided for by a PRA (or 4.00 pm if no time is provided).

AR 55 Nominations for races subject to approval

(1) All nominations are subject to the approval of a PRA or the Stewards. Either may decline to receive or after receiving reject any nomination in their absolute discretion and without giving reasons for so doing.

(2) If any nomination is rejected under this rule, the fees paid in relation to it must be refunded to the nominator.

AR 56 Timing for making declarations in relation to races

(1) All declarations of forfeit, acceptance, non-acceptance, or scratchings must be made prior to the time identified as the deadline for when they are required to be done.

(2) Unless varied by these Australian Rules or any Local Rule, any such declaration is required to be accompanied by the required fee or payment.

(3) Subject to these Australian Rules or any Local Rule, any such declaration may not be withdrawn once made.

AR 57 Entry of horses in multiple races

If a person enters a horse in multiple races where the entries close at the same time, it is sufficient for the nominator to provide the horse's name and description in one of the nominations, and the horse's name only in the others.

AR 58 Emergency acceptors

The Stewards have a discretion to permit the next available emergency acceptor to be included in a field for a race if they give permission to scratch a horse after the scratching deadline time and before the release of the final list of scratchings.

AR 59 PRA's discretion in relation to nominations for races

(1) A PRA may direct that:

(a) a Club cannot receive nominations from a person, or in relation to a horse that a person has an interest in at the time of nomination;

(b) a Club cannot receive nominations of a horse/s owned by any person; and

(c) any nominations already received by a Club be rejected.

(2) A horse which is subject to a direction referred to in subrule (1) is not eligible to run in any race in Australia without the permission of the PRA who made that direction.

(3) A PRA may waive the application of this rule within its jurisdiction in favour of a bona fide lessee of a horse owned by a person under restrictions under this rule, in which case the provisions of AR 263(6) will apply in the same manner as if that owner was a disqualified person.

AR 60 Requirements of nominations, entry forms and Stable Returns

(1) A nominator, trainer or other relevant person must ensure that each nomination or entry form (including any Stable Return forming part of it) states:

(a) the name of every person who has a share or interest in the ownership or lease of the horse identified in the form;

(b) the name of the horse;

(c) the name of the trainer.

(2) In relation to subrule (1):

(a) in the case of a leased horse, it is sufficient to show the name or names of all the lessees of the horse; and

(b) in the case of a horse nominated by a Syndicate, it is sufficient to show the name of the Syndicate and the Syndicate manager.

AR 61 Only horses trained by a licensed trainer to race, official trial, or jump-out

(1) To be able to be entered for or run in any race or official trial or jump-out, a horse must be trained by a person with a licence or permit to train.

(2) Subrule (1) does not apply:

(a) to a horse entered for a race where the entries close more than 60 days before the advertised date for the running of a race; and

(b) to any other race excepted under the Rules.

AR 62 Failure to provide information etc in relation to interests in a horse

(1) A person must not, in the opinion of a PRA or the Stewards:

(a) fail to declare any share or interest in a horse;

(b) misrepresent or provide any misleading or inaccurate information about the ownership of a horse; or

(c) be a party to any breach of this rule.

(2) If a person breaches subrule (1), the relevant horse may be disqualified.

AR 63 Removal of manager of a horse

(1) Subject to the TOR Rules (and/or a term of the COA, if relevant), a manager of a horse may be removed or replaced from that position by written notice signed by the owners, lessees or Syndicate members representing more than 50% of the ownership of the horse.

(2) A manager of a horse is of their own right (and without separate express authorisation by the owners, lessees or Syndicate members) entitled to:

(a) enter, nominate, accept or scratch a horse from any race;

(b) engage a jockey to ride a horse in any race;

(c) receive any prize money or trophy won by a horse;

(d) act for and represent the owners, lessees or Syndicate members in relation to the horse for the purpose of these Australian Rules,

except that where a provision of the TOR Rules (and/or a term of the STA or the COA, if relevant) specifies a process, requirement, or course of action, that provision or term binds the manager in the event of any conflict or inconsistency with this subrule.

(3) The entry or nomination of a horse for any race must state the name of the manager.

(4) The trainer of a horse who enters, nominates, accepts or scratches a horse is, absent proof of an agreement between the trainer and owners to the contrary, deemed to have done so with the authority of the manager and all other nominators.

AR 64 Provision of details in relation to changes in ownership interests

If there is a change of ownership or lease interest in respect of a horse, or change of trainer which takes place after the entry of a horse but before a race, the nominator of the horse must immediately provide details of that to the relevant PRA.

AR 65 Production of horse identification documents on request

(1) If the Stewards require the production of the Foal Identification Card and/or Thoroughbred Identification Card of a horse, it will not be permitted to start in a race or official trial unless by 1 hour prior to the start of the event the relevant identification document is produced to them.

(2) Notwithstanding subrule (1), the Stewards have the absolute discretion to permit a horse to start in a race or official trial if satisfied as to the identity of the horse.

AR 66 Requirements on licensed persons in relation to interstate racing

(1) A licensed person who wishes to participate in racing in a new jurisdiction must:

(a) obtain from the PRA or the Stewards in the previous jurisdiction a certificate to the effect that the person is not subject to a disqualification, suspension or other restriction; and

(b) provide that certificate to the Stewards in the new jurisdiction as soon as possible after arriving in that jurisdiction.

(2) If a person fails to comply with subrule (1)(b), the Stewards in the new jurisdiction may prevent the licensed person from participating in racing in that jurisdiction.

(3) A trainer who wishes to run a horse in a race, official trial or jump-out in a new jurisdiction must:

(a) obtain from the PRA or the Stewards in the previous jurisdiction a certificate to the effect that the horse is clear to run; and

(b) provide that certificate to the Stewards in the new jurisdiction at least 1 hour before the horse is to run in its first race, official trial or jump-out in that jurisdiction.

(4) If a person fails to comply with subrule (3)(b), the Stewards in the new jurisdiction may prevent the horse from taking part in any race, official trial or jump-out in that jurisdiction.

(5) The PRA or the Stewards in the new jurisdiction have the absolute discretion to waive the requirements of subrules (2) and/or (4) if satisfied as to the bona fides of a licensed person or horse.

(6) Nothing in this rule restricts a PRA or the Stewards from:

(a) penalising any person who breaches this rule;

(b) preventing a licensed person from participating in racing, or preventing a horse from running in a race, official trial or jump-out, in that jurisdiction for any other reason under the Rules.

(7) For the purposes of this rule:

(a) "previous jurisdiction" means the State or Territory in which a licensed person last participated in racing or in which a horse last raced;

(b) "new jurisdiction" means the State or Territory in which a licensed person wishes to participate in racing or in which a trainer wishes to run a horse in a race, official trial or jump-out, immediately after the previous jurisdiction.

AR 67 Provision of information in relation to overseas racing

(1) If a horse registered overseas which had its last start outside Australia is to race in Australia, the nominator of that horse must by nominations closing time provide the following information to the PRA of the State or Territory in which the horse is entered to race:

(a) the total number of starts the horse has had;

(b) the racecourse and date of each start;

(c) the type of race and the distance;

(d) the finishing position and the weight carried; and

(e) the total of the prize money offered for each race and the amount received for winning or being placed in each race.

(2) Details of performance in overseas countries must be confirmed by an official of the controlling body of racing in the jurisdiction in which the horse last raced.

(3) If a horse registered overseas has never started in a race, the nominator of that horse must provide written confirmation of that to the PRA of the State or Territory in which the horse is entered to race.

AR 68 Alteration and rejection of nominations

(1) Unless otherwise authorised by a PRA or the Stewards, no alteration or addition is permitted to be made to a race nomination after the time fixed for the close of nominations.

(2) Any nomination made contrary to these Australian Rules is invalid, and a PRA or the Stewards can make any order they think fit in respect of any stake or fee paid or payable in relation to that nomination.

(3) A PRA or the Stewards have a discretion to enable any error or omission relating to a nomination to be corrected at any time before a race, provided they are satisfied that the horse intended to be nominated is sufficiently identified.

(4) A discretion exercised under subrule (3) may be ordered to take effect retrospectively.

(5) A person responsible for a nomination must not make any nomination contrary to these Australian Rules.

AR 69 Scratching of horses for Group or Listed races

If a person:

(a) nominates a horse for a Group Race, a Listed Race or a Restricted Listed Race; and

(b) decides within 30 days of that race that the horse will not start in the race,

the person must immediately scratch the horse from that race.

[Rule amended 1.2.21]

AR 70 Disqualified horses can be struck from engagements

A horse disqualified by a PRA may be struck out of any engagements by a PRA which has received a nomination in relation to the horse.

AR 71 Limits on ability to withdraw from a stake

A person who has subscribed to a stake is not permitted to withdraw, except as provided by these Australian Rules.

AR 72 A race with only one entry is void

A race is void unless there is more than one entry. If there is not, forfeits and entrance monies must be returned.

AR 73 Name of nominator to be used

A horse can only be nominated for a race in the actual name of a nominator.

AR 74 Entry of horses in races for improper purposes is prohibited

(1) A person must not, in the opinion of the Stewards:

(a) enter or cause to be entered a horse in a race with the primary purpose of affecting the weight to be allocated to another horse entered in the race; or

(b) declare or cause to be declared a horse as an acceptor for a race with the primary purpose of affecting either the weight allocated to another horse accepted for the race or the total number of horses accepted for the race.

(2) If a person breaches subrule (1):

(a) the nomination or acceptance for the horse may be rejected or cancelled; and

(b) the Stewards may direct the handicapper to reissue a set of revised weights.

<u>Division 2 – Restrictions/exclusions in relation to participation of horses in races etc</u>

AR 75 Stewards may prevent/ban horses from participating in races etc

(1) Without limiting any power contained in these Australian Rules, the Stewards may prevent or suspend a horse from participating in any trackwork, jump-out, official trial or race for any period (including indefinitely) and upon any conditions the Stewards think fit, if, in their opinion:
    (a) the horse has a galloping action or races in a manner likely to pose a safety risk to itself, any other horse, or any person; or
    (b) the horse has barrier manners, or has exhibited any pre-race behaviour which is, considered to be unruly or intractable and/or which may pose a safety risk to itself, any other horse, or any person; or
    (c) the horse is unsuitable to participate in any trackwork, jump-out, official trial or race, including without limitation because of any veterinary diagnosis or history.

(2) Where the Stewards suspend or prevent a horse from participating in any jump-out, official trial or race for a temporary period in accordance with subrule (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.

AR 76 Yearlings

If a horse is a yearling:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race or official trial.

AR 77 2 year old horses

If a horse is a 2 year old:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race before 1 October or any other date determined by a PRA, and thereafter:

(c) the horse is ineligible for; and

(d) a person must not enter or start the horse in,
    (i) a race over more than 2,000 metres;
    (ii) a handicap for which horses over the age of 2 years are eligible which is run before 1 January, or another date as determined by a PRA.

AR 78 12+ year old horses

(1) Subject to subrule (2), if a horse is aged 12 years or more:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race.

(2) The Stewards may give their express permission for a horse aged 12 years to start in a race/s 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 trainer complies with the Racing Australia Code of Practice: Veterinary Inspections for 12 year old horses (as amended from time to time); and

[paragraph amended 1.6.23]

(c) the Stewards are satisfied that the horse is suitable to race.

[paragraph added 1.6.23]

(3) Any permission granted by the Stewards under subrule (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 Australian Rules and is ineligible to race, trial or be trained.

(5) If a horse aged 12 years participates in any race without the permission of the Stewards in accordance with this rule, or if a horse over 12 years participates in a race, the horse must be disqualified from the relevant race. *[sub-rule amended 1.4.20]*

AR 79 Horses with bleeding

(1) The appearance of blood at both nostrils, irrespective of quantity, is deemed to constitute an attack of bleeding unless, in the opinion of the Stewards, that bleeding was caused by external trauma.

(2) If a horse has an attack of bleeding at any time it must be reported by the trainer to the Stewards without delay.

(3) If a PRA advises in writing that a horse has had an attack of bleeding, that advice will be *prima facie* evidence that that horse has had an attack of bleeding.

(4) A horse which, in the opinion of the Stewards, has had an attack of bleeding;

(a) for a period of 2 months after the attack of bleeding, must not, without the permission of the Stewards, be trained, exercised or galloped on a racecourse, recognised training track, private training establishment, or other place;

(b) must not start in any race for a period of 3 months, and then only after:

(i) a gallop of at least 1,000 metres; or

(ii) an official trial or jump-out;

in the presence, and to the satisfaction of a Steward.

[sub-rule amended 1.2.24]

(5) Following a horse having an attack of bleeding the Stewards must:

(a) retain a written record of the attack of bleeding and any related restriction imposed on the horse (and if applicable, also record that attack of bleeding and any restriction imposed in the horse's Thoroughbred Identification Card, which must be provided by the trainer to the Stewards as soon as possible after the attack of bleeding); and

(b) record any subsequent permission given for the horse to resume racing (and if applicable, also record that on the horse's Thoroughbred Identification Card, which must be provided by the trainer to the Stewards as soon as possible).

(6) If a horse has more than one attack of bleeding, the horse is ineligible to start in any race.

(7) If a horse displays blood at one nostril, the trainer must report that to the Stewards without delay.

(8) Unless the Stewards are satisfied that the presence of blood referred to in subrule (7) is attributable to external trauma, then before racing again the horse is required to undergo a satisfactory gallop of at least 1,000 metres in the presence of a Steward.

AR 80 Horses with impaired vision

(1) If a horse is totally blind in one eye:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork.

(2) If a horse has partially impaired vision:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork unless the Stewards are satisfied based on specialist veterinary evidence that the impairment does not constitute a danger to the horse or other participants in the race, official trial, jump-out or trackwork.

(3) If a horse is reasonably suspected to be blind or have impaired vision, the owner of the horse or that person's authorised agent must notify the Stewards as soon as practicable. The Stewards will then seek to ensure that:

(a) details of the horse's impaired vision and any related restriction on its participating in racing are recorded in Racing Australia's national online database; and

(b) if applicable, details of the horse's impaired vision and any related restriction is recorded and certified by a veterinary surgeon on its Thoroughbred Identification Card.

(4) A person is not guilty of a breach of subrule (1)(b), (2)(b) or (3) if the person proves to the satisfaction of the Stewards that the person was not aware, and should not reasonably have been aware, that the horse had the relevant blindness or impaired vision the subject of those subrules.

AR 81 Horses with injury to limbs

(1) If a horse has had a limb neurectomy or any artificial form of permanent limb desensitisation:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork.

(2) If a horse has had any artificial form of temporary limb desensitisation:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork for the period of time that a PRA or the Stewards may specify.

(3) If a horse undergoes neurectomy surgery or an artificial form of permanent limb desensitisation, the owner of the horse or his or her authorised agent must as soon as practicable notify the Stewards of the surgery. The Stewards will then seek to ensure that:

(a) details of the surgery or artificial desensitisation and the horse's ineligibility to race are recorded in Racing Australia's national online database; and

(b) if applicable, the horse's Thoroughbred Identification Card is endorsed with details of the surgery or artificial desensitisation and the horse's ineligibility to race.

AR 82 Horses with a tracheostomy

If a horse has a tracheostomy (with or without a tracheotomy tube inserted):

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork.

AR 83 Horses with fitness concerns

If the Stewards have reason to doubt the fitness of any horse to race they may declare that horse ineligible to race until its fitness is established by any trial, test, or examination they specify.

AR 84 Pregnant horses

(1) If a mare or filly is pregnant:
   (a) the horse is ineligible for; and
   (b) a person must not enter or start the horse in,
   any race, official trial, jump-out or trackwork after day 120 of its pregnancy.

(2) A trainer must provide written notification to the Stewards as soon as practicable of:
   (a) the pregnancy of a mare or filly in that trainer's charge; and
   (b) the date of the last service of that mare or filly.

AR 85 Horses that have had a firing procedure

(1) If a horse has been subjected to a firing procedure in Australia:
   (a) the horse is ineligible for; and
   (b) a person must not enter or start the horse in,
   any race, official trial, jump-out or trackwork.

(2) If a horse is subject to a firing procedure, the owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable. The Stewards will then seek to ensure that:
   (a) details of the procedure and the horse's ineligibility to race are recorded in Racing Australia's national online database; and
   (b) if applicable, the Thoroughbred Identification Card of the horse is endorsed with details of the procedure and the horse's ineligibility to race.

(3) A person must not:
   (a) administer;
   (b) cause to be administered;
   (c) attempt to administer; or
   (d) be a party to the administration of a firing procedure,
   to the horse at any time.

[Sub-rule added 1.11.24]

AR 86 Horses that have had shockwave therapy

(1) If a horse has undergone any form of shockwave therapy:
   (a) the horse is ineligible for; and
   (b) a trainer must not enter or start the horse in,
   any race, official trial, or jump-out for 7 clear days following midnight on the day of the therapy.

(2) If 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 7 clear days prior

to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.

(3) If a horse has been nominated for a race, official trial, or jump-out, a person must not

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of,

any form of shockwave therapy to the horse at any time within 7 clear days of the race, official trial, or jump-out.

(4) A person must not perform shockwave therapy on a horse unless he or she is a qualified veterinary surgeon. *[sub-rule added 1.1.20]*

***Note**: By way of example, if a horse was subjected to any form of shockwave therapy at any time on a Monday (1st day of the month), the horse would be ineligible to race, trial or jump-out until the Tuesday of the following week (9th day of the month).*

AR 87 Horses that have had an intra-articular injection

(1) If a horse has been subjected to an intra-articular injection:

(a) the horse is ineligible for; and

(b) a trainer must not enter or start the horse in,

any race, official trial, or jump-out for 8 clear days following midnight on the day of the administration.

(2) If a horse has been subjected to, or the Stewards reasonably suspect a horse has been subjected to, an intra-articular injection at any time during the 8 clear days prior to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.

(3) If a horse has been nominated and/or entered for a race, official trial, or jump-out, a person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be party to the administration of,

an intra-articular injection to the horse at any time within 8 clear days of the race, official trial, or jump-out.

***Note**: By way of example, if a horse was subjected to an intra-articular injection at any time on a Monday (1st day of the month), the horse would be ineligible to race, trial or jump-out until the Wednesday of the following week (10th day of the month).*

[Rule amended 1.1.20]

AR 88 Horses that have had a vaccination

(1) A trainer must not, without the express permission of a PRA or the Stewards, enter or permit a horse that has been administered a dose of vaccine, including but not limited to, equine herpesvirus 1 and 4, equine influenza, Hendra virus, strangles or tetanus, to participate in any race during the 5 clear days 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 the horse in accordance with AR 104(1).

(3) If a horse has been administered, or the Stewards reasonably suspect that a horse has been administered, a dose of vaccine during the 5 clear days prior to the day of a race, the Stewards may order the scratching of the horse from the relevant race.

***Note**: By way of example, if a horse was subjected to a vaccine administration at any time on a Monday (1st day of month), that horse would be ineligible to race until the Sunday in the following week (7th day of month).*

AR 88A Horses (less than 4 years) treated with bisphosphonates

(1) This rule only applies to horses that are aged less than 4 years at the time of the relevant administration or attempted administration.

(2) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to an administration or attempted administration of,

any bisphosphonate to a horse aged less than 4 years.

(3) A horse that has been subjected to an administration of any bisphosphonate is:

(a) ineligible to participate in any race, official trial, jump-out or trackwork for a minimum of 12 months from the date of administration; and

(b) not permitted to race until 1 August of the year the horse turns 4.

(4) If a horse is subjected to an administration of any bisphosphonate:

(a) the trainer or owner of the horse (or his or her authorised agent) must, as soon as practicable after such administration, notify the Stewards;

(b) the Stewards shall then ensure that details of such administration and the horse's ineligibility to race are recorded in Racing Australia's national online database.

(5) A person must not:

(a) enter or run a horse in a race, official trial, jump-out or trackwork in contravention of subrule (3); or

(b) fail to notify the Stewards as required by subrule (4)(a).

(6) It is a defence to a charge laid under subrule (5) that the person was not aware, and should not reasonably have been aware, that the horse had been subjected to an administration of any bisphosphonate.

(7) For the purposes of this rule, a bisphosphonate includes but is not limited to tiludronic acid (disodium tiludronate) or clodronic acid (clodronate disodium tetrahydrate).

(8) Nothing in this rule affects Prohibited List A, which includes zoledronic acid and any other bisphosphonates not registered for veterinary use in Australia."

[Added 1.2.23]

AR 88AA Horses (4 years or older) treated with bisphosphonates

(1) This rule only applies to horses that are aged 4 years or older at the time of the relevant administration or attempted administration.

(2) A horse that has been subjected to an administration of any bisphosphonate is ineligible to participate in any race, official trial or jump-out at any time during the 30 clear days following midnight on the day of the administration.

(3) Where a horse has been nominated and/or entered for a race, official trial or jump-out, a person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to an administration or attempted administration of,

any bisphosphonate to the horse at any time within 30 clear days of the race, official trial or jump-out.

(4) A trainer must not enter or run a horse in any race, official trial or jump-out where the horse has been subjected to an administration of any bisphosphonate during the 30 clear days prior to the day of the race, official trial or jump-out.

(5) Where:

(a) a horse has been subjected to an administration of any bisphosphonate at any time during the 30 clear days 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 subrule (5)(a)),

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

(6) For the purposes of this rule, a bisphosphonate includes but is not limited to tiludronic acid (disodium tiludronate) or clodronic acid (clodronate disodium tetrahydrate).

(7) Nothing in this rule affects Prohibited List A, which includes zoledronic acid and any other bisphosphonates not registered for veterinary use in Australia.

[Added 1.2.23]

AR 88B Horses returning from extended layoffs, injuries etc.

(1) Where a horse has not participated in a race for 12 months or more, the trainer and any other person in charge of the horse must comply with the Racing Australia Code of

Practice: *Horses that have not started for 12+ months* (as amended from time to time) in respect of any future running of the horse in a race, official trial or jump-out.

(2) Where a horse is detected with a cardiac arrhythmia, or where a cardiac arrhythmia has been identified, following a race, official trial, jump-out, or at any other time, including, but not limited to, following track work, the trainer and any other person in charge of the horse must;

(a) report the detection or identification of a cardiac arrhythmia to the Stewards without delay, and

(b) comply with the Racing Australia Code of Practice: *Cardiac arrhythmias detected during post-race inspections* (as amended from time to time) in respect of any future training of the horse and/or running of the horse in a race, official trial or jump-out.

(3) Where a horse has sustained a major fracture and/or undergone major orthopaedic surgery, the trainer and any other person in charge of the horse must comply with the Racing Australia Code of Practice: *Compulsory reporting of major fractures, orthopaedic surgery and approval of affected horses to return to racing* (as amended from time to time) in respect of reporting such events and any future training of the horse and/or running of the horse in a race, official trial or jump-out. For the purposes of this subrule, "major fracture" and "major orthopaedic surgery" have the meanings given to them in the Code of Practice. *[Rule added 1.6.23]*

AR 88C Horses that have had blistering procedure

(1) If a horse has been subjected to a blistering procedure in Australia:

(a) the horse is ineligible for a minimum period of 12 months; and

(b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork.

(2) If a horse is subject to a blistering procedure, the owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable. The Stewards will then seek to ensure that:

(a) details of the procedure and the horse's ineligibility to race are recorded in Racing Australia's national online database; and

(b) if applicable, the Thoroughbred Identification Card of the horse is endorsed with details of the procedure and the horse's ineligibility to race.

[Rule added 1.2.24]

(3) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of a blistering procedure,

to the horse at any time.

[Sub-rule added 1.7.24]

AR 88D Horses that have had chemical castration or immunocastration.

(1) If a horse has been subjected to a chemical castration or immunocastration procedure in Australia:

(a) the horse is ineligible for a minimum period of 12 months; and

(b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork.

(2) If a horse is subject to a chemical castration or immunocastration, the owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable. The Stewards will then seek to ensure that:

(a) details of the procedure and the horse's ineligibility to race are recorded in Racing Australia's national online database; and

(b) if applicable, the Thoroughbred Identification Card of the horse is endorsed with details of the procedure and the horse's ineligibility to race.

[Rule added 1.2.24]

(3) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of a chemical castration or immunocastration procedure,

to the horse at any time.

[Sub-rule added 1.7.24]

AR 88E Horses that have had a bloodletting procedure

(1) If a horse has been subjected to a bloodletting procedure in Australia:

(a) the horse is ineligible for a minimum period of 12 months; and

(b) a person must not enter or start the horse in, any race, official trial, jump-out or track work.

(2) If a horse is subject to a bloodletting procedure, the owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable. The Stewards will then seek to ensure that:

(a) details of the procedure and the horse's ineligibility to race are recorded in Racing Australia's national online database; and

(b) if applicable, the Thoroughbred Identification Card of the horse is endorsed with details of the procedure and the horse's ineligibility to race.

[Rule added 1.5.24]

(3) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of a bloodletting procedure,
to the horse at any time.

[Sub-rule added 1.7.24]

Division 3 – Notifiable diseases or conditions

AR 89 Diseases or conditions which must be notified to a PRA

(1) The following animal diseases or conditions must be notified to a PRA and dealt with in accordance with subrules (2) to (9):

(a) African horse sickness;

(b) borna disease;

(c) contagious equine metritis;

(d) dourine;

(e) epizootic lymphangitis;

(f) equine encephalomyelitis (Eastern and Western);

(g) equine encephalomyelitis (Venezuelan);

(h) equine encephalosis;

(i) equine herpes-virus 1 (abortigenic and neurological strains);

(j) equine infectious anaemia;

(k) equine influenza;

(l) equine piroplasmosis (babesiosis);

(m) equine viral arteritis;

(n) getah virus;

(o) glanders;

(p) hendra virus;

(q) Japanese encephalitis;

(r) potomac fever;

(s) screw-worm fly - New World (cochliomyia hominivorax);

(t) screw-worm fly - Old World (chrysomyia bezziana);

(u) strangles;

(v) surra (trypanosoma evansi);

(w) trichinellosis;

(x) warble fly myiasis;

(y) West Nile virus infection.

(2) A person who owns or is in charge of, or has in his or her possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must report that fact to the PRA in the State or Territory in which the person is based immediately and by the quickest means of communication available to the person.

(3) A person who owns or is in charge of, or has in his or her possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must take all steps to keep that horse separate from other horses or animals not infected.

(4) If the Stewards reasonably suspect any premises, place or area to be contaminated with a notifiable disease or condition, they may by written order declare it to be an "infected place". 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 the Stewards reasonably suspect any vehicle to be contaminated with a notifiable disease or condition, they may by written order declare it to be an "infected vehicle". 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) A person must not, without the express authorisation of the Stewards:

(a) bring, move, take or allow any person to bring, move or take any animal, fodder or fitting into, within or out of any declared infected place or infected vehicle; or

(b) cause, permit or assist any vehicle to enter or leave any declared infected place.

(7) The Stewards may attach conditions to an authorisation provided under subrule (6). Without limitation, that authorisation may include conditions that the animal, fodder, fitting or vehicle to which the authorisation relates:

(a) must be disinfected to their satisfaction and/or in a manner specified before leaving or being taken out of the infected place or infected vehicle; and/or

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

(8) A PRA or the Stewards may give any direction or order with respect to bio-security precautions required to be taken by a person on licensed premises or in relation to a person handling or riding horses.

(9) An order or declaration made under this rule comes into effect on the day it is made.

AR 90 Horses with an infectious disease not to be brought to racecourse etc

A person must not permit a horse suffering from an infectious disease to be brought on to a racecourse or training track.

<u>Division 4 – Death of a nominator</u>

AR 91 Effect of death of a nominator

(1) If the nominator of a horse nominated for a race dies before the race, the nomination does not automatically become void.

(2) If the circumstance referred to in subrule (1) arises, a change in ownership of the horse may be registered with the relevant PRA (within the time required by the PRA) by the

representatives of the deceased or the person/s who become entitled to the horse as a result of the death, or any purchaser of the horse from those representatives.

(3) Where a change of ownership is effected (as provided by subrule (2)), then, subject to the approval of the PRA, all rights and obligations of the previous owner will be transferred to the new owner/s.

(4) Unless a change of ownership is registered, every horse in relation to which any forfeit is unpaid after its nominator's death will be placed on the Forfeit List, without mentioning the nominator's name.

(5) If a person runs a horse that was nominated by a nominator who is deceased at the time of a race:

(a) that person will be deemed to have taken up all of that horse's engagements;

(b) that person's name is to be substituted for that of the deceased nominator;

(c) that person will be liable for all forfeits in relation to that horse; and

(d) that person may be placed on the Forfeit List in relation to that horse.

Division 5 – Stakes and forfeits

AR 92 Liability for stakes or forfeits

A person who nominates a horse for a race becomes liable for the entrance money and stake or forfeit, but no forfeit or sum which falls due for payment after the death of the horse shall be payable.

AR 93 Horses may be scratched by Stewards if monies due and payable

The Stewards may order the scratching of a horse from a race if, as at 45 minutes before the time scheduled for the start of the race (or another time specified by the Local Rules or race conditions of a PRA), any of the following amounts remain unpaid:

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

(b) any arrears due from any person in relation to the horse;

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

AR 94 Responsibility of a Club for stakes or forfeits

A Club is not responsible to the winner of any race for the stakes or forfeits in relation to the race, unless those stakes or forfeits are payable at the time of closing of the entries for the race.

AR 95 Forfeit List to be kept by PRAs

(1) Each PRA must keep a Forfeit List and from time to time publish it and distribute it to the other PRAs and any other bodies as it sees fit.

(2) A Forfeit List must include all forfeits and state the name of the persons from whom, and the horses (if any) in respect of which, those forfeits are due.

(3) Fines, subscriptions, fees, stakes, forfeits and prize money recoverable and unpaid which have been placed on the Forfeit List must be paid to the appropriate PRA. Until paid they must not be removed from the Forfeit List.

(4) Forfeits and any other liabilities incurred by a person at any race meeting in any other State, Territory or country may be included on the Forfeit List by the relevant PRA.

AR 96 Consequence of being on the Forfeit List

(1) While a person is on the Forfeit List, that person is subject to the same restrictions and penalties that apply to disqualified persons.

(2) While a horse is on the Forfeit List, the horse cannot be nominated for or run in any race, or be trained on any course where these Australian Rules apply.

(3) If a horse or nominator of a horse is on the Forfeit List but the horse is entered for any race, the person entering that horse may be fined.

PART 6 – TRAINERS

Division 1 – Licensing of trainers by PRAs

AR 97 Only licensed trainers to train horses

(1) A person can only train a horse at a registered racecourse, training track or training facility if the person has been issued with a licence or permit to train from the PRA where the horse is being trained.

(2) Any person who is party to a breach of subrule (1) may also be penalised.

AR 98 Training partnerships

(1) A PRA may license up to a maximum of 3 persons to train as a training partnership.

(2) Persons who train as a training partnership equally share all responsibilities, obligations and rights under the Rules in relation to training horses.

(3) A person licensed to train as a member of a training partnership cannot also train as an individual or in another training partnership, whether in Australia or elsewhere.

(4) Notwithstanding AR 109(1), a training partnership can train horses in more than one State or Territory, but must be licensed to do so by the PRA in each of those States or Territories.

(5) A PRA may prescribe a minimum number of horses that must be trained by a training partnership.

(6) If 1 person in a training partnership commits a breach of the Rules then all persons in the training partnership are deemed to be jointly and severally responsible, and may be penalised accordingly.

(7) A PRA or the Stewards have the discretion to relieve a person from the consequence stated in subrule (6) if the person satisfies the PRA or the Stewards that the breach of the Rules does not relate directly to the training of horses.

(8) A trainer must inform the Stewards in writing before withdrawing from or dissolving a training partnership.

(9) If the Stewards receive notice from a trainer under subrule (8), they may order that horses trained by the training partnership cannot race, or participate in an official trial or jump-out until they are satisfied that the horses are being trained in accordance with the Rules.

Division 2 – Rights and obligations of trainers

AR 99 Obligation to ensure an identified horse is presented and races

(1) The trainer of a horse and/or the trainer's authorised representative must ensure, including by reference to the horse's Thoroughbred Identification Card, that if a horse is engaged to run in any race or official trial, the correct horse:

(a) is brought to the racecourse;

(b) is presented to start in the relevant race or official trial;

(c) starts in the relevant race or official trial.

(2) Where a horse is brought to a racecourse, is presented to start in a race or official trial, and/or starts in a race or official trial, contrary to the provisions of subrule (1), a PRA or the Stewards must disqualify that horse from the relevant race or official trial.

[Rule amended 1.1.22]

AR 100 Notifications in relation to changed riding instructions

(1) A trainer or the trainer's authorised representative:

(a) must notify the Stewards of any instruction or arrangement to the effect that a horse is to be ridden in a manner different to how the horse was ridden at its most recent start or starts;

(b) must make the notification referred to in subrule (1)(a) as soon as practicable and not later than 30 minutes prior to the race.

(2) Upon receipt of the notification referred to in subrule (1), the Stewards may publish or communicate it as they think fit.

AR 101 Stabling of horses at trainer's registered stable address

(1) Unless a trainer has obtained the consent of the Stewards, the trainer must not stable any horse trained by him or her in any location other than that trainer's registered stable address as notified on the trainer's current licence renewal or application form.

(2) If a person breaches this rule, the nomination of the horse concerned may be refused.

AR 102 Notification to Stewards of gelding or spaying of a horse

If an entire horse is gelded or a female horse is spayed, the owner of the horse or his or her agent must, prior to nominating that horse for a race or official trial or transferring the ownership of that horse:

(a) notify the trainer, who must submit a Stable Return reporting that change if a gelding; and

(b) notify Racing Australia or the Stewards, who must then:

(i) record that amendment in Racing Australia's records; and

(ii) if applicable, amend the Thoroughbred Identification Card of the horse.

AR 103 Stable Returns required for race entries

(1) A Stable Return and any amendment thereto lodged with a PRA (or its agent) 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, official trial or jump-out unless a Stable Return for the horse is lodged with a PRA (or its agent):

(a) prior to the closing time for entries for the race, official trial or jump-out; or

(b) if entries for a race close more than 60 days before the advertised date for the running of the race, prior to the time for the first declaration of acceptances for the race.

(3) If a horse trained outside Australia is entered for a race, official trial or jump-out, a Stable Return for the horse must be lodged with a PRA (or its agent) prior to the time for declaration of final acceptances for the race, official trial or jump-out.

[AR103(4)-(8) deleted & replaced and amended by AR296]

AR 104 Trainers must keep treatment records

(1) A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day on which the administration was given.

(2) For the purpose of subrule (1), each record of administration 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 treatment (if applicable);

(g) the name and signature of the person/s administering and/or authorising the administration of the treatment or medication.

(h) the reason for administering the treatment or medication. *[para added 1.2.21]*

(3) For the purposes of this rule "treatment" includes:

(a) shock wave therapy;

(b) acupuncture (including laser treatment);

(c) chiropractic treatment;

(d) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS));

(e) magnetic field therapy;

(f) ultrasound;

(g) any form of oxygen therapy, including hyperbaric oxygen therapy;

(h) the taking of a blood sample.

(4) For the purposes of this rule "medication" includes:

(a) all Controlled Drugs (Schedule 8) administered by a veterinarian;

(b) all Prescription Animal Remedies (Schedule 4), including those listed in Schedule 1, Part 2, Division 2 to these Australian Rules;

(c) all Prescription Only Medicines (Schedule 4), prescribed and/or dispensed by a veterinarian for off-label use;

(d) all injectable veterinary medicines (intravenous, intramuscular, subcutaneous, intra-articular) not already referred to above;

(e) all Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines;

(f) all veterinary and other medicines containing other scheduled and unscheduled prohibited substances;

(g) all alkalinising agents;

(h) all herbal preparations.

(5) All records required to be kept in accordance with this rule must be retained by the trainer for at least 2 years.

(6) When requested, a trainer must make available to the Stewards the record of any administration of a treatment and/or medication required under subrule (1).

AR 105 Matters that may affect the running of a horse in a race

(1) The trainer of a horse, or any person that is in control of a horse, that is nominated for a race must:

(a) ensure that the horse is fit and properly conditioned to race;

(b) by nomination time, report to the Stewards any occurrence, condition, surgery or treatment that may affect the horse's performance in the race where the occurrence takes place, condition is present, surgery is performed or treatment is administered before nomination time;

(c) as soon as is practicable after nomination time and before acceptance time, report to the Stewards any occurrence, condition, surgery, or treatment that may affect the horse's performance in the race where the occurrence takes place, condition is present, surgery is performed or treatment is administered after nomination time and before acceptance time;

(d) if the horse is accepted for the race – as soon as is practicable, report to the Stewards any occurrence, condition, surgery or treatment that may affect the horse's performance in a race where the occurrence takes place, condition is present, surgery is performed or treatment is administered after acceptance time.

(2) The owner and/or trainer of a horse must:

(a) as soon as practicable after a race, report to the Stewards anything which might have affected the running of their horse in a race; and

(b) immediately after a race, report to the Stewards:

(i) any loss or breakage of gear which occurred during the race; or

(ii) any unusual happening in connection with the race.

(3) Further to subrule (2), if a trainer becomes aware of any condition or injury which may have affected the horse's performance in the 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.

AR 106 Saddling a horse

(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 (including the correct saddlecloth number) presented for a race, official trial, jump-out or trackwork. *[sub-rule amended 1.2.21]*

(2) Notwithstanding subrule (1), a person must properly saddle or fit or correctly apply required gear to a horse presented for a race, official trial, jump-out or trackwork.

AR 107 Plates and tips

(1) The trainer is at all times responsible for ensuring that horses with race engagements comply with the following requirements from the time when they arrive on course, except where the Stewards permit otherwise:

(a) plates and tips must be made of an approved material capable of being forged or moulded into shape;

(b) tips must cover at least one third of the perimeter of the hoof;

(c) except in the case of approved therapeutic plates approved by the Stewards which may weigh up to 170g, plates and tips must not exceed 150g in weight;

(d) plates and tips must be securely and properly fitted and must not protrude beyond the perimeter of the hoof;

(e) plates must be secured by a minimum of 5 nails and tips by a minimum of 3 nails;

(f) heads of nails must not protrude more than 2mm from the surface of a plate or tip;

(g) forged or rolled toe and side clips are permitted provided those clips have blunt, rounded edges and do not exceed 15mm in height and 20mm in width;

(h) steel inserts are permitted provided they are level with the surface of the plate;

(i) bar plates are permitted, provided that the entire plate including the bar is in one piece;

(j) a bar may be welded or riveted to the plate provided that the surface of the bar is level with that of the plate;

(k) heeled plates or caulks are not permitted in flat races;

(l) cutting plates, grippers or any other form of plates or tips which, in the opinion of the Stewards, may be dangerous, are not permitted;

(m) hoof pads must be of a material, design and weight approved by the Stewards.

(2) A horse cannot start in a race unless it is fully shod with plates or tips that meet the requirements of this rule, except that in exceptional circumstances the Stewards may permit a horse to run barefooted or partly shod.

(3) Prior to the acceptance time of any race a horse is entered in, a trainer 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

(b) notify the Stewards of any change from tips to plates, or from plates to tips.

(4) To ensure compliance with the requirements for plating set out in this rule, the Stewards may engage a person (including a farrier's supervisor) to inspect any horses presented for racing.

(5) If a mishap with a plate or tip occurs during a race, that must be reported by the trainer to the Stewards immediately.

AR 108 Horse's clothing before sunrise

If a horse is being led or ridden outside a stable premises on a public road or thoroughfare before sunrise, the trainer of the horse and any person responsible for leading or riding the horse must ensure that the horse 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.

AR 109 Training in non-resident States or Territories

(1) A trainer who temporarily visits a State or Territory of another PRA may be granted permission, for a period of time that that PRA considers fit, to train a horse in that other State or Territory.

(2) If permission of a PRA is granted under subrule (1), the trainer must comply with the conditions of licence applicable in the State or Territory being visited.

(3) A trainer who is granted permission to train in a State or Territory in which the trainer does not ordinarily reside or train and is training within that jurisdiction, will be deemed to be personally in charge of that trainer's horses within that jurisdiction at all times.

(4) If a trainer has horses which are being trained in a State or Territory in which the trainer does not ordinarily reside or train:

(a) the trainer must provide written notification to the PRA in that jurisdiction of a nominated licensed person who that trainer nominates to be left in charge of that trainer's horses for any period during which that trainer is not present within that jurisdiction;

(b) the person nominated in accordance with subrule (4)(a) must be a person licensed by that PRA who has consented in writing to being nominated; and

(c) both the trainer and the person nominated in accordance with subrule (4)(a) are bound by the Local Rules and any regulations of that PRA.

AR109A Trainer conclusively treated as representative of the owner for the purposes of the principles of procedural fairness and natural justice

(1) For the purposes of the principles of procedural fairness and natural justice (where applicable under any part of the Rules), the owner or owners of a horse shall be conclusively treated as having been given adequate notice of any matter relating to a horse, and/or an adequate opportunity to be heard in relation to that matter, where such notice and/or an opportunity to be heard is given to the trainer of that horse or the trainer's authorised representative.

(2) For the avoidance of doubt, any right or entitlement of an owner or owners pursuant to the principles of procedural fairness and natural justice to receive notice of any matter relating to a horse, and/or an adequate opportunity to be heard in relation to that matter, separate from or additional to (1) above, is excluded.

[Rule added 1.7.24]

PART 7 – RIDERS & HORSE HANDLERS

Division 1 – Licensing of riders

AR 110 Only licensed riders to ride in races

(1) In order to ride in a race held under the Rules a person must hold the appropriate licence and/or qualification to ride granted by the PRA of the State or Territory in which the race is run in accordance with the Local Rules of that PRA.

(2) Subject to any Local Rule, the PRA or the Stewards of the State or Territory in which a race meeting is to take place may grant a visiting rider from another State or Territory permission to ride if satisfied that:

  (a) the rider holds a licence or permit to ride from the PRA in the State or Territory in which the rider ordinarily is based; and

  (b) the rider is not disqualified, suspended, or subject to any other restriction.

(3) A visiting rider licensed to ride by an Overseas Racing Authority may be allowed to ride in Australia on any terms a PRA or the Stewards may in their discretion impose.

(4) In order to be granted permission to ride in Australia, all riders must agree to submit to any testing for any alcohol or drug or their metabolites or artefacts, either prior to, during or after fulfilling a riding engagement in any race, official trial, jump-out or trackwork.

Division 2 – Rights and obligations of riders

AR 111 Physical fitness to ride

(1) A rider must not present himself or herself to ride in any race, official trial, jump-out or trackwork unless he or she is physically fit to do so.

(2) A rider must as soon as practicable report to the Stewards any injury, sickness, abnormality or condition that may affect (or may have affected) that rider's performance.

(3) The Stewards may require a rider to present medical evidence or to undergo a medical or physical examination to prove the rider's fitness to the satisfaction of the Stewards.

(4) If a rider fails to fulfill any race riding engagement due to reasons of fitness or health, then unless otherwise permitted by the Stewards, the rider must provide to the Stewards a satisfactory medical clearance prior to arriving on course for the rider's next race riding engagement.

(5) Any rider who breaches subrule (4) may be stood down from riding.

AR 112 Limitations on pregnant riders being able to ride

(1) A pregnant rider must not ride in races, official trials, jump-outs or trackwork after the first trimester of her pregnancy.

(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 qualified medical practitioner to the effect that:

(a) it is safe for her and the foetus to ride in races, official trials, jump-outs and trackwork; and

(b) her pregnancy creates no impairment to her capacity to control a racehorse.

AR 113 Electronic devices not permitted while riding

Unless permitted by the Stewards, when mounted on a horse a rider must not hold or use any mobile phone, radio or other electronic appliance, apparatus, instrument or equipment capable of receiving, transmitting or playing information. *[amended 1.2.21]*

AR 114 Reporting occurrences or incidents

(1) The rider of a horse must report any pre-race occurrence or incident involving or affecting the rider's horse which takes place after an order to mount which may affect the running or performance of the horse in the race. That report must be made prior to the start of the race to the Stewards or, in their absence, to the Starter.

(2) The rider of a horse must:

(a) as soon as practicable after a race, report to the Stewards anything which might have affected the running of the rider's horse in the race; and

(b) immediately after a race report to the Stewards:

(i) any loss or breakage of gear which occurred during the race; or

(ii) any unusual happening in connection with the race.

AR 115 Jockey and apprentice jockey misconduct

(1) A jockey or apprentice jockey must not:

(a) engage in misconduct;

(b) other than from his or her nominator, accept or agree to accept any money, gift, or other consideration in connection with a horse in a race without the consent of the Stewards and his or her nominator;

(c) bet, or have any interest in a bet, or facilitate a bet, on any thoroughbred race or contingency relating to thoroughbred racing in any jurisdiction anywhere in the world;

(d) be present in the betting ring during a race meeting;

(e) bet, or have any interest in a bet, or facilitate a bet, on any thoroughbred race or contingency relating to thoroughbred racing involving a race in which he or she is riding in any jurisdiction anywhere in the world.

[subrule amended 1.5.21]

(2) For the purposes of this rule, "bet" includes a lay bet.

(3) If a jockey or apprentice jockey breaches subrule (1)(e), a disqualification of not less than 2 years must be imposed unless there is a finding that a special circumstance exists or the relevant race occurred outside Australia, in which case that penalty may be reduced.

AR 116 Jockeys and apprentice jockeys not to have an interest in horses

(1) A jockey or apprentice jockey is not permitted to own, take a lease or have any interest in any unnamed horse or named horse. *[sub-rule amended 1.5.21]*

(2) If a jockey or apprentice jockey breaches subrule (1), any person having any interest with that jockey or apprentice jockey, or the trainer of the relevant horse, may also be penalised.

(3) If a jockey or apprentice jockey breaches subrule (1), a disqualification of not less than 2 years must be imposed unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 117 Ineligibility of horses that a jockey or apprentice jockey has an interest in

If a jockey or apprentice jockey licensed or indentured by a recognised racing authority in any country in the world has an interest in the ownership or lease of a horse, that horse will be ineligible to race in Australia.

AR 118 Jockeys and apprentice jockeys not to have an interest in horse transactions

(1) A jockey or apprentice jockey must not, without the express written permission of the PRA that has licensed that person, have any interest in or be otherwise involved in the buying, selling, trading or leasing of thoroughbred bloodstock.

(2) A jockey or apprentice jockey must not breach any terms or conditions imposed on any permission granted by a PRA under subrule (1).

(3) For the purposes of this rule, "thoroughbred bloodstock" means:

(a) a thoroughbred horse included in the Australian Stud Book or the stud book of an Overseas Racing Authority; or

(b) a thoroughbred horse registered to race by Racing Australia or by an Overseas Racing Authority.

AR 119 Engagements for apprentice jockeys to be approved by master

All engagements for an apprentice jockey to ride in races must be approved by his or her master or that master's authorised representative.

AR 120 Rider's agents

(1) A person must not act in the capacity of rider's agent unless the person has been licensed by a PRA to do so.

(2) A person licensed under the Rules in another capacity cannot also be licensed as a rider's agent, except that:

(a) a licensed or registered stablehand can also be licensed as a rider's agent; or

(b) a PRA in its discretion may permit that to occur.

(3) A jockey, apprentice jockey or the master of an apprentice jockey must not authorise any person to be his or her rider's agent unless that person has been licensed by a PRA as a rider's agent.

(4) A rider's agent:

(a) must not, without the permission of the Stewards, enter any restricted area on a racecourse on race day;

(b) who breaches subrule (a) may be removed from that area by order of the Stewards.

(5) A PRA must publish a list of the persons it has licensed as rider's agents.

AR 120A Riding instructions

(1) A rider must not receive, directly or indirectly, instructions concerning the running or riding of a horse in a race in which the rider is declared to ride from anyone other than the trainer (or authorised agent) or an owner of the horse.

(2) A person must not provide, or offer to provide, to a rider, directly or indirectly, instructions concerning the running or riding of a horse in a race in which the rider is declared to ride, unless that person is the trainer (or authorised agent) or an owner of the horse.

(3) For the purposes of this rule:

(a) "instructions" includes, but is not limited to, riding and/or tactical race instructions or directions, regardless of whether such instructions and/or directions are:

(i) provided verbally, in writing, or otherwise;

(ii) contained on a speed map; and

(b) "instructions" does not include a speed map in respect of a race indicating only the likely pace in the race and/or the likely settling positions of runners in the race.

[Rule added 1.5.21]

<u>Division 3 – Safety equipment of riders</u>

AR 121 Clothes, footwear and equipment

(1) Riders must wear clothes which are clean and appropriate for riding.

(2) Only clothes, footwear, apparel and equipment approved by Racing Australia, a PRA, or the Stewards may be worn or used by a rider in a race, official trial, jump-out or trackwork.

(3) The Stewards may confiscate any clothes, footwear, apparel and equipment worn or used by a rider that has not been approved in accordance with subrule (2). *[Added 1.6.19]*

AR 122 Helmets

(1) When mounted on a horse, every rider must wear a properly affixed helmet which:

(a) complies with a standard approved by Racing Australia;

(b) is in a satisfactory condition;

(c) has not been modified in any way; and

(d) has attached to it a manufacturer's label that states:

(i) the date of manufacture; and

(ii) that it complies with a standard approved by Racing Australia.

(2) Every rider is responsible for the care and condition of the rider's helmet.

(3) A helmet will be deemed not serviceable and must be immediately replaced by a rider if:

(a) 5 years have expired since its date of purchase or acquisition as a brand-new helmet or 8 years have expired since its date of manufacture, whichever is earlier; or

(b) it sustains a severe impact; or

(c) the wearer suffers from concussion following a fall.

Note: By way of example:

(a) If a helmet was manufactured on 1/1/2016 and purchased on 1/1/2017, the helmet will be deemed not serviceable on 1/1/2022 (i.e. 5 years' use).

(b) If a helmet was manufactured on 1/1/2016 and purchased on 1/1/2020, the helmet will be deemed not serviceable on 1/1/2024 (i.e. 4 years' use).

(4) Further to subrule (3)(a):

(i) a rider is required to maintain evidence (such as a receipt) of the date on which the rider purchased or acquired a helmet in his or her possession; and

(ii) a rider must produce such evidence to Racing Australia, a PRA or the Stewards at any time required by any of them.

(5) The Stewards may at any time seize a helmet for inspection and may in their absolute discretion confiscate any helmet that does not comply with the requirements of this rule, including (without limitation) where the Stewards are of the opinion that a helmet is not in a satisfactory condition as a result of general wear and tear or the manner in which it has been stored or maintained.

(6) When mounted on a horse during darkness, every rider must affix to his or her helmet a safety warning light of a type approved by Racing Australia, a PRA or the Stewards (except that this rule does not apply to any location where the Stewards have ruled that sufficient artificial lighting exists).

(7) If an apprentice jockey breaches subrule (1), the apprentice jockey's master and/or any other person who was in charge of the apprentice jockey at any relevant time may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure that the apprentice jockey complied with that subrule.

Note: Pursuant to this rule Racing Australia has ordered that:

(a) The following helmet standards are approved:

(i) AS/NZS 3838 2006;

(ii) EN 1384: 2012 or EN 1384: 2017;

(iii) ASTM F1163: 20-04: Rev A 2011, ASTM F1163: 20-13 or ASTM F1163: 20-15;

(iv) BS PAS 015: 2011;

(v) VG1 01.040, Recommendation for Use, 12/12/2014 (also referred to as VG1 01.040: 2014-12).

(b) All helmets must be fitted with a nylon interlocking chinstrap clip attachment.

[rule amended 1.1.21]

AR 123 Safety vests

(1) When mounted on a horse, including but not limited to in a race, official trial, jump-out or trackwork, a rider must wear a properly fastened safety vest which:

(a) complies with a standard prescribed by Racing Australia;
(b) has been approved by Racing Australia;
(c) is in a satisfactory condition;
(d) has not been modified in any way; and
(e) has attached to it a manufacturer's label that states that it complies with a standard prescribed by Racing Australia.

(2) A rider required by these Australian Rules to wear a safety vest must not have in his or her possession a safety vest that does not comply with the requirements in subrule (1).

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

(4) Subject to subrule (5), when mounted on a horse during darkness, a rider must wear:

(a) a safety vest that complies with the requirements in subrule (1); and

(b) over that safety vest, or over clothing worn over that safety vest, a harness or braces that contains safety warning lights of a type approved by Racing Australia, a PRA or the Stewards.

(5) Subrule (4) does not:

(a) apply to any rider who complies with AR 122(6);

(b) apply to any location where the Stewards have ruled that sufficient artificial lighting exists;

(c) affect the requirement that trackwork may only be conducted where Stewards have ruled that sufficient natural or artificial lighting exists.

(6) If an apprentice jockey breaches subrule (1), the apprentice jockey's master and/or any other person who was in charge of the apprentice jockey at any relevant time may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure that the apprentice jockey complied with that subrule.

[sub-rule (4) replaced & sub-rules (5) & (6) added 1.2.21]

Note: *Pursuant to this rule, Racing Australia has ordered that:*

(a) the following standards of safety vests are prescribed:
(i) ARB Standard 1.1998; and
(ii) European Standard EN 13158;
(b) the following Level 1 safety vests are approved:
(i) Hows Racesafe;
(ii) Ozvest;
(iii) Racelite Pro;
(iv) Vipa;
(v) Vipa I;
(vi) USG Flexi Race; and
(vii) Airowear Swift;
(c) the following Level 2 safety vests are approved:
(i) Vipa II.

[rule amended 1.4.20]

(d) the following Level 3 safety vests are approved:

(i) Vipa III [para added 1.2.24]

AR 124 Proper bridle and saddle for horses

(1) Every horse must be properly bridled and saddled while being ridden, and every saddle used in official trials, jump-outs, tests or trackwork must, subject to subrule (2), be equipped with safety irons of a design approved by Racing Australia, a PRA, or the Stewards.

(2) If a rider wears race boots in official trials or jump-outs, the saddle must be equipped with race irons.

(3) While being led outside of a stable premises, every horse must have a bit in its mouth, and that bit must be attached to a lead or a stallion chain.

(4) Every person leading or attending a horse must wear fully enclosed and substantial footwear of a standard approved by a PRA or the Stewards.

AR 125 Riders permitted to use blunt and approved spurs

Riders may use spurs provided they are blunt and of a type approved by Racing Australia, a PRA, or the Stewards.

Division 4 – Requirements of riders in relation to riding in races

AR 126 Fees for jockeys and riders to be determined by PRAs

In the absence of a special agreement in relation to jockeys' fees which is approved by a PRA, the fees of jockeys and riders will be prescribed by a PRA.

AR 127 Failing to fulfil a riding engagement

(1) A jockey or apprentice jockey must not fail or refuse to fulfil a race riding engagement.

(2) The Stewards may also penalise any person responsible for an apprentice jockey who, in their opinion, contributed to that apprentice jockey committing a breach of this rule.

AR 128 Rider to be present in jockeys' room at race meetings

(1) A rider who has a riding engagement at a race meeting must be in the jockeys' room at least 45 minutes before the advertised starting time for the first race that the rider has a riding engagement in.

(2) Unless otherwise permitted by the Stewards, on a day a rider has a riding engagement, the rider must remain in the jockeys' room until the rider's riding engagements are complete and permission to leave the jockeys' room has been granted by the Stewards.

AR 129 Running and handling

(1) Every rider must ride his or her horse on its merits.

(2) A rider must take all reasonable and permissible measures throughout the race to ensure that the rider's horse is given full opportunity to win or to obtain the best possible place in the field.

(3) Except where the safety of any horse or rider in a race requires otherwise, every horse must be ridden in such a manner to benefit only its own best interests and not to the advantage of any other horse or rider.

(4) If, in the opinion of the Stewards, this rule has been breached:

(a) any person who was a party to the breach may also be penalised; and

(b) the horse concerned may be disqualified.

(5) Any person who:

(a) in the opinion of the Stewards, has breached, or was party to breaching, subrule (1); and

(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,

must be disqualified for a period of 3 years unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 130 Consequences if a horse and/or jockey causes interference

(1) If a horse:

(a) crosses another horse so as to interfere with that, or any other, horse; or

(b) jostles, or the horse or its rider in any way interferes, with another horse or its rider (except for jostling or interference caused by another horse or rider),

that horse and any other horse in the same nomination may be disqualified from the race.

(2) If a placed horse or its rider causes interference 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 that interference not occurred, the Stewards may place the first mentioned horse immediately after the horse interfered with.

(3) For the purposes of subrule (2), a "placed horse" is a horse placed by the Judge in accordance with AR 214(3).

AR 131 Riding offences

A rider must not, in the opinion of the Stewards:

(a) engage in careless, reckless, improper, incompetent or foul riding;

(b) fail to ride his or her horse out to the end of the race and/or approaching the end of the race;

(c) make any celebratory gesture prior to his or her horse passing the winning post;

(d) excessively slow, reduce or check the speed of the rider's horse and in doing so cause direct or indirect interference to any other horse in the race.

AR 132 Limits on the use of a whip by a rider

(1) A rider may only carry in races, official trials, jump-outs, or trackwork a padded whip of a design and specification approved by Racing Australia ("approved whip") which is in a satisfactory condition and has not been modified in any way.

(2) A person must not have in his or her possession:

(a) a whip which is not an approved whip; or

(b) an approved whip which has been modified in any way.

(3) The Stewards may confiscate any whip which:

(a) is not an approved whip; or

(b) is an approved whip which, in their opinion, is not in a satisfactory condition or has been modified in any way.

(4) If an apprentice jockey breaches subrule (1) or (2), the master and/or other person in charge of the apprentice jockey at the time of the breach may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure the apprentice jockey complied with this rule.

(5) In a race, official trial, jump-out or trackwork, or elsewhere, a rider must not use his or her whip in an excessive, unnecessary or improper manner.

(6) Without limiting the generality of subrule (5), in a race, official trial or jump-out a rider must not use his or her whip:

(a) forward of the rider's horse's shoulder or in the vicinity of its head;

(b) using an action that raises the rider's arm above shoulder height;

(c) when the rider's horse is out of contention;

(d) when the rider's horse is showing no response;

(e) after passing the winning post;

(f) causing injury to the rider's horse;

(g) when the rider's horse is clearly winning;

(h) when the rider's horse has no reasonable prospect of improving or losing its position;

(i) in a manner where the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that that was neither deliberate nor reckless.

(7) Subject to the other requirements in this rule:

(a) prior to the 100 metre mark in a race, official trial or jump-out:

(i) the whip must not be used in consecutive strides;

(ii) the whip must not be used on more than 5 occasions except where there have only been minor infractions and the totality of the whip use over the whole race is less than permitted under subrules (7)(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 the rider's horse to improve);

(iii) the rider may at the rider's 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 the whip at the rider's discretion.

(8) A trainer, owner or their 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.

(9) A person must not offer any inducements to a rider to use the whip in a way that, if carried out, might result in a breach of this rule.

(10) An owner or that owner's authorised agent, trainer, rider or a Steward may lodge a protest against the placing of a horse where a rider breaches subrules (5) or (7) during a race.

(11) Notwithstanding the provisions of subrules 7(a) and (b), a PRA that has charge of the conduct of jumps racing may provide separately, at its own discretion, for the regulation of the use of the whip in jumping events under its own Local Rules. If that is done, any provision of that kind will not be limited by subrules 7(a) and (b).

AR 133 Possession of stockwhip

A person must not have in his or her possession a stockwhip:

(a) at a racecourse;

(b) at a thoroughbred racing stable; or

(c) at premises otherwise used for training or pre-training a horse, unless the person satisfies the Stewards that the stockwhip is in his or her possession at those premises for reasons unrelated to the training or pre-training of a horse.

AR 134 Excessive, unnecessary or improper use of spurs

In a race, official trial, jump-out or trackwork, or elsewhere, a rider must not use his or her spurs in an excessive, unnecessary or improper manner.

AR 135 Races around markers

(1) If a PRA approves a race being conducted outside markers, a rider must not, in the opinion of the Stewards:

(a) permit the rider's horse to go inside a marker;

(b) make insufficient effort to prevent the rider's horse from going inside a marker;

(c) either directly or indirectly cause another runner to go inside a marker;

(d) permit the rider's horse to continue in the race after it goes inside a marker.

(2) The markers referred to in subrule (1) must be of a design and placement approved by a PRA.

(3) Any horse that goes inside a marker is to be disqualified from the race unless, in the opinion of the Stewards, that was caused by another horse or rider, in which case the horse 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 from the race.

Division 5 – Substances banned for use by riders and horse handlers

AR 136 Banned substances in relation to riders

(1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in riders when detected in a urine sample at a concentration above the respective threshold level:

(a) lysergic acid diethylamide (LSD) (0 μ g/L);

(b) all barbiturates (0 μ g/L);

(c) all Cannabinoids, including but not limited to:

(i) 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid (15ug/L);

(ii) synthetic cannabinoid analogues and/or their metabolites (such as JWH-018, JWH-073 and HU-210).

(d) all diuretics (0 μ g/L);

(e) probenecid (0 μ g/L);

(f) alcohol (at a blood alcohol concentration in excess of 0.02% (that is, 20 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument);

(g) all stimulants, including but not limited to:

(i) amphetamine (150 μ g/L);

(ii) methylamphetamine (150 μ g/L);

(iii) methylenedioxyamphetamine (MDA) (150 μ g/L);

(iv) methylenedioxyethylamphetamine (MDEA) (150 μ g/L);

(v) methylenedioxymethylamphetamine (MDMA) (150 μ g/L);

(vi) methylphenidate (0 μ g/L);

(vii) modafinil (0 μ g/L);

(viii) cocaine (100 μ g/L);

(ix) ephedrine (10,000 μ g/L);

(Stimulants which are specifically excluded are: levo-amphetamine; levo-methylamphetamine; phenylpropanolamine; pseudoephedrine.)

(h) all anorectics, including but not limited to:

(i) phentermine (500 μ g/L);

(ii) diethylpropion (0 μ g/L);

(iii) sibutramine (0 μ g/L).

(i) all opiates and opioids, including, but not limited to:

(i) morphine (0 μ g/L, save as specified in subrule (2));

(ii) codeine (0 μ g/L, save as specified in subrule (2));

(iii) oxycodone (0 μ g/L);

(iv) fentanyl (0 μ g/L);

(v) alfentanil (0 μ g/L);

(vi) pethidine (0 μ g/L);

(vii) methadone (0 μ g/L);

(viii) heroin (0 μ g/L);

(ix) monoacetylmorphine (0 μ g/L);

(x) hydromorphone (0 μ g/L);

(xi) buprenorphine (0 μ g/L).

(Opiates and opioids which are specifically excluded are: dihydrocodeine; dextromethorphan; pholcodine; propoxyphene; tramadol.)

(j) all dissociative anaesthetics and related substances, including but not limited to:

(i) ketamine (0 μ g/L);

(ii) phencyclidine (0 μ g/L);

(iii) tiletamine (0 μ g/L).

(k) gamma-hydroxybutyrate (GHB) and pro-drugs of GHB (1,4-butanediol: gammabutyrolactone) (10,000 μ g/L);

(l) benzylpiperazine (500 μ g/L) and phenylpiperazine (0 μ g/L) and their derivatives (0 μ g/L);

(m) tryptamine derivatives (0 μ g/L),(e.g. dimethyltryptamine; alphamethyltryptamine; hydroxydimethyltryptamine and related substances);

(n) all benzodiazepines, including but not limited to:

(i) diazepam (200 μ g/L);

(ii) nordiazepam (200 μ g/L);

(iii) oxazepam (200 μ g/L);

(iv) temazepam (200 μ g/L);

(v) alprazolam (100 μ g/L, as alpha-hydroxyalprazolam);

(vi) clonazepam (100 μ g/L, as 7-aminoclonazepam);

(vii) flunitrazepam (100 μ g/L, as 7-aminoflunitrazepam);

(viii) nitrazepam (100 μ g/L, as 7-aminonitrazepam);

(ix) bromazepam (0 μ g/L);

(x) clobazam (0 μ g/L);

(xi) flumazenil (0 μ g/L);

(xii) lorazepam (0 μ g/L);

(xiii) midazolam (0 μ g/L);

(xiv) triazolam (0 μ g/L); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon; zolpidem; zopiclone).

(2) Notwithstanding subrule (1), when codeine and/or morphine are detected in a sample taken from a rider, the sample is deemed not to constitute a banned substance under these Australian Rules if:

(a) the total codeine and morphine concentration is less than 2,000 μ g/L; or

(b) the total codeine and morphine concentration achieved in confirmatory testing is in the range 2,000 to 15,000 μ g/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 satisfies the Stewards that there has been no illegal use of opiates or opioids by the rider.

AR 137 Banned substances in relation to horse handlers

(1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in horse handlers when detected in a urine sample at a concentration above the threshold level in brackets immediately next to the identified banned substance:

(a) lysergic acid diethylamide (LSD) (0 μ g/L);

(b) all barbiturates (0 μ g/L);

(c) cannabinoids (11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid) (15µg/L));

(d) alcohol (at a blood alcohol concentration in excess of 0.05% (that is, 50 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument);

(e) all stimulants, including but not limited to:

(i) amphetamine (150 μ g/L);

(ii) methylamphetamine (150 μ g/L);

(iii) methylenedioxyamphetamine (MDA) (150 μ g/L);

(iv) methylenedioxyethylamphetamine (MDEA) (150 μ g/L);

(v) methylenedioxymethylamphetamine (MDMA) (150 μ g/L);

(vi) methylphenidate (0 μ g/L);

(vii) modafinil (0 μ g/L);

(viii) cocaine (100 μ g/L);

(ix) ephedrine (10,000 μ g/L);

(Stimulants which are specifically excluded are: levo-amphetamine; levo-methylamphetamine; phenylpropanolamine; pseudoephedrine.)

(f) all opiates and opioids, including, but not limited to:

(i) morphine (0 μ g/L, save as specified in subrule (2) of this rule);

(ii) codeine (0 μ g/L, save as specified in subrule (2) of this rule);

(iii) oxycodone (0 μ g/L);

(iv) fentanyl (0 μ g/L);

(v) alfentanil (0 μ g/L);

(vi) pethidine (0 μ g/L);

(vii) methadone (0 μ g/L);

(viii) heroin (0 μ g/L);

(ix) monoacetylmorphine (0 μ g/L);

(x) hydromorphone (0 μ g/L);

(xi) buprenorphine (0 μ g/L).

(Opiates and opioids which are specifically excluded are: dihydrocodeine; dextromethorphan; pholcodine; propoxyphene; tramadol.)

(g) all dissociative anaesthetics and related substances, including but not limited to:

(i) ketamine (0 μ g/L);

(ii) phencyclidine (0 μ g/L);

(iii) tiletamine (0 μ g/L).

(h) all benzodiazepines, including but not limited to:

(i) diazepam (200 μ g/L);

(ii) nordiazepam (200 μ g/L);

(iii) oxazepam (200 μ g/L);

(iv) temazepam (200 μ g/L);

(v) alprazolam (100 μ g/L, as alpha-hydroxyalprazolam);

(vi) clonazepam (100 μ g/L, as 7-aminoclonazepam);

(vii) flunitrazepam (100 μ g/L, as 7-aminoflunitrazepam);

(viii) nitrazepam (100 μ g/L, as 7-aminonitrazepam);

(ix) bromazepam (0 μ g/L);

(x) clobazam (0 μ g/L);

(xi) flumazenil (0 μ g/L);

(xii) lorazepam (0 μ g/L);

(xiii) midazolam (0 μ g/L);

(xiv) triazolam (0 μ g/L); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon; zolpidem; zopiclone).

(2) Notwithstanding subrule (1), when codeine and/or morphine are detected in a sample taken from a horse handler, the sample is deemed not to constitute a banned substance under these Australian Rules if:

(a) the total codeine and morphine concentration is less than 2,000 μ g/L; or

(b) the total codeine and morphine concentration achieved in confirmatory testing is in the range 2,000 to 15,000 μ g/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 horse handler satisfies the Stewards that there has been no illegal use of opiates or opioids by the horse handler.

Division 6 – Banned substance offences for riders and horse handlers

AR 138 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Division 6 the person may be penalised by a PRA or the Stewards.

AR 139 Offences where riders use banned substances

(1) A rider breaches these Australian Rules if:

(a) a banned substance under AR 136(1) is detected in a sample taken from the rider; or

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

(2) If, in the opinion of the Stewards and based on information available to them, their own observations, or medical or other competent advice, a rider's faculties are considered to be impaired by any banned substance under AR 136(1) or by any other cause, the Stewards may prevent the rider 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.

(3) The Stewards may immediately, or pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down a rider from riding in each of the following circumstances:

(a) if a banned substance under AR 136(1) is detected in a sample taken from the rider;

(b) if the rider refuses or fails to deliver a sample when directed to do so;

(c) if the rider tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample.

(4) If a rider incurs a penalty or is prevented by the Stewards from riding under this rule, the rider cannot resume riding until the period of the penalty has expired and a sample from the rider free of any banned substance under AR 136(1) has been delivered, as directed by the Stewards.

(5) For the purposes of subrule (4):

(a) a urine sample provided by the rider will only be declared free of a banned substance under AR 136(1) if the sample contains a creatinine concentration of 200mg/L or greater; and

(b) if the rider provides a urine sample which does not contain the concentration of creatinine referred to in subrule (5)(a), the rider will be required to deliver a further urine sample/s at the direction of the Stewards.

AR 140 Offences where horse handlers use banned substances

(1) A horse handler breaches these Australian Rules if:

(a) a banned substance under AR 137(1) is detected in a sample taken from the horse handler; or

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

(2) If, in the opinion of the Stewards and based on information available to them, their own observations, or medical or other competent advice, a horse handler's faculties are considered to be impaired by any banned substance under AR 137(1) or by any other cause, the Stewards may prevent the horse handler from handling any horse in training.

(3) The Stewards may immediately, or pending the determination of any inquiry or other proceedings or the result of any other analysis, stand down a horse handler from handling a horse in each of the following circumstances:

(a) if a banned substance under AR 137(1) is detected in a sample taken from the horse handler;

(b) if the horse handler refuses or fails to deliver a sample when directed to do so;

(c) if the horse handler tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample.

(4) If a horse handler incurs a penalty or is stood down by the Stewards from handling horses under this rule, the horse handler cannot resume handling horses until the period of the penalty has expired and a sample from the horse handler free of any banned substance under AR 137(1) has been delivered, as directed by the Stewards.

AR 141 Stewards may impose a stay on a banned substance offence penalty

(1) The Stewards may stay the operation of any penalty imposed for a breach of AR 136(1) or AR 137(1) in whole or in part, and for a period of time and under the terms and conditions they think fit.

(2) If a rider or horse handler does not comply with any of the terms and conditions of a stay imposed under subrule (1), the Stewards may order that the stayed penalty take effect.

AR 142 Banned substances exemption

Notwithstanding the provisions of AR 139 and AR 140, a PRA may permit a rider or horse handler to receive a specified banned substance for medicinal purposes, subject to the following:

(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 substance that is not a banned substance would serve the same medicinal purpose for the illness, condition or ailment concerned; and

(iii) in relation to a rider, that the medication would not affect the rider in a race, official trial, jump-out or trackwork to the extent that it could in any way constitute a danger to the rider or other riders; or

(iv) in relation to a horse handler, that the medication would not affect the horse handler in carrying out his or her duties to the extent that it could in any way constitute a danger to the horse handler or others;

(d) the rider or horse handler must, if requested, submit to a medical examination by a specialist medical practitioner employed or engaged by a PRA to advise it on the matters the subject of subrule (c);

(e) the rider or horse handler must:

(i) before riding or handling any horse, make application to a PRA for permission to ride or handle a horse with a specifically prescribed banned substance in the person's system;

(ii) adhere strictly to his or her prescribed medication, and report to the Stewards immediately if the person intends to discontinue or vary that medication;

(iii) report to the Stewards immediately if the person believes that either the person's illness, condition or ailment or medication may have some influence on his or her ability to ride or handle a horse effectively and/or safely;

(iv) renew his or her application for exemption on each occasion that the person applies for the renewal of that person's licence, registration, permit or other qualification if the person wishes to continue (on medical grounds) to ride or handle horses with a banned substance in that person's system; and

(f) under no circumstances will a person be granted retrospective exemption under this rule.

Division 7 – Apprentice jockey allowances

AR 143 Weight allowances for apprentice jockeys

(1) An apprentice jockey who is entitled to ride in races may claim, in accordance with the scales in this rule, a weight allowance in flat races as the Local Rules of a PRA permit.

(2) For the purposes of this rule, a winning ride in a Group Race, Listed Race, or Restricted Listed Race will be deemed to be a winning ride in a metropolitan area.

(3) For the purposes of this rule, an apprentice jockey cannot claim a weight allowance in any Group Race, Listed Race, or Restricted Listed Race.

(4) For races run in a metropolitan area, the permitted weight allowances for an apprentice jockey are:

(a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area;

(b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan area;

(c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area.

(5) For races run in a provincial area, the permitted weight allowances for an apprentice jockey are:

(a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area and/or a provincial area;

(b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan area and/or a provincial area;

(c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area and/or a provincial area.

(6) For races run other than in a metropolitan area or a provincial area, the permitted weight allowances for an apprentice jockey are:

(a) 3kg until the apprentice jockey has ridden 20 winners on the flat;

(b) 2kg until the apprentice jockey has ridden 50 winners on the flat;

(c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat.

(7) Notwithstanding the provisions of subrules (4), (5) and (6), an apprentice jockey may claim a weight allowance of 4kg until the apprentice jockey has ridden 5 winners on the flat except that a PRA may except its State or Territory from the application of this subrule.

(8) An apprentice jockey cannot claim a weight allowance outside a metropolitan area which is greater than the allowance the apprentice jockey is entitled to claim within a metropolitan area.

(9) The time for determining the allowance that an apprentice jockey can claim for a race meeting is the point at which acceptances for the race meeting officially close.

(10) The lowest the weight a horse can carry may be reduced on account of an allowance is 43.5kg.

(11) For the purposes of calculating the weight allowance for an apprentice jockey:

(a) all dead-heats for first place will count as winning rides; and

(b) all winning horses ridden by an apprentice jockey on the flat before his or her apprenticeship must be included as winning rides.

(12) (a) A winning rides book must be issued to every apprentice jockey by a PRA.

(b) It is the responsibility of the apprentice jockey and the apprentice jockey's master to ensure that the apprentice jockey brings the winning rides book to each race meeting the apprentice jockey participates at and that winning rides are entered in that winning rides book and endorsed by a Steward before the apprentice jockey leaves the racecourse.

(c) An apprentice jockey must provide his or her winning rides book to a Steward before weighing-out in any race. *[paragraph added 1.1.20]*

(13) (a) An apprentice jockey cannot claim an allowance that the apprentice jockey is not entitled to claim.

(b) Any horse ridden by an apprentice jockey in a race whose weight in the race has been adjusted by an allowance that the apprentice jockey was not entitled to claim, may be disqualified from the race.

(14) (a) Except with the permission of the Stewards, every apprentice jockey must claim his or her full allowance.

(b) Any apprentice jockey who fails to claim the apprentice jockey's full allowance may be stood down for a ride to which the allowance relates.

(15) For the purposes of this rule:

(a) subject to subrule 15(c), winning rides in flat races held outside Australia are regarded 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)) are regarded as winning rides in an Australian metropolitan area;

(c) winning rides in flat races at all other New Zealand meetings will be regarded as winning rides in an Australian provincial area, except that for the purposes of this rule a winning ride in a Group or Listed race at any race meeting in New Zealand will be deemed a winning ride in an Australian metropolitan area.

(16) Any:

(a) apprentice jockey and/or his or her master who breaches any part of this rule;

(b) person who aids, abets, counsels, procures, concurs in, connives at, or is a party to a breach of this rule,

may be penalised.

Division 8 – Riding Skills Panels

AR 144 Riding Skills Panel

(1) A PRA may engage a Riding Skills Panel for the purpose of assisting in the mentoring of and provision of remedial or technique training for riders, including jockeys, apprentice jockeys and approved riders.

(2) The Stewards may at any time direct a rider to the Riding Skills Panel for mentoring or any remedial or technique training as they think fit.

(3) A rider must not fail or refuse to attend the Riding Skills Panel when directed, or fail or refuse to comply with any reasonable direction of the Riding Skills Panel.

(4) The Stewards may suspend or limit a rider's permission to ride in races in any way the Stewards think fit if they find that any aspect of a rider's race riding technique, method

or practice may be a hazard to that rider or other riders, or may be contrary to a horse's welfare.

Division 9 – Other provisions relating to workers in the thoroughbred racing industry

AR 145 Employment in the thoroughbred racing industry

(1) If a trainer receives notice from a PRA that a person has not fulfilled a previous work commitment in the racing industry, the trainer must not, or continue to, engage or employ that person in the trainer's stable without the consent of the PRA.

(2) If a person is prohibited from either being employed or engaged, or employing or engaging a person by reason of these Australian Rules, that person may apply to a PRA for that prohibition to be lifted.

AR 146 Leaving employment without consent of master

(1) A person employed or engaged in a stable must not leave their master before the terms of the engagement are complete.

(2) An apprentice jockey must not leave his or her employment or engagement with a trainer without the consent of the apprentice jockey's master without just cause.

(3) A trainer or owner must not engage or employ an apprentice jockey knowing that apprentice jockey has breached subrule (2).

AR 147 Retainers with riders

(1) If a rider has a retainer (being a contract in relation to the provision of riding services) with another person:

(a) it will not be recognised by a PRA unless it is in writing, signed by both parties, and lodged with a PRA;

(b) in the absence of terms to the contrary, it may be terminated by that person if the rider is prevented from riding by disqualification or suspension;

(c) in the absence of terms to the contrary, it may be terminated by either party by 3 months' written notice to the other party, but a PRA may at any time release any party from it for any reason and on such terms as the PRA thinks fit.

(2) If more than one person retains the same rider, the rider's priority is with the person whom first retained the rider.

Division 10 – Approved riders

AR 148 Prohibition on betting activity of approved riders

Any approved rider who has a riding engagement at a race meeting is prohibited from making or having an interest in a bet (including a lay bet), or being present in the betting ring at that race meeting.

AR 149 Approved riders owning horses

If an approved rider owns a horse which is entered in a race, that person must not, without the permission of the Stewards, accept an engagement to ride another horse in that race.

PART 8 – RACE MEETINGS

Division 1 – Race meetings

AR 150 Discretion of a PRA to exempt a race meeting or race from the Rules

A PRA may in its absolute discretion exempt race meetings or races from all or any of the Rules on conditions it thinks fit.

AR 151 PRA approval of races, race names and conditions

(1) The name and conditions of every race, and the full program of every race meeting, must not be advertised or published by any Club or person unless they have been submitted to the relevant PRA for approval at times prescribed by the PRA and/or by Local Rules and have been approved by the PRA.

(2) A PRA may in its absolute discretion (and without providing any reason) refuse approval of, or impose conditions with respect to:

(a) any race; or

(b) the name of any race; or

(c) the conditions of any race.

(3) Notwithstanding subrule (2), without the written permission of Racing Australia, no race is permitted to contain any one or more of the following words:

(a) Derby;

(b) Oaks;

(c) Slipper;

(d) Doncaster;

(e) Rose.

(4) Names of races containing one or more of the words in subrule (3) which existed prior to 1 March 2006 have the deemed approval of Racing Australia.

AR 152 Change of venue not to affect status of race meeting

Unless otherwise determined by a PRA, a race meeting which takes place under the Rules at a venue different to a venue where it would ordinarily take place, retains the same level of status despite the change in venue.

AR 153No changes to weight of horses after acceptances

Changes to the weight allotted to any horse cannot be made after declaration of acceptances by reason of:

(a) any alteration to the race distance approved by a PRA or the Stewards; or

(b) any race postponement where the original fields are unaltered.

AR 154 Non-monetary prizes

(1) The value of non-monetary prizes must be advertised.

(2) Any non-monetary prize must be estimated at its advertised value.

AR 155 Abandonment or cancellation of race meetings

(1) A PRA, or a Club with the approval of a PRA, may cancel, abandon, or postpone any race or race meeting to a day approved by a PRA, and may make that decision either before or after the race meeting has commenced.

(2) In the event of cancellation or abandonment of a race or race meeting, all entry and acceptance fees not already forfeited must be returned.

(3) A PRA may appoint or authorise an official or body for the purpose of giving any approval under this rule and if that official gives approval it will be deemed to be the approval of the PRA.

AR 156 Prohibition on officials with a pecuniary interest in a race result

If a person has a pecuniary interest in the result of a race, that person is not permitted to 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 an assistant or deputy to any of those positions in relation to that race.

AR 157 Clubs to provide reports of race meetings to PRAs

After every race meeting the Club holding the meeting must provide to a PRA any information required by the PRA, which may include:

(a) names of the horses which started in each race;

(b) particulars of age, colour and sex of the horses which started each race;

(c) weights carried by the horses which started each race;

(d) names of the owners, trainers and riders and the pedigrees (when known) of the placed horses in relation to each race;

(e) positions of horses placed in each race;

(f) confirmation of all penalties imposed and all protests made and the decisions of the Stewards in relation to them;

(g) names of all horses sold or claimed in any selling or claiming race;

(h) any overweight carried, and whether it has been declared or not.

AR 158 Stewards' reports following race meetings

After a race meeting, the Stewards of the race meeting must provide a report to a PRA which records observations and actions taken by them during the race meeting.

AR 159 Races can be divided into divisions

A PRA may, or authorise a Club or the Stewards to, divide a race into 2 or more divisions on terms they think fit.

AR 160 Minimum distance for all races

A race must be at least 800 metres in length.

AR 161 Method of reckoning the age of a horse

(1) The age of a horse will be reckoned as follows:

(a) if it was foaled between 1 July and 31 December:

(i) from 1 August in the year in which it was foaled if its dam was first covered on or after 1 September in the previous year, as recorded in the Australian Stud Book;

(ii) from 1 August in the year previous to the year in which it was foaled if its dam was first covered before 1 September in the year prior to the year in which it was foaled, as recorded in the Australian Stud Book;

(b) if it was foaled between 1 January and 30 June, from 1 August in the year prior to the year in which it was foaled.

(2) In exceptional circumstances Racing Australia may vary the conditions provided by this rule by specific order.

Note: *Pursuant to this proviso, the ARB ordered on 27 July 2007 that the breeding season for the year 2007 commence on 27 August 2007 instead of 1 September 2007; and that a foal produced from a covering of a dam on or from 27 August 2007 shall have its age reckoned from 1 August 2008.*

AR 162 Nature of Group and Listed races

(1) Group Races, Listed Races, and Restricted Listed Races are those identified by Racing Australia to represent the highest standard of racing.

(2) The only Group Races, Listed Races, and Restricted Listed Races which will be officially recognised for races run under these Australian Rules are those approved and adopted by Racing Australia. Those races will be published by Racing Australia.

AR 163 Official results of races are those recorded by Racing Australia

The official results and horse performance records for races run under these Australian Rules are those recorded by Racing Australia.

AR 164 Immaterial defect in registration or entry

A horse is not to be disqualified from a race because of any defect in relation to its registration or entry if the Stewards might reasonably have permitted or ordered the defect to be corrected if brought to the Stewards' attention before the start of the race.

AR 165 Horses in the saddling paddock

(1) All horses entered in a race must be brought into the saddling paddock (or other designated area) at a time provided for by the relevant Local Rule and must 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 (or other designated area), the Stewards may call on the nominator or trainer to satisfy them that their horse will start, and if not satisfied of that or the nominator or trainer cannot be found, the Stewards have the discretion to order the scratching of the horse and penalise either or both of the nominator and trainer.

(3) Unless the Stewards order otherwise, a horse that has competed in a race is not permitted to be removed from the saddling paddock (or other designated area) until at least 30 minutes after the finish of the race.

AR 166 Horses must be attended to at all times while on course

A trainer must ensure that each of his or her horses competing at a race meeting are attended to at all times while on course at that race meeting.

Division 2 – Weights, penalties, and allowances

AR 167 Maximum and minimum weights for handicap races

(1) The top weight allocated for handicap flat races must not be less than 59kg, except that for Group 1 handicap races and races in which only 2 year olds can run, the allocated top weight must not be less than 58kg.

(2) Notwithstanding 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 58kg (57kg for Group 1 handicap races), or less than a higher weight determined by a PRA, then allocated weights for the race must be increased until the highest-weighted acceptor is weighted at not less than 58kg (57kg for Group 1 handicap races). *[sub-rule amended 1.3.25]*

(3) A PRA may, in its sole and absolute discretion, provide an exemption from subrule (2) for Group 1 handicap races.

(4) The minimum weight allocated for handicap flat races must not be less than:

  (a) 50kg for the Melbourne Cup and Caulfield Cup;

  (b) 52kg for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup;

  (c) 53kg for Group 2 handicap flat races; and

  (d) 54kg for all other handicap flat races (provided that a PRA may in its discretion approve a minimum of 53kg for the purposes of this subrule).

(5) Notwithstanding subrule (4), a PRA may approve applications made by Clubs for a minimum weight of 50kg for Group 1 handicap races other than the Melbourne Cup

and Caulfield Cup 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 subrule (4).

AR 168 Table of standard weight-for-age measures

The Standard Weight-for-Age measures for flat races are in accordance with the following table (weights expressed in kg):

STANDARD WEIGHT-FOR-AGE FOR FLAT RACES – SCHEDULE													
Month		AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
1000 m to 1200 m	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 1200 m to 1400 m	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 1400 m to 1600 m	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 1600 m to 2000 m	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 2000 m to 2400 m	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 2400 m to 3200 m	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	59.5	59.5	59.5	59.5	59.5

Fillies and mares are allowed 2kg from 1 August to 31 July.

AR 169 Allowances for fillies and mares

A weight allowance of 2kg to fillies and mares applies to all set-weight and set-weight-and-penalties races, other than races restricted to fillies and mares.

AR 170 Allowances for weight-for-age races (northern hemisphere horses)

An allowance in standard weight-for-age races will only apply to all horses sired in the northern hemisphere and foaled between 1 January and 31 July, in accordance with the following table (allowances expressed in kg):

Distance	Age	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1200m	2y	---	---	---	---	---	3	3	3	3	3	3	3
and	3y	2.5	2.5	2	2	2	2	1.5	1.5	1.5	1	1	1
under	4y	0.5	0.5	0.5	0.5	---	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	2y	---	---	---	---	---	3.5	3.5	3.5	3.5	3.5	3.5	3.5
1200m	3y	3	3	2.5	2.5	2.5	2.5	2	2	2	1.5	1.5	1.5
to 1600m	4y	1	1	1	1	0.5	0.5	0.5	0.5	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	2y	---	---	---	---	---	4	4	4	4	4	4	4
1600m	3y	3	3	2.5	2.5	2.5	2.5	2.5	2	2	2	2	2
to	4y	1.5	1.5	1.5	1	1	1	0.5	0.5	0.5	---	---	---
2000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	3.5	3.5	3	3	3	3	2.5	2.5	2.5	2	2	2
2000m	4y	2	1.5	1	1	0.5	---	---	---	---	---	---	---
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	1.5	1	1	0.5	---	---	---	---	---	---	---
to 3000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	---	---	---	---	4	4	4	4	4	4	4	4
3000m	4y	3	2	1.5	1.5	1	0.5	0.5	---	---	---	---	---

5y	---	---	---	---	---	---	---	---	---	---	---	---

[amended 1.8.19]

AR 171 Limitation on allowances

(1) Subject to subrule (2), a horse is not to receive an allowance of weight or be relieved from extra weight on account of it having been beaten in one or more races.

(2) An allowance can be made in relation to Maidens, and/or races under conditions where the weights allotted to horses depend on whether or not they have won a race or whether or not they have won one or more races of a particular kind.

AR 172 Additional weight not to be required for running 2nd or lower

The conditions of a race must not contain a provision that a horse is required to carry extra weight for having run 2nd (or any place lower) in a race/s.

AR 173 Allowances/extra weights not affected by matches/sweepstakes

Allowances and extra weights are not affected by performances in matches or private sweepstakes.

AR 174 Penalties not to be cumulative

Penalties are not cumulative unless that is expressly stated in the conditions of a race.

AR 175 No penalties for winners of jumping races or flat races

Unless specially stated otherwise in the conditions of a race, winners of jumping races are not liable to carry penalties as winners in races on the flat, and winners on the flat are not liable to carry penalties as winners in jumping races.

AR 176 Handicapper to identify time of declaration of weights

When stating the weights for every handicap race, the handicapper is required to state the date and hour of the handicapper's declaration of the weights.

AR 177 Stewards may permit handicapper to amend weights

(1) The Stewards may, within a reasonable time of the handicapper's declaration of weights, permit the handicapper to amend the allotted weight of a horse in a handicap race if satisfied that the allotted weight was incorrect because of:

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

(b) incomplete or inaccurate information in relation to the performance, 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 a race.

(2) With the Stewards' permission and before the declaration of acceptances, the handicapper may issue a substitute set of weights for a handicap race only if:

(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.

(3) Notwithstanding subrules (1) and (2), 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.

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

AR 178 Consequence for weights of a dead-heat race

When horses run a dead-heat for 1st place, each of those horses is liable to carry extra weight as winner of that race, and:

(a) each horse is deemed to have won the amount of the prize awarded in respect of the winner of the race and any extra weight shall be calculated accordingly;

(b) if the conditions of a race require that a certain penalty or weight has to be carried for winning a race specified by name, each horse running a dead-heat for that race will carry that penalty or weight as if that horse had won the race outright.

AR 179 Calculating equivalent prize money earned in other countries

For the purpose of calculating the value of prize money earned in other countries by a horse entered in a race in Australia, the rate of exchange to be used is the rate current on the first business day of January of the year in which the prize money was earned, as determined by a trading bank approved by Racing Australia.

AR 180 Eligibility or weight not affected by subsequent disqualification

If the winner of a race is found to have been ineligible for the race, or is subsequently disqualified from the race, the eligibility or weight of any other horse will not be affected in respect of a race run before that finding was made.

Division 3 – Scratchings

AR 181 Notice of scratching of a horse from a race

(1) Subject to subrule (2):

(a) the nominator or trainer of a horse (or that person's authorised agent) must give notice in writing of the scratching of the horse from a race to the PRA or the Stewards at least 45 minutes before the time scheduled for the start of the race, or any earlier time as the Local Rules provide;

(b) if no notice is given under subrule (1)(a), the Stewards may still permit or order the scratching of the horse.

(2) If a horse has been accepted for races to be run on the same day in different States or Territories:

(a) unless the Stewards grant permission otherwise, the nominator or trainer of the horse (or that person's authorised agent) must give notice in writing of the scratching of the horse from the race for which the horse has accepted but will not start to the PRA or the Stewards by 9.00am on the day before the day of the race;

(b) if no notice is given under subrule 2(a), the Stewards may still permit or order the scratching of the horse.

(3) Nothing in this rule restricts the Stewards from penalising the nominator or trainer or both where a breach of subrule (1)(a) or (2)(a) occurs.

AR 182 Scratchings void if a race or race meeting postponed to another day

If a race or race meeting is postponed to another day, scratchings made on the day the race or race meeting was originally scheduled are deemed void and the time for scratching is deemed extended to the prescribed new scratching time on the newly allocated day of the race or race meeting.

AR 183 Horses may be scratched 15 minutes before a re-run race

The Stewards may permit any horse to be scratched from a race ordered by them to be re-run up until 15 minutes before the time scheduled for the race to be re-run.

Division 4 – Weighing-out

AR 184 Method of weighing-out and weighing-in

When calculating a rider's weight in weighing-out and weighing-in:

(a) no account is to be taken of fractions of 0.5kg; and

(b) the following items must be included by the rider in the weight:

(i) all items of clothing worn by the rider except for the rider's helmet, goggles, other face protection and gloves;

(ii) the saddle, lead bag and associated packing (excluding the saddle cloth) and neck strap; and *[sub-paragraph amended 1.6.19]*

(iii) any other gear attached or to be attached to the saddle.

AR 185 No equipment change after weighing-out

Unless permission from the Stewards is obtained, a rider or any other person must not add to, remove from, or change any equipment that the rider has been weighed-out in.

AR 186 Securing lead or other weights

(1) Every rider must secure any lead or other weight in the rider's lead bag or saddle pouch when weighing-out.

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

(3) Further to, and without affecting the provisions of subrules (1) and (2) of this rule, no lead or other weight used by a rider when weighing out will be permitted to be;

(i) imbedded or carried in a rider's race riding boots,
(ii) placed or carried in any other part of a rider's equipment and/or gear,
(iii) carried by a rider in any manner other than in the manner allowed under subrules (1) & (2) of this rule.

[sub-rule added 1.2.24]

AR 187 1kg adjustment to rider's actual weight

To compensate for the wearing of safety gear in races, the weight of all riders is to be calculated as the weight that is registered on the scale at both weighing-out and weighing-in, less 1kg.

AR 188 Riders' obligations in relation to safety vests

A rider must not:

(a) manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race;

(b) weigh-out or attempt to weigh-out for a race or ride in any race while wearing an approved safety vest that has been modified in any way; or

(c) weigh-out or attempt to weigh-out for a race or ride in any race unless the rider is wearing an approved safety vest.

AR 189 Riders may be substituted in particular circumstances

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

AR 190 Riders riding overweight

(1) If a rider intends to ride overweight in a race, the rider must declare the amount of overweight to the Clerk of the Scales.

(2) A rider must first obtain the approval of the Stewards to ride overweight if the overweight is 0.5kg or more.

(3) Subject to subrule (2), a rider must not accept a ride for which the rider is overweight.

(4) If a rider breaches subrule (3), another rider may be substituted at the allotted weight, or nearer to it.

AR 191 Responsibilities in relation to weight and penalties

Nominators and trainers are responsible for their horses carrying 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 that to the Clerk of the Scales before the rider is weighed-out.

AR 192 Departure from jockeys' room and mounting enclosure prior to race

A rider:

(a) must mount the horse to be ridden by the rider in any race within the enclosure or place identified by the Stewards; and

(b) must not leave the jockeys' room or the enclosure or place referred to in subrule (a) to proceed to the starting position for a race without the approval of the Stewards.

AR 193 Limits on a rider in relation to race communications

Except with permission of the Stewards, Judge or Starter, after a rider has left the jockeys' room to ride in a race and until the rider dismounts (if not required to weigh-in) or weighs-in (if required to weigh-in):

(a) a person, other than the trainer or nominator (or their authorised agent) of the horse, an official in the course of his or her duties, or during the race another rider, must not speak to or communicate in any way with the rider;

(b) a person, other than an official in the course of his or her duties, or the trainer of the horse prior to the race, must not touch the rider, the rider's horse, or any of its equipment;

(c) the rider must not speak to or communicate in any way with any person other than the trainer or nominator (or their authorised agent) of the horse, an official in the course of his or her duties, or during the race another rider.

<u>Division 5 – Starting</u>

AR 194 Horse to be in mounting yard 15 minutes before start time

Unless otherwise permitted by the Stewards, every horse must be presented in the mounting yard no later than 15 minutes prior to the advertised start time for a race.

AR 195 Parading and proceeding to the start of a race

Every horse must parade and proceed to the starting position of a race as directed by the Stewards, and unless the Stewards otherwise direct, without delay.

AR 196 Races to be started by Starter

Every race must be started by the Starter or such person approved by a PRA or the Stewards.

AR 197 Discretion of the Starter in relation to starting races

(1) The Starter may give all orders and take all measures as the Starter sees fit for securing a fair start.

(2) The Starter must report to the Stewards any rider who disobeys the Starter's orders or attempts to take any unfair advantage.

AR 198 Requirement of starting at allotted barrier

(1) Every rider must ensure that his or her horse occupies its allocated barrier as determined by the barrier draw.

(2) If a horse starts from an incorrect barrier, then prior to the declaration of correct weight the Stewards have the discretion to:

(a) confirm the official order of placings;

(b) declare the race to be void; or

(c) declare any horse concerned a non-starter.

AR 199 Open barrier and flag starts

(1) An open barrier or flag start cannot take place without approval of the Stewards.

(2) If the Stewards approve an open barrier or flag start, then the Starter may in respect of any unruly horse:

(a) remove it from the place allocated to the horse by the barrier draw and place the horse at a distance to the outside of, or behind, the other runners where it cannot gain any advantage for itself or cause any danger to or prejudice the chances of any other horse; or

(b) recommend to the Stewards that it be scratched from the race.

AR 200 Discretion for Stewards to scratch a horse if it does not enter stall

(1) For a barrier start, all horses must start from their allocated barrier.

(2) The Stewards may scratch a horse from a race if it:

(a) refuses to enter its barrier after all reasonable efforts have been made to place it in its barrier; or

(b) becomes unduly fractious after being placed in its barrier.

(3) If the Stewards scratch a horse from a race under subrule (2), they may make appropriate orders in relation to betting on the race.

AR 201 Discretion of Stewards if race started from incorrect starting position

If a race is started from the incorrect starting position the Stewards may declare the race void and, if in the circumstances they consider it appropriate, order that the race be re-run on that day.

AR 202 Discretion of Starter to signal false start

(1) The Starter may signal a false start if the Starter considers:

(a) the barriers have malfunctioned;

(b) a horse has broken through the barriers before the Starter had effected the start; or

(c) for any reason, a fair start was not effected.

(2) If a false start is signaled by the Starter or an official authorised to start a race, each rider must immediately restrain the rider's horse and return to the starting point of the race without delay.

AR 203 Decision of Stewards about starts of races to be final

The decision of the Stewards is final and conclusive in relation to any question of whether a start has been effected or whether a horse is declared a non-starter.

AR 204 Riderless and disadvantaged horses at the start of a race

(1) If, in the opinion of the Stewards, any horse was:

(a) riderless at the time a start was effected; or

(b) encumbered by equipment applied with the permission, or at the direction, of the Starter; or

(c) denied a fair start; or

(d) encumbered by any other outside influence after gaining a fair start,

and that materially prejudiced the chances of that horse finishing 1st, 2nd, 3rd or 4th in a race, the Stewards may declare that horse to be a non-starter and may make an order in relation to betting on the race as provided for separately in the Rules of Betting (except that a horse which is ultimately declared as coming 1st, 2nd, 3rd or 4th in a race must not be declared a non-starter).

(2) If, in the opinion of the Stewards, a horse obtains an unfair advantage at the start of a race, they may declare the horse to be a non-starter and may make an order in relation to betting on the race as provided for separately in the Rules of Betting.

<u>Division 6 – Running of a race</u>

AR 205 Stewards may declare a race void and require it to be re-run

The Stewards may declare any race void and, if in the circumstances they consider it appropriate, order that race to be re-run on that day.

AR 206 Horses must only race in approved gear

(1) Except for other gear approved by the Stewards for trackwork, for a race, official trial, jump-out or trackwork all gear to be used on a horse must be approved by the Chairmen of Stewards and listed in the National Equipment Register – Horses and Riders.

(2) Permission must be obtained from the Stewards prior to acceptance time for a race in order for a horse to race in any approved gear (including racing plates) listed in the National Equipment Register – Horses and Riders.

(3) If permission is obtained under subrule (2), then, unless approval from or instruction by the Stewards is provided prior to acceptance time for a subsequent race, that gear is to be used without variation in subsequent races in which the horse participates.

AR 207 Horses must carry saddlecloths identifying their number

(1) Every horse running in a race must carry a saddlecloth bearing a number which corresponds with the number of the horse in the racebook (or in a publication authorised by Racing Australia in relation to the race).

(2) A saddlecloth is to be supplied to the rider at the time of weighing-out.

(3) A saddlecloth must be worn so that the number is clearly visible.

Division 7 – Weighing-in

AR 208 Requirement to weigh-in

(1) Immediately after pulling up after a race, every rider must ride his or her horse to the place designated for weighing, but must not dismount before being directed by the Stewards to do so.

(2) The riders that must be weighed-in to the satisfaction of the Clerk of the Scales or a Steward are:

(a) the riders of placed horses in a race; and

(b) any other riders directed by the Stewards to be weighed-in.

(3) Notwithstanding subrules (1) and (2):

(a) if a rider is prevented by accident, illness or other reason deemed sufficient by the Stewards from riding to the place of weighing, the rider may walk or be carried to the scales; and

(b) if, in the opinion of the Stewards, it is impracticable to weigh-in a rider, the rider's horse will not be disqualified if the rider weighed-out correctly and the Stewards are of the opinion that the rider carried his or her correct weight in the race.

AR 209 Consequence of a horse carrying less weight than it should

(1) A rider must ensure that his or her horse does not carry less weight than what it is required to carry in a race.

(2) Subject to subrule (3), if a horse carries less weight than what it is required to carry in a race:

(a) it will be disqualified from the race, provided that the Clerk of the Scales must allow the rider of the horse 0.5kg; and

(b) notwithstanding subrules (1) and (2)(a), any person at fault in relation to the failure to carry the correct weight may also be penalised.

(3) Subject to compliance with AR 208, a horse shall be deemed to have carried its weight from the start of the race to the winning post if, in the opinion of the Stewards, the rider remains in contact with the horse or any part of the horse's gear from the start of the race to the winning post.

AR 210 Consequence if a rider does not weigh-in properly

(1) A rider must weigh-in when required to do so.

(2) If a rider breaches subrule (1), the rider's horse may be disqualified from that race unless there are exceptional circumstances justifying the rider's failure in that respect.

(3) A rider must not touch (except accidentally) any person or thing other than the rider's own equipment in the period from when a race starts to when the rider weighs-in.

(4) If a rider breaches subrule (3), the rider's horse may be disqualified from that race unless that contact was justified by extraordinary circumstances.

(5) Despite subrule (4), any part of the rider's equipment dropped by the rider after passing the winning post may be handed to the rider by the Clerk of the Course or by another authorised official.

AR 211 Horse overweight by more than 0.5kg

(1) A rider must ensure that his or her horse does not carry more than 0.5kg in a race over the weight that it is required to carry.

(2) If a rider breaches subrule (1), any other person at fault for the breach may also be penalised.

AR 212 Declaration of correct weight by Stewards

The Stewards must declare correct weight and cause a public announcement to that effect to be made at the point when:

(a) all riders required to be weighed-in have been weighed-in at not less than the weight at which they weighed-out; and

(b) any protest in relation to the race has been determined.

Division 8 – Dead-heats

AR 213 Dead-heats

(1) If a dead-heat for 1st or any other place occurs, the prize money awarded for each horse is to be an equal share of the total prize money that would have been awarded to the dead-heating horses had they finished in successive places and not dead-heated.

(2) If the nominators of a horse which ran a dead-heat cannot agree on which of them is to have a cup or other prize that cannot be divided, the Stewards will:

(a) determine who is to retain the prize by lot; and

(b) may, if necessary, determine what sum of money (if any) is to be paid by the nominator who takes the cup or other indivisible prize, to the other nominator.

(3) Subject to the conditions of any race, each horse that divides a prize for 1st place will be deemed to be the winner of a race worth the amount that would have been awarded by way of money or prize, if there was a clear winner of the race.

Division 9 – Judge's determination

AR 214 Placings in a race to be determined by the Judge

(1) Placings in a race are to be determined by the Judge occupying the Judge's box at the time the horses passed the winning post.

(2) A camera may be used to take photographs or images of the horses at the finish to assist the Judge in determining their positions, as exclusively indicated by their noses.

(3) The Judge must place:

(a) the first 4 horses in a race;

(b) the number of horses up to and including the horse following the last horse that, pursuant to the conditions of a race, is to receive a prize (for example, if prizes from 1st through to 5th place were offered, the first 6 horses must be placed); or

(c) the number of horses that the Stewards require to be placed by the Judge.

(4) The determination of the Judge that a horse has won or been placed in a race is to be final, except:

(a) the Judge may correct any mistake before the riders of the placed horses have been weighed-in; and

(b) the Stewards may alter a determination made by the Judge either before or after a declaration of correct weight if the Stewards are satisfied on the available evidence (including prints or images) that the Judge has made a mistake in the determination of the finishing order of a race.

(5) The Stewards will stand in the place of the Judge and exercise the powers, perform the functions, and carry out the duties, of the Judge if:

(a) the Judge is unavailable; or

(b) in the opinion of the Stewards the Judge is or was unable to properly place the horses as they passed the winning post due to illness or any other reason.

(6) No alterations to the Judge's places after correct weight will have any effect on previous orders given by the Stewards as to betting on the race.

Division 10 – Walk-over

AR 215 A walk-over and its consequences

(1) In the event of a walk-over:

(a) that horse will be deemed the winner of the race and will be liable to carry extra weight as a winner;

(b) only half of any prize money which would have been due to the winner had the race not been a walk-over will be awarded; and

(c) a non-monetary prize will still be given.

(2) Notwithstanding subrule (1), no prize will be awarded when, in the opinion of the Stewards, a walk-over is the result of any arrangement.

AR 216 Allocation of prize money if no 2nd or other place

Except if otherwise provided in the rules or conditions relating to a race, if any money or prize is to be awarded to a horse for filling 2nd or any other place in a race, then if no horse fills that place, the money or prize that was allocated to it will go to the Club holding the meeting.

Division 11 – Restrictions on course telecasts

AR 217 No course telecast without approval

A photograph, film or telecast of a race must not be exhibited or replayed at the racecourse on which a race meeting is being conducted without the permission of the Stewards in charge of that meeting.

Division 12 – Restrictions on the use of communication devices

AR 218 No transmission of certain information in certain areas at racecourses

(1) Without the permission of the Stewards, a person must not transmit in any way from a racecourse any betting odds being offered by a bookmaker on any horse that is competing at a racecourse in Australia or elsewhere.

(2) Without the permission of the Stewards, a person must not have turned on or use a mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information during a race meeting in any of the following areas:

(a) the mounting yard;

(b) the scales area;

(c) any other area designated by the Stewards.

(3) Notwithstanding subrule (2)(a), an owner who is present in the mounting yard immediately after the running of a race is permitted to use a mobile phone.

(4) Without the permission of the Stewards, a person (including but not limited to a jockey) must not:

(a) bring into the jockeys' room;

(b) have in that person's possession in the jockeys' room;

(c) use in the jockeys' room,

any mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

(5) The Stewards may take possession of and retain in their possession (including for the purposes of examining) any appliance, apparatus, instrument or equipment that is used by any person in contravention of this rule.

Division 13 – Protests

AR 219 Making protests

(1) Except for protests to be made prior to a rider weighing-in (under subrule (3)), unless the Stewards order otherwise every protest:

(a) must be made to the Stewards in writing; and

(b) be signed by either the nominator or the nominator's authorised agent, trainer or rider.

(2) A protest may be made by a Steward or the Starter in their official capacity. In the case of such a protest in relation to a matter referred to in subrule (3), it must be made before correct weight is declared.

(3) Any protest by the persons authorised under subrule (1)(b) against a horse/s on the ground of:

(a) an interference in the running of a race as provided for in AR 130(1);

(b) a horse/s not having run the proper course;

(c) the race having been run over a wrong course;

(d) the use of a whip as provided for in AR 132; or

(e) any other matter occurring in a race,

must 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 signaling of correct weight.

(4) A protest made under subrule (3)(a) is only permitted to be made on behalf of a horse that has been placed first, second, third, fourth or fifth by the Judge, provided that the Stewards, in their discretion, may allow a protest made under subrule (3)(a) to be made on behalf of a horse that has been placed below fifth by the Judge.

[Sub-rule amended 1.6.19]

(5) A person must not make a protest under subrule (3) which, in the opinion of the Stewards, is frivolous.

(6) A person must not:

(a) improperly deter or attempt to improperly deter a person from making a protest under this rule; or

(b) improperly encourage or improperly attempt to encourage a person to protest under this rule.

(7) If a protest is made under subrule (3) prior to the declaration of correct weight, the Stewards must without delay cause public announcements to be made in relation to:

(a) the fact that a protest has been made; and

(b) the grounds of the protest.

(8) Once the Stewards have considered and determined a protest, they must without delay cause public announcements to be made in relation to:

(a) whether the protest was dismissed or upheld;

(b) if the protest is upheld, details of any alteration to the Judge's placings; and

(c) the declaration of correct weight.

(9) A protest cannot be withdrawn without the permission of the Stewards.

(10) Pending a decision in relation to a protest regarding the placings in a race, the horse placed 1st will be liable to all the penalties attached to the winner of the race.

AR 220 Certain protests can be made up to 30 days after a race

(1) A protest on the following grounds can be made up to 30 days after the conclusion of the race to which the protest relates:

(a) fraudulent misstatement or fraudulent omission in the entry;

(b) a horse which ran was not the horse:

(i) it was represented to be;

(ii) of the age it was represented to be; or

(iii) was not qualified under the conditions of the race;

(c) the name of a horse or of any person having an interest in a horse is on the Forfeit List or List of Disqualifications;

(d) a horse was not registered in accordance with these Australian Rules; or

(e) the weight carried by a horse was incorrect.

(2) The protests referred to in subrule (1) are the only protests on the grounds of misdescription, error, or omission in any entry that are able to be accepted after a race.

AR 221 Consequence of a protest being upheld

(1) Subject to subrule (2), if a protest in relation to a horse that has won or been placed in a race is upheld, the horse may be:

(a) disqualified from the race; or

(b) placed after a horse that the horse interfered with (if the Stewards are of the opinion that the horse interfered with would have finished ahead of the other horse had the interference not occurred).

(2) If a protest is lodged on behalf of a placed horse under AR 219(3)(d) against another placed horse and the Stewards are of the opinion that had the rider of the horse protested against not been in breach of AR 132(5) or (7) the horse would not have finished equal or ahead of the horse on whose behalf the protest is lodged, the Stewards may place the horse considered to have been advantaged immediately after the other horse.

AR 222 Protest to the qualification of a horse

(1) If the qualification of a horse is the subject of a protest either before 10.00 am on the day of the relevant race or after the race:

(a) the nominator or his or her representative must satisfy the Stewards that the horse is or was eligible to run; and

(b) if the Stewards are not satisfied that the horse is or was eligible to run, they may order that the horse be scratched or may direct that any prize awarded in respect of the horse be withheld for a period fixed by them.

(2) If the qualification of a horse is the subject of a protest between 10.00 am on the day of the relevant race and the start of the race, the horse must be allowed to run unless the person making the protest proves, to the Stewards' satisfaction prior to the start of the race, that the horse is not eligible to run, in which case the Stewards must order the horse be scratched.

(3) If, at the expiration of the period fixed by the Stewards under subrule (1)(b), the Stewards are not satisfied that the horse was eligible to run, the prize is to be awarded as if that horse had not started.

AR 223 Withholding of prizes pending consideration of a protest or inquiry

Whenever:

(a) a protest has been lodged; or

(b) an investigation or inquiry which may affect the placing of a horse has been instituted; or

(c) any action is taken or is about to be taken which may lead to an investigation or inquiry which may affect the placing of a horse,

any prize due in respect of a horse may be withheld pending the consideration of the protest, investigation or inquiry. *[sub-para (c) amended]*

AR 224 Prizes to be repaid/returned following disqualification

In any case where a prize or part of a prize has been paid or awarded to a person who is subsequently found by a PRA or the Stewards not to be entitled to it by reason of the

disqualification of that person's horse or otherwise, that prize must, on demand, be repaid or returned by the recipient to the PRA or Club concerned.

Division 14 – Humane euthanasia of a horse

AR 225 Circumstances in which a horse may be humanely euthanised

If a horse is injured on a racecourse and:

(a) in the opinion of a qualified veterinary surgeon employed, engaged or approved by the PRA conducting the race meeting; or

(b) in the opinion of the Stewards,

humane euthanasia of the horse is advisable on animal welfare grounds in order to prevent the horse from suffering, the qualified veterinary surgeon and/or the Stewards may order the horse be humanely euthanised by a person who the veterinary surgeon and/or the Stewards consider suitable.

PART 9 – MISCONDUCT & OTHER OFFENCES

Division 1 – Penalty for breach

AR 226 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 9 the person may be penalised by a PRA or the Stewards.

Division 2 – Powers in relation to misconduct and other offences

AR 227 Breaches of the Rules

Without limiting any other powers, a PRA or the Stewards may penalise any person who:

(a) commits any breach of the Rules, or engages in conduct or negligence which has led or could have led to a breach of the Rules;

(b) attempts to commit, aids, abets, counsels, procures, connives at, approaches or requests another person to commit, conspires with another person to commit, or is a party to another person who commits, a breach of the Rules.

[sub-paragraph amended 1.6.19]

Division 3 – Conduct detrimental to the interests of racing

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere;

(b) misconduct, improper conduct or unseemly behaviour;

(c) improper or insulting behaviour at any time towards a PRA, the Stewards, a Club, or any official, employee, contractor or agent of any of them in relation to the relevant person's functions, powers or duties;

(d) publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminatory or abusive to or about any other person involved in the racing industry;

(e) conduct which threatens, disparages, vilifies or insults another person ("other person") on any basis, including but not limited to, a person's race, religion, colour, descent, 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.

Division 4 – Corruption, dishonesty and misleading behaviour

AR 229 Corruption, dishonesty and misleading behaviour

(1) A person must not:

(a) engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;

(b) engage in conduct that corrupts the outcome of a race or is intended to corrupt the outcome of a race, where:

(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, and

(iv) "outcome" includes any result within the race and is not limited to winning or placing in the race;

(c) corruptly give or offer any money, share in a bet, or other benefit to a person having official duties in relation to racing, or to an owner, nominator, trainer, rider, or person having charge of or access to a horse;

(d) if the person has official duties in relation to racing, or is a nominator, trainer, rider, or person in charge of or having access to a horse – corruptly accept, or offer to accept, any money, share in a bet, or other benefit;

(e) wilfully enter or cause to be entered or to start in any race a horse which the person knows to be disqualified;

(f) if the person is an owner, nominator, or trainer of a horse – enter or run the horse in any race, official trial, or jump-out under a fraudulently false description;

(g) have any interest in a horse which has been entered or run in a race, official trial or jump-out under a fraudulently false description;

(h) make a false or misleading statement or declaration in relation to a matter in connection with the administration or control of racing;

(i) if the person is an owner, nominator or licensed person – by advertisement, circular, letter, or any other means offer to give information in relation to that person's horse or any other horse in return for any money or other consideration;

(j) aid, abet, counsel, procure, connive at, or be a party to any of the conduct prohibited under subrule (1)(i).

(2) If a person breaches subrule (1)(b), a disqualification for a period of not less than 5 years must be imposed, unless a finding is made that a special circumstance exists, in which case that penalty may be reduced.

AR 230 Duty to provide information in relation to corrupt etc conduct

(1) A person who is directly or indirectly approached or requested to engage in conduct which could constitute:

(a) corrupt, dishonest, fraudulent, or improper conduct in connection with racing; or

(b) conduct which is detrimental to the image, interests, integrity or welfare of racing; or

(c) an act of cruelty to a horse,

must provide full details of the approach or request to the Stewards as soon as is practicable.

(2) For the purposes of this rule, "engage in conduct" has the same meaning as in AR 229(1)(b)(iii).

<u>Division 5 – Misconduct in relation to the care and welfare of horses</u>

AR 231 Care and welfare of horses

(1) A person must not:

(a) commit or commission an act of cruelty to a horse, or be in possession of any article or thing which, in the opinion of the Stewards, is capable of inflicting cruelty to a horse;

(b) if the person is in charge of a horse – fail at any time:

(i) to exercise reasonable care, control or supervision of the horse so as to prevent:

A. an act of cruelty to the horse; or

B. the horse's body condition from declining to, in the opinion of the Stewards based on veterinary advice, an unacceptable level;

(ii) to take such reasonable steps as are necessary to alleviate any pain inflicted upon or being suffered by the horse;

(iii) to obtain veterinary advice and provide treatment in accordance with that advice where such treatment is necessary for the welfare of a horse; and/or

(iv) to provide and ensure that the horse is ingesting proper and sufficient nutrition *[sub-rule amended 1.7.24]*

(2) A person must not:

(a) use, or attempt to use, any electric or electronic apparatus or other device capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop;

(b) have in the person's possession any electric or electronic apparatus or other device capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

(3) For the purpose of subrule (2), where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

(4) A person must not use a stockwhip on a horse in any circumstances relating to racing, training or pre-training, regardless of whether the horse is registered.

(5) If a person breaches subrule 2(a), a disqualification for a period of not less than 2 years must be imposed, unless a finding is made that a special circumstance exists, in which case that penalty may be reduced.

(6) A person must not perform endoscopy of the respiratory tract on a horse unless he or she is a qualified veterinary surgeon. *[sub-rule added 1.1.20]*

(7) For the purposes of subrule (1)(b)(iii), "veterinary advice" must include, but is not limited to, a diagnosis and/or advice and/or opinion from a qualified veterinary surgeon. *[sub-rule added 1.7.24]*

Division 6 – Misconduct by failure to observe official processes and directions

AR 232 Failure to observe processes and directions of PRAs or Stewards

A person must not:

(a) obstruct or interfere with, or attempt to obstruct or interfere with, the conduct of a race meeting, race, official trial or jump-out;

(b) fail or refuse to comply with an order, direction or requirement of the Stewards or an official;

(c) while the Stewards are exercising their powers, performing their functions or carrying out their duties:

(i) refuse to obey a reasonable direction of the Stewards;

(ii) obstruct, hinder or delay the Stewards in exercising their powers, performing their functions or carrying out their duties; or

(iii) incite any other person/s to obstruct, hinder or delay the Stewards from exercising their powers, performing their functions or carrying out their duties, or fail to prevent any other person/s on premises the Stewards have entered under AR 22(1)(l) from doing so.

(d) while any investigator appointed by a PRA under AR 15(c) is exercising their powers, performing their functions or carrying out their duties:

(i) refuse to obey a reasonable direction of the investigator;

(ii) obstruct, hinder or delay the investigator in exercising their powers, performing their functions or carrying out their duties; or

(iii) incite any other person/s to obstruct, hinder or delay the investigator from exercising their powers, performing their functions or carrying out their duties.

(e) if the person is a nominator, trainer or person in charge of a horse – contrary to the orders of the Stewards, fail or refuse on request to produce a horse entered for a race at a meeting or remove that horse from the racecourse;

(f) use on a horse any shoes, racing plates, equipment or gear which has not been approved, or which in the opinion of the Stewards is unsuitable or unsafe;

(g) tamper or attempt to tamper with any means of identification of a horse as referred to in the Rules;

(h) refuse or fail to attend or give evidence at an interview, investigation, inquiry, hearing or appeal when directed or requested to do so by a PRA, the Stewards or a person authorised by a PRA or the Stewards; and

(i) give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading.

Division 7 – Other misconduct offences

AR 233 Other misconduct offences

A person must not:

(a) breach a policy, regulation or code of practice published by Racing Australia or a PRA;

(b) engage in workplace harassment or bullying of a person while the person is acting in the course of his or her duties while employed, engaged in, or participating in the racing industry;

(c) engage in sexual harassment of a person employed, engaged in, or participating in the racing industry.

AR 234 Disqualification where certain misconduct has occurred

A PRA or the Stewards may disqualify a 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 referred to in this Part 9 is found to have been committed.

PART 10 – BETTING & LAYING PROHIBITIONS FOR CERTAIN PERSONS

Division 1 – Penalty for breach

AR 235 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 10 the person may be penalised by a PRA or the Stewards.

Division 2 – Prohibition on betting with or for jockeys

AR 236 Betting with or for a jockey

A person must not bet with or for a jockey or apprentice jockey, or give or offer a rider any pecuniary or other gift or consideration, contrary to these Australian Rules.

Division 3 – Prohibition in relation to laying horses

AR 237 Prohibition on persons laying horses

(1) A trainer must not lay any horse that is either under the trainer's care, control or supervision, or has been at any time in the preceding 21 days.

(2) A person employed by a trainer in connection with the training or care of horses must not lay any horse under the care, control or supervision of the trainer for whom the person is or was employed while employed and for a period of 21 days after ceasing to be employed.

(3) An owner or nominator must not lay any horse that is or may be entered by that owner or nominator or on that person's behalf, provided that a bookmaker may lay a horse in accordance with the bookmaker's licence.

(4) A rider's agent must not lay any horse to be ridden by a rider for whom that person is an agent.

(5) A person who has provided a service/s connected with the keeping, training or racing of a horse must not lay that horse within 21 days of last providing that service.

(6) A person must not offer an inducement to a participant in racing with the intention of profiting from a horse not participating in an event to the best of its ability.

(7) In circumstances where it is a breach of this rule for a person to lay a horse, it is also a breach of this rule for that person to:

  (a) have a horse laid on his or her behalf; or

  (b) receive any money or other valuable consideration in any way connected with the laying of the horse by another person.

Division 4 – Prohibition on betting with non-approved wagering operators

AR 238 Prohibition on betting with non-approved wagering operators

(1) A person bound by these Australian Rules must not:

(a) place a bet on Australian thoroughbred racing with a non-approved wagering operator; or

(b) have a bet placed on his or her behalf, or otherwise have an interest in a bet placed, on Australian thoroughbred racing with a non-approved wagering operator.

(2) Where the Stewards reasonably suspect that a person bound by these Australian Rules has, or may have, placed a bet on Australian thoroughbred racing with a non-approved wagering operator:

(a) the Stewards may direct the person to produce, and the person must produce, all relevant documents and devices, including but not limited to, the person's computer, mobile telephone, and betting records; and

(b) the Stewards may direct the person to provide, and the person must provide, the Stewards with access to the account/s with the non-approved wagering operator used by or on behalf of the person, including any username, password or other security information.

(3) For the purposes of this rule a "bet" includes a lay bet.

PART 11 – PROHIBITED SUBSTANCES & PROHIBITED METHODS OFFENCES

Division 1 – Penalty for breach

AR 239 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 11 the person may be penalised by a PRA or the Stewards.

Division 2 – Prohibited substance in a sample taken from a horse

AR 240 Prohibited substance in sample taken from horse at race meeting

(1) Subject to subrule (3), if a horse is brought to a racecourse and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the horse must be disqualified from any race in which it started on that day.

(2) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

(3) If:

(a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or

(b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,

is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that a breach of subrule (1) or (2) has not been committed if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

AR 241 Prohibited substance in sample taken from horse at trial etc

If a horse is brought to a racecourse or recognised training track to participate in:

(a) an official trial;

(b) a jump-out for the purpose of obtaining a permit to start in a race (whether after suspension or otherwise); 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 on Prohibited List A and/or Prohibited List B is detected in a

sample taken from the horse prior to or following the relevant event, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules. *[rule amended 1.2.21]*

AR 242 Prohibited substance in sample taken from horse at any time

If a prohibited substance on Prohibited List A is detected in a sample taken at any time from a horse being trained by a licensed person:

(a) the trainer and any other person who was in charge of the horse at the relevant time breaches these Australian Rules, unless that trainer or other person satisfies the relevant PRA or the Stewards that he or she took all proper precautions to prevent the administration of the prohibited substance to the horse;

(b) the horse may be disqualified from any race in which it has competed since the taking of the sample if, 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.

Division 3 – Administration offences

AR 243 Administration of prohibited substance (general administration provision)

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of,

a prohibited substance on Prohibited List A to a horse being trained by a trainer.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 244 Administration of prohibited substance to affect race performance

(1) A person must not:

(a) administer; or

(b) cause to be administered,

a prohibited substance on Prohibited List A and/or Prohibited List B to a horse for the purpose of affecting the performance or behaviour of the horse in a race, or of preventing it starting in a race.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 3 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 245 Administration of prohibited substance in sample taken from horse before/after running in race

(1) A person must not:

(a) administer; or

(b) cause to be administered,

a prohibited substance on Prohibited List A and/or Prohibited List B to a horse which is detected in a sample taken from the horse prior to or following the running of a race.

(2) If:

(a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or

(b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,

is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that a breach of subrule (1) has not been committed if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

AR 246 Administration of prohibited substance after running of race

A person must not, following the running of a horse in a race and without the express permission of the Stewards:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of,

a prohibited substance on Prohibited List A and/or Prohibited List B to the horse:

(i) on the racecourse where the race meeting is being conducted; or

(ii) in any motor vehicle or horse float or other mode of transport used for the purpose of conveying that horse or other horses to and/or from that race meeting.

AR 247 Administration of alkalinising agents

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration or attempted administration of,

an alkalinising agent in any manner to a horse which is engaged to run in any race, official trial or jump-out:

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

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial, or jump-out.

(2) If the Stewards are satisfied that a horse has, or is likely to have been, administered an alkalinising agent in breach of subrule (1), they may prevent the horse from starting in any relevant race, official trial or jump-out.

(3) Where a horse has been administered an alkalinising agent in breach of subrule (1), the horse may be disqualified from any relevant race in which the horse competed.

(4) For the purposes of this rule, "alkalinising agent":

(a) means any substance that may elevate the plasma total carbon dioxide (TCO_2) 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 includes 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 manufacturer's recommendations for normal daily use, which Stewards are satisfied have a negligible effect on plasma TCO_2; and

(ii) 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_2 concentration in a horse in excess of the threshold set out in paragraph 1 of Schedule 1, Part 2, Division 3 to these Australian Rules.

AR 248 Administration of anabolic androgenic steroids and selective androgen receptor modulators

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration or attempted administration of, an anabolic androgenic steroid and/or a selective androgen receptor modulator to a horse.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

(3) If the Stewards are satisfied that a horse has been, or is likely to have been, administered an anabolic androgenic steroid and/or a selective androgen receptor modulator, the Stewards may prevent the horse from starting in any race, official trial or jump-out.

(4) If a sample taken at any time from a horse has detected in it an anabolic androgenic steroid and/or a selective androgen receptor modulator, the horse is not permitted to start in any race, official trial or jump-out:

(a) for a period of not less than 12 months from the date of the collection of the sample; and

(b) until after an Anabolic Androgenic Steroid Clearing Certificate and/or a Selective Androgen Receptor Modulator Clearing Certificate, as the case may be, is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.

(5) An owner, lessee, nominator, trainer and/or other person in charge of a horse must not, when directed by the Stewards or another official employed or engaged by a PRA, fail to produce or otherwise give full access to the horse so that a sample can be taken and analysed to determine whether any anabolic androgenic steroid and/or a selective androgen receptor modulator is in the system of the horse.

(6) Subrule (5) requires an owner, lessee, nominator, trainer or other person in charge of a horse 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) If an owner, lessee, nominator, trainer and/or other person in charge of a horse breaches subrule (5), the horse will not be permitted to start in any race, official trial or jump-out:

(a) for a period of not less than 12 months following the day that the horse is produced or made fully accessible to the Stewards or another official employed or engaged by a PRA, so that a sample can be taken and analysed to determine whether any anabolic androgenic steroid and/or a selective androgen receptor modulator is in the system of the horse; and

(b) until after an Anabolic Androgenic Steroid Clearing Certificate and/or a Selective Androgen Receptor Modulator Clearing Certificate, as the case may be, is provided

in respect of a sample taken from the horse on a date directed by a PRA or the Stewards. *[Sub-rules (1) – (7) amended 1.2.24]*

(8) If:

(a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or

(b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,

is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that the provisions of this rule do not apply if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

AR 249 Administration of medication on race day

(1) Notwithstanding the provisions set out in Schedule 1, Part 2, Division 2, a person must not, without the permission of the Stewards:

(a) administer; or

(b) cause to be administered,

any medication to a horse at any time on race day prior to the commencement of a race in which the horse is engaged to race.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 6 months must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

(3) The Stewards may order that a horse which has received a medication in breach of subrule (1) be scratched from a race engagement.

Division 4 – Possession offences

AR 250 Possession of prohibited substance

A person must not have in his or her possession:

(a) a prohibited substance on Prohibited List A; or

(b) a substance or preparation containing a prohibited substance on Prohibited List A.

AR 251 Possession of a prohibited substance/equipment at race meeting

(1) A person must not, without the written permission of the Stewards, have in his or her possession:

(a) on a racecourse where a race meeting is being conducted; or

(b) in any motor vehicle, horse float or other mode of transport used for the purpose of transporting a horse/s to and/or from a race meeting,

any prohibited substance, or a syringe, needle, naso-gastric tube or other instrument that could be used:

(i) to administer a prohibited substance to a horse; or

(ii) to produce a prohibited substance in a horse.

(2) The Stewards may at their discretion give written permission (and may impose terms or conditions on that permission) to a person to have in his or her possession:

(a) on a racecourse where a race meeting is being conducted; or

(b) in any motor vehicle, horse float or other mode of transport used for the purpose of transporting a horse/s to and/or from a race meeting,

any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used:

(i) to administer a prohibited substance to a horse; or

(ii) to produce a prohibited substance in a horse.

(3) A person must comply with any term or condition imposed on any permission given by the Stewards under subrule (2).

(4) Any substances or items related to this rule may be confiscated by the Stewards.

AR 252 Possession of medication/substance/preparation in breach of legislation

(1) A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed or obtained in accordance with applicable Commonwealth and State legislation.

(2) The Stewards may confiscate any medication, substance or preparation referred to in subrule (1), and use it as evidence in any inquiry, hearing or other proceeding under the Rules.

AR 252A Possession of injectable products containing cobalt salts

(1) A person must not have in his or her possession, or on his or her premises, any injectable product which contains cobalt salts.

(2) The Stewards may confiscate any product referred to in subrule (1) and use it as evidence in any inquiry, hearing or other proceeding under the Rules.

[Rule added 1.5.21]

<u>Division 5 – Testing for anabolic androgenic steroids before registration</u>

AR 253 Testing for anabolic androgenic steroids and/or selective androgen receptor modulators before registration

(1) This rule applies to all unnamed horses. *[sub-rule amended 1.5.21]*

(2) The Stewards or another official employed or engaged by a PRA may, at any time, direct that a horse be produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid and/or a selective androgen receptor modulator is present in the system of the horse.

(3) If a horse is not produced to provide a sample as directed under subrule (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, once registered with Racing Australia under these Australian Rules, is permitted under these Australian Rules to start in a race (and subject to any further conditions imposed by a PRA or the Stewards in their discretion); and

(ii) the date on which the horse is produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid and/or a selective androgen receptor modulator is present in the system of the horse; and

(b) only after an Anabolic Androgenic Steroid Clearing Certificate and/or a Selective Androgen Receptor Modulator Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.

(4) If an anabolic androgenic steroid (other than an anabolic androgenic steroid at or below a permitted threshold identified in Schedule 1, Part 1, Division 3) and/or a selective androgen receptor modulator is detected in a sample taken at any time from a horse, the horse is ineligible to start in any race, official trial or jump-out:

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

(i) the date on which the horse, once registered with Racing Australia pursuant to these Australian Rules, is permitted under these Australian Rules to start in a race (and 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 and/or a Selective Androgen Receptor Modulator Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.

(5) If directed under subrule (2) by the Stewards or another official employed or engaged by a PRA, a person must produce, or otherwise give full access to a horse so that a sample may be taken and analysed to determine whether any anabolic androgenic steroid and/or a selective androgen receptor modulator is in the system of the horse.

(6) Subrule (5) requires an owner, lessee, nominator and/or trainer to produce a horse, or otherwise give full access to a 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.

[Sub-rules (2) – (5) amended 1.2.24]

Division 6 – Injections

AR 254 Injections prohibited at certain times

(1) A person must not, without the permission of the Stewards:

(a) inject;

(b) cause to be injected;

(c) attempt to inject; or

(d) be a party to the injection or attempted injection of,

a horse engaged to run in any race:

(i) at any time on the day of the scheduled race and prior to the start of that race; and/or

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race.

(2) If a person breaches subrule (1), or the Stewards reasonably suspect that such a breach has been committed, they may order the scratching of the horse from the relevant race.

(3) If a person breaches subrule (1), but the horse competes in the race, the horse may be disqualified from the race.

(4) For the purposes of this rule:

(a) "inject" 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.

AR 254A Administration of cobalt salts by injection

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration or attempted administration of,

a product containing cobalt salts to a horse by injection.

(2) If the Stewards are satisfied that a horse has been, or is likely to have been, administered a product containing cobalt salts by injection, the Stewards may prevent the horse from starting in any race, official trial or jump-out.

(3) If a horse has been administered a product containing cobalt salts by injection, but the horse competes in a race, official trial or jump-out, the horse may be disqualified from that race, official trial or jump-out.

(4) For the purposes of this rule, an "injection" includes, but is not limited to, the insertion of a hypodermic needle into a horse.

[Rule added 1.5.21]

Division 7 – Stomach-tubing

AR 255 Stomach-tubing prohibited at certain times

(1) A person must not, without the permission of the Stewards:

(a) stomach-tube;

(b) cause the stomach-tubing of;

(c) attempt to stomach-tube; or

(d) be a party to the stomach-tubing or attempted stomach-tubing of,

a horse engaged to run in a race, official trial or jump-out:

(i) at any time on the day of the race, official trial or jump-out and prior to the start of that event; and/or

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial or jump-out.

(2) Provided that the stomach-tubing or attempted stomach-tubing occurred on race day or during the 1 clear day prior to 12.00am on race day for a horse engaged to run in a race on that race day, if a person breaches subrule (1) a disqualification of not less than 12 months must be imposed (other than where the person is not, in the opinion of a PRA (or a person employed or engaged by a PRA) or the Stewards, the principal offender), unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

(3) If the Stewards are satisfied that a horse:

(a) has, or is likely to have, been stomach-tubed in breach of subrule (1), they may prevent it from starting in any race, official trial or jump-out;

(b) has been stomach-tubed in breach of subrule (1), it may be disqualified from the race that it started in.

Division 8 – Supply and procurement offences

AR 256 – Prohibition on supply and procurement of certain substances/preparations

(1) A person must not:

(a) supply;

(b) attempt to supply; or

(c) be a party to the supply or attempted supply of,

any substance or preparation to another person (including but not limited to, a trainer or any person on behalf of a trainer), which is:

(i) a prohibited substance on Prohibited List A;

(ii) a substance or preparation containing a prohibited substance on Prohibited List A; or

(iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).

(2) A person must not:

(a) procure;

(b) attempt to procure; or

(c) be a party to the procuring or attempted procuring of,

any of the following:

(i) a prohibited substance on Prohibited List A;

(ii) a substance or preparation containing a prohibited substance on Prohibited List A; or

(iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).

(3) For the purposes of this rule:

(a) "supply" includes the selling, giving, transporting, sending, delivering or distributing (or possessing for any such purpose) of a substance or preparation;

(b) "procure" includes the purchase and/or receipt of a substance or preparation.

Division 9 – Therapeutic substances

AR 257 Therapeutic substances

(1) For analysis 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 must be conducted by an Official Racing Laboratory in accordance with the following procedure:

(a) the relevant biological matrix, equivalent in volume to the portion or aliquot of the sample being tested, 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 portion or aliquot of the sample is then to be tested to determine 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 in the sample is not to be reported on a Certificate of Analysis;

(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 is to be promulgated and published from time to time by Racing Australia.

(4) The screening limit testing provided for in this rule is not intended to and does not operate to mean that for the purpose of the Rules the relevant therapeutic substance only becomes a prohibited substance if and when the screening limit is exceeded.

(5) It is no defence to an alleged breach of AR 240 or AR 241 that the result of any initial screening test or screening analysis should have been below the screening limit for the therapeutic substance in question.

AR 257A Prohibition on blood doping

(1) A person must not:

(a) withdraw and re-infuse; or

(b) withdraw, manipulate and re-infuse,

homologous, heterologous, or autologous blood, blood products or blood cells into the circulatory system of a horse.

(2) A person must not administer any quantity of homologous, heterologous, or autologous blood, blood products or blood cells of any origin into the circulatory system of a horse.

(3) Notwithstanding subrules (1) and (2), a PRA or the Stewards may find that it is a complete defence to a charge laid under subrule (1) or (2) if in their opinion:

(a) the relevant conduct was for life-saving purposes; and/or

(b) the relevant conduct was part of a veterinary regenerative therapy for the treatment of musculoskeletal injury or disease administered by or under the supervision of a qualified veterinary surgeon.

[rule added 1.1.20]

AR 257B Environmental substances

(1) For analysis of an environmental 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 must be conducted by an Official Racing Laboratory in accordance with the following procedure:

(a) the relevant biological matrix, equivalent in volume to the portion or aliquot of the sample being tested, is to have added to it a quantity of the environmental substance, sufficient to bring its concentration to the Australian Residue Limit specified for that environmental substance – this is known as the "spiked sample" and is to be analysed concurrently with the sample;

(b) the portion or aliquot of the sample is then to be tested to determine whether or not it contains a quantity of the environmental substance that exceeds that Australian Residue Limit, by making a direct comparison with the spiked sample;

(c) if the Australian Residue Limit is not exceeded, the detection of the environmental substance in the sample is not to be reported on a Certificate of Analysis;

(d) if the Australian Residue Limit is exceeded, then the sample is to be further tested in accordance with normal laboratory procedures designed to certify the presence of the environmental substance in the sample.

(3) An environmental substance for the purpose of this rule and the Australian Residue Limit applicable to it, is to be approved and published from time to time by Racing Australia.

(4) The Australian Residue Limit testing provided for in this rule is not intended to and does not operate to mean that for the purpose of the Rules the relevant environmental substance only becomes a prohibited substance if and when the Australian Residue Limit is exceeded.

(5) It is no defence to an alleged breach of AR 240 or AR 241 that the result of any initial Australian Residue Limit test or screening analysis should have been below the Australian Residue Limit for the environmental substance in question.

[Rule added 1.11.24]

PART 12 – SAMPLE ANALYSIS & FACILITATION OF PROOF

Division 1 – General rules

AR 258 General rules

(1) Samples may be analysed by a PRA or the Stewards, including without limitation for the purposes of identifying prohibited substances and/or prohibited methods referred to in these Australian Rules and to assist to profile relevant parameters in a horse's urine, blood, hair or other matrix. This applies to all samples, which includes stored samples (being samples or portions of a sample stored and/or retained, including for future analysis for purposes consistent with the Rules).

(2) Subject to AR 259(10), samples taken from a horse by a PRA, the Stewards, or other persons authorised by a PRA, must be analysed by an Official Racing Laboratory.

(3) All samples taken from horses for the purposes of these Australian Rules are the property of the PRA of the State or Territory in which the sample was taken.

(4) A sample may be stored, frozen, or otherwise dealt with in a manner a PRA or the Stewards consider appropriate, and may be disposed of as a PRA or the Stewards think fit.

Division 2 – Sample analysis and facilitation of proof

AR 259 Sample analysis and facilitation of proof

(1) A sample taken from a horse ("relevant sample") may be provided by or at the direction of a PRA or the Stewards to an Official Racing Laboratory ("First Laboratory").

(2) A portion or aliquot of the relevant sample analysed by the First Laboratory will be referred to as the "A Portion".

(3) As soon as practicable after analysis of the A Portion is complete, the First Laboratory must notify its findings to the PRA or the Stewards from whom the relevant sample was received, by providing a written record in the nature of a Certificate of Analysis ("First Certificate of Analysis").

(4) A second portion or aliquot of the relevant sample, together with any control of the relevant sample, may be provided by the First Laboratory to another Official Racing Laboratory ("Second Laboratory") for confirmatory analysis by it. Where that is done, the second portion or aliquot of the relevant sample provided to the Second Laboratory will be referred to as the "Reserve Portion".

(5) As soon as practicable after analysis of the Reserve Portion is complete, the Second Laboratory must notify its findings, by providing a written record in the nature of a Certificate of Analysis ("Second Certificate of Analysis"), to:

(a) the PRA or the Stewards that provided the relevant sample to the First Laboratory; or

(b) the First Laboratory, which must then provide a copy of that certificate to the PRA or the Stewards that provided the relevant sample to the First Laboratory.

(6) If the results stated in the Second Certificate of Analysis confirm that:

(a) the prohibited substance detected in the Reserve Portion is the same as the prohibited substance detected in the A Portion; and

(b) the prohibited substance detected in the A Portion and the Reserve Portion is not detected and quantified in any control of the relevant sample,

then the provision of the Second Certificate of Analysis will, together with the First Certificate of Analysis, constitute *prima facie* evidence that the relevant sample contains a prohibited substance.

(7) If only one Official Racing Laboratory is either able, or available, to analyse both the A Portion and the Reserve Portion, then that laboratory can analyse both the A Portion and the Reserve Portion, provided that they are each analysed by separate qualified analysts or groups of analysts (so that no one analyst or group of analysts participates in the analysis of both the A Portion and the Reserve Portion).

(8) If a Certificate of Analysis states that a prohibited substance was detected in a sample, the PRA or the Stewards which receive the result must communicate that to the trainer of the relevant horse as soon as reasonably practicable.

(9) Nothing in AR 258 or subrules (1) to (8), including a PRA, the Stewards and/or an Official Racing Laboratory not following any procedures set out in those subrules, precludes a PRA and/or the Stewards from charging a person with breaching these Australian Rules and/or establishing:

(a) that a horse was administered a prohibited substance; or

(b) that a horse was not presented to start in a race, official trial, jump-out or attend another form of test free of prohibited substances; or

(c) that a horse had at a particular time a prohibited substance in its system,

in ways other than through relying on the *prima facie* evidentiary effect of two Certificates of Analysis which is stated in subrule (6).

(10) A PRA or the Stewards may retain a sample, or portion or aliquot of a sample, taken from a horse for their own purposes, including without limitation to conduct their own testing or analyses (including screening tests). It is a matter of the discretion of a PRA or the Stewards as to whether they communicate the results of their own internal analyses within a reasonable time of them being received, or at all. Those analyses may be used at the discretion of a PRA or the Stewards, including for the purpose of investigations, inquiries, intelligence and/or prosecuting breaches of these Australian Rules. If an internal analysis is used to prosecute a breach of these Australian Rules, the relevant PRA or the Stewards must communicate the results of that analysis to the person/s the subject of the prosecution.

(11) Retesting of a sample, or portion or aliquot of a sample, is permitted to occur under these Australian Rules. Where that is done, the evidentiary effect stated in subrule (6) is able to be relied on where the results of two Certificates of Analysis record that a prohibited substance is detected in a sample.

(12) If a prohibited substance is detected in a stored sample submitted or resubmitted for testing and that sample was taken from a horse prior to or following its running in any race, whether or not the horse is to be disqualified from a race it took part in is a matter for the discretion of a PRA or the Stewards.

(13) Any sample taken from a horse prior to the date on which this rule takes effect which has not been analysed as at that date must be dealt with in accordance with subrules (1) to (12), provided that if a portion or aliquot of the sample has been analysed prior to this rule taking effect, the rules in force immediately prior to that date apply in respect of analysing the sample and proving that it contains a prohibited substance.

Note: *By way of example, if, as at 1 March 2019, the A Portion has been analysed but the Reserve Portion has not been analysed, a PRA or the Stewards must rely on the rules in force prior to that date to analyse the sample taken from the horse and prove that it contains a prohibited substance.*

PART 13 – DISCIPLINARY PROCESSES, PENALTIES & RESTRICTIONS

Division 1 – Evidentiary and procedural provisions in relation to disciplinary matters

AR 260 Publication of penalties

A PRA or the Stewards may accept as *prima facie* evidence of a penalty (unless the contrary is proved) either:

(a) written confirmation from a PRA to the effect that it has imposed or adopted a penalty; or

(b) the authorised publication (electronically or otherwise) by Racing Australia or a PRA to the effect that a penalty has been imposed or adopted.

AR 261 Recognition of penalties imposed overseas

(1) The recognition in Australia of written confirmation or notice from an Overseas Racing Authority in relation to the imposition by the Overseas Racing Authority of a suspension, disqualification, or other penalty on a person ("Notice of Penalty") must proceed in accordance with this rule.

(2) If the PRA that receives a Notice of Penalty from an Overseas Racing Authority is not the PRA that most recently licensed (for a continuous period of not less than 3 months) the person identified in the notice, the recipient PRA must forward a copy of the Notice of Penalty to the PRA which most recently licensed the person for not less than 3 months.

(3) If the person named in the Notice of Penalty has not previously been licensed by a PRA for a continuous period of 3 months or more, the PRA that receives the Notice of Penalty must deal with it.

(4) As soon as practicable after receiving the Notice of Penalty, and not later than 7 days after receipt, the relevant PRA must:

  (a) serve a copy of it on the person named in it; and

  (b) advise the person of the provisions of this rule.

(5) Unless an application is made by a person under subrule (7), the PRA who served the Notice of Penalty under subrule (4) must:

  (a) apply the penalty set out in the Notice of Penalty within the State or Territory which that PRA administers;

  (b) inform all other PRAs of the application of the penalty under subrule (5)(a).

(6) After receiving the information referred to in subrule (5)(b), all recipient PRAs must immediately apply the penalty within the State or Territory administered by it.

(7) The person named in a Notice of Penalty served under subrule (4) ("applicant") may apply to the PRA which most recently licensed the person for a declaration that the penalty set out in the Notice of Penalty:

(a) not be applied at all by that PRA within its State of Territory; or

(b) be applied only in part by that PRA within its State of Territory,

("application").

(8) Subject to subrule (11)(a), any application must:

(a) be made within 14 days of the date of service of a Notice of Penalty under subrule (4);

(b) be accompanied by a statement confirming that the applicant has exhausted all avenues of appeal provided for under the rules of the Overseas Racing Authority which imposed the initial penalty;

(c) set out the ground/s on which the application is made; and

(d) set out, including by reference to subrules (7(a) and (b)), the terms of any orders or declarations sought.

(9) On receipt of an application, the PRA who receives the application may, in its absolute discretion, determine that the penalty set out in the Notice of Penalty is not to be applied within the State or Territory it administers, pending the hearing of the application.

(10) Within 7 days of the receipt of an application, the PRA which receives the application must hear and determine the matter.

(11) At the hearing of an application:

(a) the PRA may, if requested by the applicant, waive compliance with the provisions of all of some of subrule (8) as it thinks fit;

(b) the applicant may:

(i) with the permission of the PRA, 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 in support of the application.

(12) At the conclusion of the hearing of an application, the PRA must:

(a) if satisfied that there are exceptional circumstances, order that the application be granted and make the orders or declarations sought;

(b) otherwise order that the application be dismissed.

(13) For the purposes of subrule (12), the onus of establishing exceptional circumstances is upon the applicant.

(14) If any order/s or declaration/s under subrule (12) are made, the PRA to which the application was made is required to notify all other PRAs of the terms of the order/s or declaration/s made.

(15) Once the notice referred to in subrule (14) is given, the order/s or declaration/s set out in that notice will apply within each of the States and Territories of the PRAs who receive that notice.

AR 262 Records of disqualifications, suspensions, and warning offs

Each PRA must retain, and from time to time publish either on its website or in an official publication authorised by it:

(a) a list of persons suspended, warned off or disqualified by it, or whose suspension or disqualification (as applicable) has been adopted by it;

(b) a list of horses disqualified by it, or whose disqualification has been adopted by it.

Division 2 – Effects of penalties and restrictions imposed on persons and horses

AR 263 Prohibitions on persons and their conduct while disqualified

(1) Unless otherwise authorised by the PRA which imposed a disqualification (and upon such conditions as that PRA may in its discretion impose), a person disqualified under these Australian Rules must not, during the period of that disqualification:

(a) enter upon a racecourse or training track owned, operated or controlled by a PRA or Club or on any land used in connection with those properties;

(b) enter upon any training premises, complex or establishment of a PRA, Club or licensed person;

(c) be an office holder, official, member or employee of any PRA or Club or participate in the business of any PRA, Club, or any other racing disciplinary body;

(d) be employed by, or otherwise engaged to provide any service in any capacity to any thoroughbred racing stable;

(e) ride any horse in any race, official trial, jump-out or test;

(f) enter or nominate a 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 horse;

(k) open a betting account, operate an existing betting account, transact a bet or have a bet transacted on his or her behalf, have any interest in or share in any bet, and/or 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 horse sales or related events;

(n) permit or authorise any other person to conduct any activity associated with thoroughbred racing, thoroughbred 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 subrule (1), the PRA or the body which imposed the disqualification may order the disqualified person:

(a) not to participate in social or mainstream media in relation to any matter in connection with racing or wagering;

(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, interests, integrity or welfare of racing,

and the disqualified person must comply with any such order.

(3) Except with the consent of the PRA that imposed a disqualification, a person who in the opinion of the relevant PRA or the Stewards is a close associate of a disqualified person, must not train or race any horse.

(4) Unless otherwise determined by the PRA that imposed or adopted a penalty, if a person breaches subrule (1), the period of disqualification imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.

(5) The provisions of subrule (4) apply to any person to whom subrule (1) applies, regardless of when the penalty that gives rise to the application of the rule was imposed.

(6) Notwithstanding the provisions of this rule:

(a) if a lessor is a disqualified person, or in the opinion of a PRA or the Stewards is a close associate of a disqualified person, a PRA may in its discretion waive the operation of the provisions of this rule in favour of a person who leases a horse from that lessor either in respect of a particular race meeting or otherwise during the currency of the lease; and

(b) if the discretion referred to in subrule (6)(a) is exercised in favour of a lessee then:

(i) if the lessor's horse wins any stake or prize money, the amount of the stake or prize money will be reduced by the amount or proportion of it to which the lessor would otherwise be entitled pursuant to any written or oral agreement entered into between the lessor and the lessee in respect of the horse; and

(ii) no part of a stake or prize money as referred to in subrule (6)(b)(i) is to be payable to the lessor nor be recoverable by the lessor from any PRA, Club, the lessee, or any other person.

AR 264 No betting by a bookmaker with disqualified persons

A bookmaker must not bet with a disqualified person, whether in person, online, by telephone, or using any other device or medium.

AR 265 Restrictions that apply to those warned off the same as those disqualified

A person warned off by a PRA is subject to the same restrictions or consequences applicable to a person disqualified in accordance with the Rules.

AR 266 Prohibitions on conduct of riders during period of suspension

(1) Unless otherwise ordered, during the period of a rider's suspension the rider cannot ride in any race, official trial, jump-out or trackwork, except if the terms of the rider's suspension are that the rider is suspended from riding in races only.

(2) Except with the consent of a PRA or the Stewards who imposed a suspension, a rider is not permitted to be registered as a stablehand or be employed or work in any racing stable during the period of that rider's suspension.

AR 267 Prohibitions on conduct of trainers during period of suspension

Unless otherwise authorised by the PRA or the Stewards in whose territory a suspension was imposed on a trainer (and upon such conditions as the PRA or the Stewards may in their discretion impose), a suspended trainer must 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;

(b) train, or participate in any way in the training or preparation for racing of, a horse (including without limitation the giving of instructions);

(c) be registered as a stablehand;

(d) be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable; or

(e) enter the mounting yard, scales area or horse stall area at a racecourse, save that a suspended trainer may enter such an area if he or she is the owner of a horse in that area.

[rule amended 1.2.21]

AR 268 Prohibitions on conduct of bookmakers during suspension

A bookmaker suspended by a PRA or the Stewards (or any relevant supervising body) must not field at or in respect of any race meeting conducted under the Rules, or be in any way concerned with the operations of a bookmaker during the period of suspension.

AR 269 Prohibitions on conduct of stablehands during suspension

Unless otherwise permitted by a PRA or the Stewards, and on conditions they think fit, a suspended stablehand must not work in any racing stable during the period of that person's suspension.

AR 270 Orders that can be made in relation to a suspended person

In addition to any of the restrictions that may apply to a suspended person under the Rules, the PRA 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 or mainstream media in relation to any matter in connection with racing or wagering; and
(3) to comply with such conditions as may be necessary or desirable to prevent conduct by the suspended person that could be prejudicial to the image, interests, integrity or welfare of racing,

and the suspended person must comply with any such order.

AR 270A Penalty for breach of terms of suspension

(1) Except with the consent of the PRA or the Stewards in whose territory a suspension was imposed, a suspended person must not during the period of the suspension contravene any of the Rules in respect of, or the terms or conditions of, the suspension.
(2) Unless otherwise determined by the PRA or the Stewards in whose territory a suspension was imposed or adopted, if a person breaches subrule (1), the period of suspension imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.
(3) The provisions of subrules (1) and (2) apply to any suspended person, regardless of when the suspension was imposed. *[rule added 1.1.20]*

AR 271 Effect of court proceeding on disqualifications or suspensions

(1) If, in relation to a disqualification or suspension imposed under these Australian Rules, a court makes an order or declaration which affects the fact of or operation of such a disqualification or suspension, then the time during which the disqualification or suspension would but for the court order or declaration have been effective will not be included in calculating the duration of the disqualification or suspension.
(2) The provisions of subrule (1) apply in relation to court orders or declarations which include:
    (a) that the disqualification or suspension is, or is not, operative; or
    (b) that the disqualification or suspension is not to be enforced or acted upon either generally or for any specified period of time; or
    (c) that the disqualification or suspension is to be for a limited period of time.

(3) If an order of a court ceases to have effect for any reason, then, subject to any order a court may make or may have made, the duration of a disqualification or suspension is to commence to run, or resume running, from the date when that order ceases to have effect.

AR 272 Effect of bonus payable to a disqualified person

A horse is not to be disqualified from a race by reason only of a bonus payable under the conditions of the race to a disqualified person as breeder or nominator of the sire, and in the event of that horse winning or being placed, any bonus applicable is to be withheld and paid to the nominator of the horse.

AR 273 A horse cannot participate while disqualified

A horse disqualified by a PRA or the Stewards cannot be entered or run in any race held under these Australian Rules or be trained on any racecourse, training track or training facility where these Australian Rules are in force.

AR 274 Effect of prize otherwise awarded if a horse is disqualified

If a horse is disqualified from a particular race, or for anything occurring in a race, the prize or money (including any proportion the horse's rider would have been entitled to) is to be awarded as though that horse had not started in the race.

AR 275 Effect on a horse of disqualification of a person associated with the horse

(1) If a PRA disqualifies a person, it may disqualify any horse the disqualified person has an interest in for the same or any other period of time.

(2) Notice of every general disqualification of horses and their names (when they can be ascertained) is required to be included in the List of Disqualifications, but the omission of any horse's name does not affect the restrictions which are part of that disqualification.

AR 276 Effect of disqualified or suspended trainer on horses

(1) The disqualification of a trainer or the suspension of a trainer's licence does not of itself render ineligible for racing a horse which at the time of the disqualification or suspension was being trained by the trainer, and in which the trainer had no interest other than as trainer, provided that the horse is removed as soon as practicable to the possession of another trainer who is expressly approved by a PRA to train that horse.

(2) For the purposes of this rule, "being trained" includes any horse the disqualified or suspended trainer was responsible for the care and control of, and/or any horse for which a current Stable Return has been lodged declaring the horse to be trained by the disqualified or suspended trainer.

AR 277 Discretion in relation to suspensions

(1) A PRA or the Stewards may suspend any licence, right or privilege granted under the Rules for any term they think fit so far as it relates to the racecourses or race meetings controlled by them.

(2) A suspension referred to in subrule (1) may be disallowed or removed by a PRA.

AR 278 Disqualified person bound by the Rules during disqualification

(1) Subject to subrule (2), if a licensed person is disqualified, that person's licence immediately ceases and becomes void, and the person must make application to a PRA to be relicensed in order to be granted a new licence.

(2) For the duration of a period of disqualification, a disqualified person is and remains bound by, and subject to, the Rules.

AR 279 No damages for decisions made under the Rules

(1) A person is not entitled to make any claim for damages by reason or in consequence of the imposition, annulment, removal, variation, or remission of any decision made, or penalty, restriction or sanction imposed or purporting to be imposed, under the Rules.

(2) Neither Racing Australia (including the Australian Stud Book), a PRA, a Steward, a Club, or an official 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, function or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the Rules.

[sub-rule (2) amended 6.4.22]

<u>Division 3 – Stewards' hearings and appeal rights</u>

AR 280 Appeals to a PRA

(1) Subject to subrule (2) and the Rules, a person to whom a decision relates may appeal to a PRA in respect of:

  (a) a penalty imposed by a PRA or the Stewards; or

  (b) a restriction imposed by a PRA or the Stewards in relation to a horse in which the person has an interest.

(2) There is no right of appeal against a decision of the Stewards in relation to:

  (a) a protest against placed horses arising out of an incident or incidents occurring during the running of a race;

  (b) a restriction imposed on a horse which provides that the horse is required to pass a specified trial, test or examination;

  (c) the eligibility of any horse to run in any race;

  (d) a declaration under AR 204(1).

AR 281 Legal representation at Stewards' inquiries or hearings

(1) A person attending or required to attend an inquiry or hearing conducted by the Stewards is not entitled to be represented by any other person, whether a member of the legal profession or otherwise.

(2) Notwithstanding subrule (1), an apprentice jockey may be represented at an inquiry or hearing conducted by the Stewards by the apprentice jockey's master or other trainer acting for his or her master.

AR 282 Consequences of findings can be suspended pending an appeal

When an appeal has been instituted against a disqualification or suspension imposed under these Australian Rules, the PRA concerned and any persons holding powers delegated by a PRA under AR 15(d) may, on terms they think fit, suspend or stay the operation in whole or in part of any restrictions upon disqualified or suspended persons and disqualified horses until the determination of the appeal.

Division 4 – Penalties

AR 283 Penalties

(1) Subject to subrule (3), a person or body authorised by the Rules to penalise any person may, unless the contrary is provided, impose:

  (a) a disqualification;

  (b) a suspension;

  (c) a reprimand; or

  (d) a fine not exceeding $100,000.

(2) Further to subrule (1), a disqualification or suspension may be supplemented by a fine.

(3) In respect of a breach of AR 132, the Stewards may, in addition to the penalties identified in subrules (1) and (2), order the forfeiture of the rider's riding fee and/or forfeiture of all or part of the rider's percentage of prize money, notwithstanding that the amount exceeds $100,000.

(4) Unless otherwise ordered by the person or body imposing the penalty, a disqualification or suspension imposed under subrules (1) to (3) is to be served cumulatively to any other suspension or disqualification.

(5) Any person or body authorised by the Rules to penalise a person may in respect of any penalty imposed in relation to the conduct of a person and other than in relation to a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding 2 years, on terms they think fit.

(6) Where a person breaches any of the rules listed below, a 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, in which case that penalty may be reduced:

(a) AR 115(1)(e): 2 years;

(b) AR 116(1): 2 years;

(c) AR 129(5): 3 years;

(d) AR 229(1)(b): 5 years;

(e) AR 231(2)(a): 2 years.

(f) AR 243(1): 2 years;

(g) AR 244(1): 3 years;

(h) AR 248(1): 2 years;

(i) AR 249(1): 6 months; and

(j) AR 255(1) (subject to the conditions in AR 255(2)): 12 months

(7) A person or body authorised by these Australian Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than 7 clear days following the day the suspension or disqualification was imposed, and upon terms and conditions considered fit.

(8) Notwithstanding that the commencement of a period of disqualification may be deferred under subrule (7), 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.

AR 284 Defaulters in bets

A person found by a PRA or the Stewards to be a defaulter in bets may be disqualified until his or her default is cleared.

PART 14 – TRACEABILITY RULES *[Rules added 1.5.21]*

Division 1 – Unnamed horses

AR 285 Lodgment of Mare Return (live foals)

(3) A Mare Return must be lodged with the Australian Stud Book by the manager of a broodmare or his or her authorised agent within 30 days of the broodmare giving birth to a live foal.

(4) A Mare Return lodged under subrule (1) must:

(a) comply with the requirements set out in the Australian Stud Book Rules;
(b) disclose the foaling location;
(c) disclose the location of the broodmare at the date of the lodgment;
(d) be in the form prescribed by the Australian Stud Book;
(e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
(f) contain any other information the Australian Stud Book considers necessary.

(5) For the purposes of this rule, the "manager" includes the breeder where the broodmare has not yet been registered for breeding in accordance with AR 301.

(6) For the sake of clarity, nothing in this rule affects a person's Mare Return obligations under the Australian Stud Book Rules, save that lodgment of a Mare Return in accordance with this rule constitutes lodgment of a Mare Return under the Australian Stud Book Rules.

AR 286 Lodgment of Foal Ownership Declaration

(1) A Foal Ownership Declaration must be lodged with Racing Australia by the manager of a foal or his or her authorised agent within 30 days of the foal's birth.

(2) A Foal Ownership Declaration must:

(a) disclose the name of each person with a beneficial interest in the foal from its birth to the date of the declaration;
(b) disclose the location of the foal at the date of the declaration;
(c) be in the form prescribed by Racing Australia;
(d) be accompanied by the fee prescribed by Racing Australia (if any); and
(e) contain any other information Racing Australia considers necessary.

(3) It is a condition precedent to any lodgment under this rule that the manager or his or her authorised agent lodging the Foal Ownership Declaration undertakes to be bound by the Rules and, upon action being taken in compliance with this rule (including by a Syndicate as applicable), the unnamed horse and its owners become subject to, and agree to be bound by, the Rules for the following purposes only as a consequence of, and relating to, the lodgment of the Foal Ownership Declaration:

(a) the testing of a named horse which has not been retired from racing under AR 297 for the presence of substances that are prohibited at any time by the Rules;

(b) the testing of an unnamed horse for the presence of anabolic androgenic steroids and/or selective androgen receptor modulators; *[paragraph amended 1.2.24]*

(c) the observation of other horses for health and welfare reasons only where there is concern for their health and welfare based on reasonable grounds; and

(d) the rules that relate to traceability (any rule under this Part 14 and any relevant Local Rules).

(4) Nothing in this rule affects, or releases any person from, any requirement to be bound by the Rules that arises other than by the lodgment of the Foal Ownership Declaration, including but not limited to any requirement to be bound by the Rules that arises as a result of the lodgment of any other form, the making of any other notification, disclosure or declaration, or the operation of any of the Rules.

AR 287 Failure to lodge Mare Return and/or Foal Ownership Declaration

(1) Except where Racing Australia, in its sole and absolute discretion, permits otherwise, an unnamed horse cannot be registered for racing under these Australian Rules unless a Mare Return and a Foal Ownership Declaration have been lodged in accordance with AR 285 and AR 286 respectively.

(2) The discretion in subrule (1) may be exercised by Racing Australia in respect of matters occurring at any time, including prior to the commencement of that subrule.

(3) Where a Mare Return and/or a Foal Ownership Declaration have not been lodged in accordance with AR 285 and AR 286 respectively, an owner of the horse must disclose that fact to any potential buyers prior to any sale of the horse.

AR 288 Unnamed horse transfer of ownership

(1) If an unnamed horse is transferred to a new owner/s, the transfer must be registered with Racing Australia in accordance with this rule.

(2) Between the time specified in AR 286(1) and the time an unnamed horse is first registered for racing in accordance with AR 294, all transfers of ownership of that horse must be lodged with Racing Australia by both the outgoing owners and the incoming owners within 7 days of each transfer taking place. For the sake of clarity, where an unnamed horse has multiple owners, the outgoing owners are only required to sign transfer documents to the extent required of them by the applicable agreement governing the horse ownership venture (e.g. the COA).

(3) If a person breaches subrule (2), a PRA or the Stewards may restrict the relevant horse from being entered for a race, official trial or jump-out for a period not exceeding 1 month from identification of the breach.

(4) Any unnamed horse transfer of ownership application lodged by a Syndicate under subrule (2) shall be sufficient if signed by a majority of the members or by the Syndicate manager.

(5) An unnamed horse transfer of ownership application must:

(a) disclose the location of the horse at the time of the application and the intended location and use of the horse following the transfer;
(b) disclose the seller's and the buyer's name and contact details;
(c) disclose the sale price;
(d) be in the form prescribed by Racing Australia;
(e) be accompanied by the fee prescribed by Racing Australia (if any); and
(f) contain any other information Racing Australia considers necessary.

(6) Racing Australia, a PRA or the Stewards may conduct inquiries into the circumstances of the transfer of an unnamed horse as they see fit, whether or not the transfer has been effected.

(7) Racing Australia may:

(a) accept an unnamed horse transfer of ownership application; or
(b) on proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horse concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules:
(i) reject an unnamed horse transfer of ownership application; or
(ii) if an unnamed horse transfer of ownership has been effected, set aside the transfer.

(8) If an unnamed horse transfer of ownership application is accepted or set aside, Racing Australia must as soon as practicable amend the official ownership records.

AR 289 Unnamed horse change of location

(1) The manager of an unnamed horse or his or her authorised agent, or any other person with the relevant knowledge, must disclose:

(a) any change in the previously notified location of the unnamed horse to Racing Australia within 3 days of the day on which that change is finalised, by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia; and

(b) the location of the unnamed horse upon request by Racing Australia and/or the relevant PRA, including as required by any registration, transfer of ownership, or other form.

(2) A person is not required to comply with subrule (1)(a) if:

(a) the unnamed horse is away from its previously notified location for no more than 30 days and during that period the horse is:

(i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or

(ii) under the direct care of a qualified veterinary surgeon,

for the purpose of obtaining treatment from a qualified veterinary surgeon; or

(b) the unnamed horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

(3) Nothing in this rule affects a trainer's Stable Return obligations under AR 296.

AR 290 Decision to not commence racing unnamed horse

(1) Within 7 days of a decision to not commence racing an unnamed horse, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

(2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to race or be trained unless it is reinstated to race or be trained in accordance with this rule.

(3) If a horse ceases to be eligible to race or be trained under this rule, a person must not reinstate the horse to race or be trained without the express permission of a PRA or the Stewards.

(4) Without limiting their powers to refuse to reinstate a horse to race or be trained in their absolute discretion, for the purposes of subrule (3) a PRA or the Stewards must not grant permission for a horse to be reinstated to race or be trained unless:

(a) the horse has passed a veterinary examination conducted by a qualified veterinary surgeon to the satisfaction of the relevant PRA or the Stewards;

(b) all relevant transfers of ownership in respect of the horse have been registered with Racing Australia or the relevant PRA (as applicable) in accordance with the Rules;

(c) the horse, the trainer and/or the manager have satisfied any other reinstatement requirements of the relevant PRA or the Stewards; and

(d) the relevant PRA or the Stewards have considered the wishes of the last owner/s of the horse prior to the decision to not commence racing in respect of any future reinstatement, as notified on the relevant form (including a Stable Return where applicable).

AR 291 Unraced unnamed horse into care of industry participant

(1) This rule applies where:
   (a) a decision to not commence racing an unnamed horse is made in accordance with AR 290 (for the purposes of this rule, "unraced horse");
   (b) the unraced horse is not registered for breeding in accordance with AR 301; and
   (c) the person responsible for the unraced horse is a participant in racing (as defined in AR 2) or is otherwise licensed or registered under the Rules (for the purposes of this rule, "responsible person").

(2) During the period in which the responsible person is responsible for the care of the unraced horse, within 7 days of any of the following occurring that person must notify Racing Australia by lodging the relevant form prescribed by Racing Australia:
   (a) the transfer of the unraced horse to any other person;
   (b) the change of the unraced horse's location;
   (c) the decision to retire the unraced horse from any non-racing career, including but not limited to equestrian pursuits; or
   (d) the death of the unraced horse.

(3) A person is not required to comply with subrule (2)(b) if:
   (a) the unraced horse is away from its previously notified location for no more than 30 days and during that period the horse is:
      (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
      (ii) under the direct care of a qualified veterinary surgeon,
      for the purpose of obtaining treatment from a qualified veterinary surgeon; or
   (b) the unraced horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

AR 292 Death of unnamed horse

(1) Within 48 hours of the death of an unnamed horse, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

(2) A person must not dispose of a deceased unnamed horse without the written approval of Racing Australia or the relevant PRA unless a veterinary certificate as to cause of death is provided to Racing Australia or the relevant PRA.

(3) Any person who fails to comply with subrule (1) is not guilty of a breach of that subrule if 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.

AR 293 Status update for unnamed horse

(1) Within 7 days of an unnamed horse not having been the subject of any activity with Racing Australia or a PRA for a period of 6 consecutive months, the manager or his or her authorised agent must notify Racing Australia of the following matters by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia:

   (a) the current status of the horse;
   (b) the location of the horse; and
   (c) any other matters in respect of which a form should have been lodged or a notification should have been made under any rule in this Part 14 in the 6 month period.

(2) Prior to the horse reaching the 6 month period of inactivity referred to in subrule (1), Racing Australia will notify the manager or his or her authorised agent of the upcoming notification requirement.

(3) For the purposes of this rule, "activity" includes but is not limited to the lodgment or notification of a Stable Return, registration for racing, transfer of ownership, change of location, decision to not commence racing, or death.

<u>Division 2 – Named horses</u>

AR 294 Registration of horse for racing

(1) An application to register a horse for racing (which has complied with AR 285 and AR 286) must be lodged by the owner/s (or the lessee/s) with Racing Australia at least 5 business days before the horse is entered for a race or official trial, and must:

(a) disclose the details of the horse, including without limitation its age, sex, colour, sire, dam, microchip number, Foal Identification Card, any brands and markings, and any disqualifications or restrictions incurred;
(b) disclose the name of each owner (or lessee) and their ownership (or lease) share;
(c) disclose the location of the horse at the time of the application;
(d) be in the form prescribed by Racing Australia;
(e) be accompanied by the fee prescribed by Racing Australia (if any); and
(f) contain any other information Racing Australia considers necessary.

(2) Racing Australia may require that any of the information identified in subrule (1) be verified by statutory declaration.

(3) Racing Australia may in its discretion accept or reject any application for registration of any horse for racing.

(4) Upon registration of a horse under this rule, Racing Australia will issue the manager with a Certificate of Registration (Racing).

(5) Until a horse has been registered for racing as required by this rule, the horse cannot start in:
(a) a race; or
(b) an official trial without the permission of a PRA or the Stewards (whom may impose conditions as they see fit on any permission granted).

AR 295 Named horse transfer of ownership

(1) If a named horse is transferred to a new owner/s, the transfer must be registered with Racing Australia or the relevant PRA (as applicable) in accordance with this rule.

(2) All transfers of ownership of a named horse must be lodged with the Racing Australia or the relevant PRA (as applicable) by both the outgoing owners and the incoming owners:
(a) within 7 days of each transfer taking place; or
(b) at least 24 hours before the horse is entered for a race or official trial,
whichever is earlier. For the sake of clarity, where a named horse has multiple owners, the outgoing owners are only required to sign transfer documents to the extent required of them by the applicable agreement governing the horse ownership venture (e.g. the COA).

(3) Any named horse transfer of ownership application lodged by a Syndicate under subrule (2) shall be sufficient if signed by a majority of the members or by the Syndicate manager.

(4) A named horse transfer of ownership application must:

(a) disclose the location of the horse at the time of the application and the intended location and use of the horse following the transfer;
(b) disclose the seller's and the buyer's name and contact details;
(c) disclose the sale price;
(d) be in the form prescribed by Racing Australia or the relevant PRA;
(e) be accompanied by the fee prescribed by Racing Australia or the relevant PRA (if any); and
(f) contain any other information Racing Australia or the relevant PRA considers necessary.

(5) A PRA or the Stewards may conduct inquiries into the circumstances of the transfer of a named horse as they see fit, whether or not the transfer has been effected.

(6) A PRA may:

(a) accept a named horse transfer of ownership application; or
(b) on proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horse concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules:
(i) reject a named horse transfer of ownership application; or
(ii) if a named horse transfer of ownership has been effected, set aside the transfer.

(7) If a named horse transfer of ownership application is accepted or set aside, the relevant PRA must as soon as practicable amend the official ownership records.

(8) Until a named horse transfer of ownership is registered as required by this rule, the horse cannot start in a race or official trial without the permission of a PRA or the Stewards (whom may impose conditions as they see fit on any permission granted).

AR 296 Named horse change of location

(1) Except where stated otherwise, this rule applies to all named and unnamed horses, provided that in respect of an unnamed horse nothing in this rule shall limit the requirements set out in AR 289.

(2) A trainer must:

(a) disclose the location of a horse under his or her care upon request by a PRA and/or the Stewards (for any purpose) and/or Racing Australia (for retirement purposes only);
(b) lodge a Stable Return immediately upon a horse joining the trainer's stable;

(c) notify the Stewards immediately upon a horse which has been retired from racing joining the trainer's stable;

(d) 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 the trainer's stable, or moves to another of the trainer's premises (where the trainer's stable is comprised of more than one premises), with the amendment to disclose the precise location of the horse.

(3) For the purposes of subrule (2):

(a) if a trainer's stable is comprised of more than one premises, the trainer must disclose at which premises the horse is located;

(b) when a horse leaves a trainer's stable to spell or otherwise the trainer must disclose the location of the property at which the horse will be located.

(4) Where a horse has been entered for a race, from the time of entry to arrival on course prior to racing:

(a) except with the permission of the Stewards, the horse must be stabled only at the premises from which the horse's trainer is licensed to train;

(b) if the horse is travelling to participate in the race, the horse's trainer must inform the Stewards of the horse's proposed travel plans prior to the horse's departure from the trainer's stable and/or lodge a Stable Return disclosing the location of the horse (as required by the relevant PRA).

(5) Where a horse is entered for a race in which the entries close more than 60 days prior to the advertised date for the running of the race, subrule (4) shall not apply from the time of entry, but shall apply from the period commencing 6 days prior to the advertised date for the running of the race.

(6) If a trainer fails to lodge, in whole or in part, a Stable Return or any amendment thereof, or fails to provide details of the location or movements of a horse, in accordance with the provisions of this rule, the entry of the horse for any race, official trial or jump-out may be rejected or cancelled.

(7) The manager of a named horse or his or her authorised agent must, unless otherwise contained in a Stable Return lodged by a trainer in accordance with this rule, disclose:

(a) any change in the previously notified location of the named horse to the relevant PRA by midnight of the day on which that change is finalised, by lodging the relevant form prescribed by Racing Australia or the relevant PRA; and

(b) the location of that horse upon request by Racing Australia and/or a PRA, including as required under any registration, transfer of ownership, or other form.

***Note**: By way of example, the notification obligation on a manager would arise under subrule (7)(a) if a named horse was transferred from one spelling property to another spelling property.*

(8) The requirement referred to in subrule (7)(a) does not apply where the named horse is under the care of a trainer and the manager proves to the satisfaction of the Stewards the he or she was not aware, and could not reasonably have been aware, of:

(a) the change in the previously notified location of the horse; or

(b) the trainer's non-compliance with his or her obligations under this rule.

AR 297 Decision to retire named horse

(1) Within 7 days of a decision to retire a named horse from racing, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

(2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to race or be trained unless it is reinstated to race or be trained in accordance with this rule.

(3) If a horse ceases to be eligible to race or be trained under this rule, a person must not reinstate the horse to race or be trained unless he or she complies with the Racing Australia Code of Practice: *Reinstatement of a retired racehorse* (as amended from time to time) and obtains the express permission of a PRA or the Stewards.

[subrule amended 1.6.23]

(4) Without limiting their powers to refuse to reinstate a horse to race or be trained in their absolute discretion, for the purposes of subrule (3) a PRA or the Stewards must not grant permission for a horse to be reinstated to race or be trained unless:

(a) the horse has passed a veterinary examination conducted by a qualified veterinary surgeon to the satisfaction of the relevant PRA or the Stewards;

(b) all relevant transfers of ownership in respect of the horse have been registered with Racing Australia or the relevant PRA (as applicable) in accordance with the Rules; and

(c) the horse, the trainer and/or the manager have satisfied any other reinstatement requirements of the relevant PRA or the Stewards; and

(d) the relevant PRA or the Stewards have considered the wishes of the last owner/s of the horse prior to retirement from racing in respect of any future reinstatement, as notified on the relevant form (including a Stable Return where applicable).

(5) Notwithstanding AR 78, within 7 days of a horse turning 13 years of age, the manager or his or her authorised agent must notify Racing Australia of the horse's retirement by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

AR 298 Named horse retired to industry participant

(1) This rule applies where:

(a) a named horse is retired from racing in accordance with AR 297 (for the purposes of this rule, "retired racehorse");

(b) the retired racehorse is not registered for breeding in accordance with AR 301; and

(c) the person responsible for the retired racehorse is a participant in racing (as defined in AR 2) or is otherwise licensed or registered under the Rules (for the purposes of this rule, "responsible person").

(2) During the period in which the responsible person is responsible for the care of the retired racehorse, within 7 days of any of the following occurring that person must notify Racing Australia by lodging the relevant form prescribed by Racing Australia:

(a) the transfer of the retired racehorse to any other person;

(b) the change of the retired racehorse's location;

(c) the decision to retire the retired racehorse from any post-racing career, including but not limited to equestrian pursuits; or

(d) the death of the retired racehorse.

(3) A person is not required to comply with subrule (2)(b) if:

(a) the retired racehorse is away from its previously notified location for no more than 30 days and during that period the horse is:

(i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or

(ii) under the direct care of a qualified veterinary surgeon,

for the purpose of obtaining treatment from a qualified veterinary surgeon; or

(b) the retired racehorse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

AR 299 Death of named horse

(1) Within 24 hours of the death of a named horse which has not been retired from racing in accordance with AR 297, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

(2) A person must not dispose of the deceased horse without the written approval of the relevant PRA unless a veterinary certificate as to cause of death is provided to the relevant PRA.

(3) Any person who fails to comply with subrule (1) is not guilty of a breach of that subrule if 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.

AR 300 Status update for named horse

(1) Within 7 days of a named horse not having been the subject of any activity with Racing Australia or a PRA for a period of 6 consecutive months, the manager or his or her authorised agent must notify Racing Australia of the following matters by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia:
   (a) the current status of the horse;
   (b) the location of the horse; and
   (c) any other matters in respect of which a form should have been lodged or a notification should have been made under any rule in this Part 14 in the 6 month period.

(2) Prior to the horse reaching the 6 month period of inactivity referred to in subrule (1), Racing Australia will notify the manager or his or her authorised agent of the upcoming notification requirement.

(3) For the purposes of this rule, "activity" includes but is not limited to the lodgment or notification of a Stable Return, nomination, scratching, transfer of ownership, change of location, retirement from racing, or death.

Division 3 – Breeding horses

AR 301 Registration of horse for breeding

(1) A horse that is used for breeding must be registered with the Australian Stud Book as follows:

(a) horses in respect of which a Mare Return or Stallion Return has never been lodged with the Australian Stud Book prior to the commencement of this rule – within 7 days of a decision use the horse for breeding, a registration application must be lodged by the owner/s (or lessee/s) with the Australian Stud Book in accordance with this rule; or

(b) horses in respect of which a Mare Return or Stallion Return has previously been lodged with the Australian Stud Book prior to the commencement of this rule – when a Mare Return or Stallion Return or Declaration of Service (whichever is earlier) for the horse is next lodged, a registration application must also be lodged by the owner/s (or lessee/s) with the Australian Stud Book in accordance with this rule.

(2) The Australian Stud Book must not accept a Mare Return, Stallion Return or Declaration of Service for a horse that has not been registered for breeding in accordance with this rule.

(3) A horse cannot be registered for breeding unless:

(a) it complies with the requirements set out in AR 27, AR 28 and AR 29; and

(b) if the horse is an unnamed horse, a decision has been made to not commence racing the horse and the relevant form has been lodged with Racing Australia in accordance with AR 290 (and the horse has subsequently been named solely for breeding purposes); or

(c) if the horse is a named horse, it has been retired from racing in accordance with AR 297.

(4) An application to register a horse for breeding must:

(a) disclose the name of the horse;

(b) disclose the name of each owner (or lessee) and their ownership (or lease) share;

(c) disclose the location of the horse at the time of the application;

(d) be in the form prescribed by the Australian Stud Book;

(e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and

(f) contain any other information the Australian Stud Book considers necessary.

(5) The Australian Stud Book may require that any of the information identified in subrule (4) be verified by statutory declaration.

(6) The Australian Stud Book may in its discretion accept or reject any application for registration of any horse for breeding.

(7) Upon registration of a horse under this rule, the Australian Stud Book will issue the manager with a Certificate of Registration (Breeding).

AR 302 Lodgment of Mare Return (general)

(1) A Mare Return must be lodged with the Australian Stud Book by the manager of a broodmare or his or her authorised agent for every covering season the broodmare is at stud, including:
   (a) if the broodmare is not covered during a covering season, by 15 March of that season;
   (b) if the broodmare is covered during a covering season and no live foal is produced, within 12 months of the last date the broodmare was covered;
   (c) if the broodmare is covered during a covering season and a live foal is produced, within 30 days of the broodmare giving birth to that foal, as per the requirements in AR 285.

(2) A Mare Return lodged under subrule (1) must:
   (a) comply with the requirements set out in the Australian Stud Book Rules;
   (b) disclose the location of the broodmare at the date of the lodgment;
   (c) be in the form prescribed by the Australian Stud Book;
   (d) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
   (e) contain any other information the Australian Stud Book considers necessary.

(3) For the purposes of this rule, the "manager" includes the breeder where the broodmare has not yet been registered for breeding in accordance with AR 301.

(4) For the sake of clarity, nothing in this rule affects a person's Mare Return obligations under the Australian Stud Book Rules, save that lodgment of a Mare Return in accordance with this rule constitutes lodgment of a Mare Return under the Australian Stud Book Rules.

AR 303 Lodgment of Stallion Return

(1) A Stallion Return must be lodged with the Australian Stud Book by the manager of a stallion or his or her authorised agent by 30 June before the covering season in which the stallion is to be used for breeding.

(2) A Stallion Return must:
   (a) comply with the requirements set out in the Australian Stud Book Rules;
   (b) disclose the name of each owner (or lessee) and their ownership (or lease) share;
   (c) disclose the location where the stallion will stand that covering season;
   (d) be in the form prescribed by the Australian Stud Book;
   (e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
   (f) contain any other information the Australian Stud Book considers necessary.

(3) For the purposes of this rule, the "manager" includes the stallion proprietor where the stallion has not yet been registered for breeding in accordance with AR 301.

(4) For the sake of clarity, nothing in this rule affects a person's Stallion Return obligations under the Australian Stud Book Rules, save that lodgment of a Stallion

Return in accordance with this rule constitutes lodgment of a Stallion Return under the Australian Stud Book Rules.

AR 304 Lodgment of Declaration of Service

(1) Where a Stallion Return has been lodged for a particular covering season, a Declaration of Service must be lodged with the Australian Stud Book on a monthly basis by the manager or his or her authorised agent by the 15th day of the following month for each month during that covering season, including where the stallion does not cover a broodmare in a particular month.

Note: *By way of example, if a stallion covers a broodmare in October, a Declaration of Service for that month must be lodged with the Australian Stud Book by 15 November.*

(2) A Declaration of Service must:

(a) comply with the requirements set out in the Australian Stud Book Rules;
(b) be in the form prescribed by the Australian Stud Book;
(c) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
(d) contain any other information the Australian Stud Book considers necessary.

(3) For the purposes of this rule, the "manager" includes the stallion proprietor where the stallion has not yet been registered for breeding in accordance with AR 301.

(4) For the sake of clarity, nothing in this rule affects a person's Declaration of Service obligations under the Australian Stud Book Rules, save that lodgment of a Declaration of Service in accordance with this rule constitutes lodgment of a Declaration of Service under the Australian Stud Book Rules.

AR 305 Breeding horse transfer of ownership

(1) If a breeding horse is transferred to a new owner/s, the transfer must be registered with the Australian Stud Book in accordance with this rule.

(2) All transfers of ownership of a breeding horse must be lodged with the Australian Stud Book by both the outgoing owners and the incoming owners within 7 days of each transfer taking place. For the sake of clarity, where a breeding horse has multiple owners, the outgoing owners are only required to sign transfer documents to the extent required of them by the applicable agreement governing the horse ownership venture.

(3) Any breeding horse transfer of ownership application lodged by a Syndicate under subrule (2) shall be sufficient if signed by a majority of the members or by the Syndicate manager.

(4) A breeding horse transfer of ownership application must:

(a) disclose the location of the horse at the time of the application and the intended location and use of the horse following the transfer;
(b) disclose the seller's and the buyer's name and contact details;
(c) disclose the sale price;
(d) be in the form prescribed by the Australian Stud Book; and
(e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
(f) contain any other information the Australian Stud Book considers necessary.

(5) The Australian Stud Book, Racing Australia, a PRA or the Stewards may conduct inquiries into the circumstances of the transfer of a breeding horse as they see fit, whether or not the transfer has been effected.

(6) The Australian Stud Book may:
(a) accept a breeding horse transfer of ownership application; or
(b) on proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horses concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules:
(i) reject a breeding horse transfer of ownership application; or
(ii) if a breeding horse transfer of ownership has been effected, set aside the transfer.

(7) If a breeding horse transfer of ownership application is accepted or set aside, the Australian Stud Book must as soon as practicable amend the official ownership records.

(8) Until a breeding horse transfer of ownership is registered as required by this rule, the Australian Stud Book may refuse to accept any Mare Return, Stallion Return or Declaration of Service lodged in respect of the horse.

AR 306 Breeding horse change of location

(1) The manager of a breeding horse or his or her authorised agent, or any other person with the relevant knowledge, must disclose:
(a) subject to subrule (2), any change in the previously notified location of the breeding horse to the Australian Stud Book within 3 days of the day on which that change is finalised;
(b) the location of the breeding horse upon request by the Australian Stud Book and/or the relevant PRA, including as required by any registration, transfer of ownership, or other form.

(2) A person is not required to comply with subrule (1)(a) if:
(a) the breeding horse is a broodmare and it is away from its previously notified location for no more than 7 days for the purpose of being covered or foaling;

(b) the breeding horse is away from its previously notified location for no more than 30 days and during that period the horse is:
   (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
   (ii) under the direct care of a qualified veterinary surgeon,
   for the purpose of obtaining treatment from a qualified veterinary surgeon; or

(c) the breeding horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

AR 307 Decision to retire breeding horse

(1) Within 7 days of a decision to retire a breeding horse, the manager or his or her authorised agent must notify the Australian Stud Book of that fact by lodging the relevant form prescribed by the Australian Stud Book.

(2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to breed unless it is reinstated to breed.

(3) If a horse ceases to be eligible to breed under this rule, a person must not reinstate the horse to breed without the express permission of the Australian Stud Book.

AR 308 Breeding horse retired to industry participant

(1) This rule applies where:
   (a) a breeding horse is retired from breeding in accordance with AR 307 (for the purposes of this rule, "retired breeding horse"); and
   (b) the person responsible for the retired breeding horse is a participant in racing (as defined in AR 2) or is otherwise licensed or registered under the Rules (for the purposes of this rule, "responsible person").

(2) During the period in which the responsible person is responsible for the care of the retired breeding horse, within 7 days of any of the following occurring that person must notify the Australian Stud Book by lodging the relevant form prescribed by the Australian Stud Book:
   (a) the transfer of the retired breeding horse to any other person;
   (b) the change of the retired breeding horse's location;
   (c) the decision to retire the retired breeding horse from any post-breeding career, including but not limited to equestrian pursuits; or
   (d) the death of the retired breeding horse.

(3) A person is not required to comply with subrule (2)(b) if:
   (a) the retired breeding horse is away from its previously notified location for no more than 30 days and during that period the horse is:

(i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or

(ii) under the direct care of a qualified veterinary surgeon,

for the purpose of obtaining treatment from a qualified veterinary surgeon; or

(b) the retired breeding horse is away from its previously notified location for no more than 7 days for the purposes of being offered for sale at a physical public auction.

AR 309 Death of breeding horse

(1) Within 48 hours of the death of a breeding horse, the manager or his or her authorised agent must notify the Australian Stud Book of that fact (and, if applicable, the loss of its foal in utero) by lodging the relevant form prescribed by the Australian Stud Book.

(2) A person must not dispose of the deceased horse without the written approval of the Australian Stud Book or the relevant PRA unless a veterinary certificate as to cause of death is provided to the Australian Stud Book or the relevant PRA.

(3) Any person who fails to comply with subrule (1) is not guilty of a breach of that subrule if 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.

AR 310 Status update for breeding horse

(1) Within 7 days of a breeding horse not having been the subject of any activity with the Australian Stud Book, Racing Australia or a PRA in a period of 12 consecutive months, the manager or his or her authorised agent must notify the Australian Stud Book of the following matters by lodging the relevant form:

(a) the current status of the horse;

(b) the location of the horse; and

(c) any other matters in respect of which a form should have been lodged or a notification should have been made under any rule in this Part 14 in the 12 month period.

(2) Prior to the horse reaching the 12 month period of inactivity referred to in subrule (1), the Australian Stud Book will notify the manager or his or her authorised agent of the upcoming notification requirement.

(3) For the purposes of this rule, “activity” includes but is not limited to the lodgment or notification of a Mare Return, Stallion Return, Declaration of Service, transfer of ownership, change of location, retirement from breeding, or death.

(4) For the purposes of this rule, the "manager" includes the breeder or the stallion proprietor where the horse has not yet been registered for breeding in accordance with AR 301.

AR 311 Application of the Rules to owners of breeding horses

(1) It is a condition precedent to any lodgment or notification under AR 285 or any of AR 301 to AR 310 inclusive that the manager or his or her authorised agent lodging the relevant document or making the relevant notification undertakes to be bound by the Rules and, upon action being taken in compliance with any of those rules (including by a Syndicate as applicable), the breeding horse and its owners become subject to, and agree to be bound by, the Rules for the following purposes only as a consequence of, and relating to, the lodgment of the relevant document or the making of the relevant notification:

   (a) the observation of other horses for health and welfare reasons only where there is concern for their health and welfare based on reasonable grounds; and

   (b) the rules that relate to traceability (any rule under this Part 14 and any relevant Local Rules).

(2) Nothing in this rule affects, or releases any person from, any requirement to be bound by the Rules that arises other than by the lodgment or notification under AR 285 or any of AR 301 to AR 310 inclusive, including but not limited to any requirement to be bound by the Rules that arises as a result of the lodgment of any other form, the making of any other notification, disclosure or declaration, or the operation of any of the Rules.

<u>Division 4 – Access to property</u>

AR 312 Stewards' access to property on welfare grounds

(1) Without limiting any other rules or powers under these Australian Rules, the Stewards may enter the property of a person in possession of a horse:

   (a) in respect of which a Mare Return and Foal Ownership Declaration have been lodged under AR 285 and AR 286 respectively;
   (b) which has been registered for racing under AR 294;
   (c) which has been registered for breeding under AR 301; or
   (d) which has been retired into the care of an industry participant under AR 291, AR 298 or AR 308,

   for the purposes of observing and/or assessing the health and welfare of the horse where there is concern for its health and welfare based on reasonable grounds.

(2) Stewards who enter a property under subrule (1) may bring with them persons or items they consider necessary to assist in observing and/or assessing the health and welfare of the relevant horse.

Division 5 – Breach of traceability rules

AR 313 Breach of traceability rules

(1) Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 14 the person may be penalised by a PRA or the Stewards.

(2) If a person provides any false or misleading information in respect of any form lodged or notification made under any rule in this Part 14, the person may be penalised by a PRA or the Stewards.

(3) Without limiting any other rules in this Part 14, if a person fails to lodge any document or provide any notification in accordance with any rule in this Part 14, Racing Australia, the Australian Stud Book, a PRA and/or the Stewards may:

(a) restrict that person or any relevant horse from participating in the thoroughbred racing and breeding industry; and/or

(b) restrict the payment (including payments under bonus schemes) or awarding of any prize to that person,

until the relevant form has been properly lodged or the relevant notification has been properly made.

Note: *By way of example, Racing Australia may refuse to register a horse, or a PRA may refuse to accept a nomination for a horse, which is owned by a person who has failed to lodge a retirement notification form in respect of another horse owned by that person in accordance with AR 297.*

(4) Without limiting any other rules in this Part 14, if a person fails to lodge any document or provide any notification in accordance with AR 302, AR 303 or AR 304, the Australian Stud Book may refuse to accept any future Mare Return, Stallion Return or Declaration of Service (as applicable) from the relevant person or in respect of the relevant horse.

SCHEDULES TO THE AUSTRALIAN RULES OF RACING

Schedule 1 – Prohibited Substances Lists

Schedule 2 – Trainer and Owner Reform Rules (TOR Rules)

Schedule 3 – Syndicate Rules (SR)

Schedule 4 – List of Restricted Races

Schedule 5 – Table of comparative provisions

SCHEDULE 1 – PROHIBITED SUBSTANCES LISTS AND EXEMPTIONS / THRESHOLDS

PART 1 – SUBSTANCES PROHIBITED AT ALL TIMES

Division 1 – Prohibited List A

The substances set out below in this Division 1 are specified as prohibited substances.

1. Erythropoiesis-stimulating agents, including but not limited to erythropoietin (**EPO**), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta (*Mircera*).
2. Non-erythropoietic EPO-receptor agonists.
3. Hypoxia-inducible factor (HIF) stabilisers, including but not limited to cobalt and FG-4592.
4. HIF activators, including but not limited to argon and xenon.
5. Allosteric effectors of haemoglobin, including but not limited to ITPP (myo-inositol trispyrophosphate).
6. Oxygen carriers including but not limited to perfluorochemicals, efaproxiral and modified haemoglobin products.
7. Haematopoietic growth factors, including but not limited to filgrastim.
8. Insulins.
9. Growth hormones and their releasing factors.
10. Insulin-like growth factor-1.
11. Synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use in Australia.
12. Corticotrophins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide), and corticotrophin releasing factors.
13. Anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant thresholds set out in Schedule 1, Part 1, Division 3)
14. Selective androgen receptor modulators (SARMS).
15. Selective estrogen receptor modulators (SERMS).
16. Selective opioid receptor modulators (SORMS).
17. Peroxisome proliferator activated receptor δ (PPARδ) agonists, including but not limited to GW 1516.
18. AMPK activators, including but not limited to AICAR (5-amino-1-β-D-ribofuranosyl-imidazole-4-carboxamide).
19. Other agents that directly or indirectly affect or manipulate gene expression.
20. Agents modifying myostatin function, including but not limited to myostatin inhibitors.

21. Thymosin beta.
22. Venoms of any species or derivatives of them.
23. Zoledronic acid and any other bisphosphonate drugs not registered for veterinary use in Australia.
24. 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*.
25. Metabolites, artefacts and isomers of any of the substances identified in this list.

Note: *The above list needs to be read with the exemptions and thresholds set out below in Part 1, Divisions 2 and 3.*

Division 2 – Prohibited List A exemptions

The substances set out below in this Division 2, and their metabolites, artefacts and isomers, are exempt from Prohibited List A. (However, for the sake of clarity, those substances are specified as prohibited substances for the purposes of AR 240, AR 241, AR 244, AR 245, AR 246 and AR 251.)

1. Bufotenine.
2. Butorphanol.
3. 3-(2-dimethylaminoethyl)-4-hydroxyindole.
4. N,N-dimethyltryptamine.
5. Ketamine.
6. Methadone.
7. Morphine.
8. Pethidine.
9. Quinalbarbitone.

Division 3 – Prohibited List A thresholds (anabolic androgenic steroids)

The prohibited substances set out below in this Division 3 when present at or below their respective threshold are exempt from Prohibited List A.

1. In male horses other than geldings, free and glucuroconjugated 5α-estrane-3β, 17α-diol at a mass concentration of 45 micrograms per litre in urine when, at the screening stage, the free and glucuroconjugated 5α-estrane-3β, 17α-diol exceeds the free and glucuroconjugated 5,10 estrene-3β,17α-diol in the urine. *[part 1 amended 1.6.19]*
2. Testosterone:
   (a) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
   (b) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;

(c) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma; *[paragraph (c) amended 1.6.19]*

(d) in fillies and mares that have been notified as pregnant under AR 84(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine, or free testosterone at any concentration in plasma.
[paragraph (d) amended1.6.19]

3. 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.

PART 2 – SUBSTANCES PROHIBITED ON RACE DAYS, CERTAIN TRIALS ETC

Division 1 – Prohibited List B

The substances set out below in this Division 1 are specified as prohibited substances.

1. Substances capable at any time of causing either directly or indirectly an action and/or effect within one or more of the following mammalian body systems:
   (a) the nervous system;
   (b) the cardiovascular system;
   (c) the respiratory system;
   (d) the digestive system;
   (e) the musculo-skeletal system;
   (f) the endocrine system;
   (g) the urinary system;
   (h) the reproductive system;
   (i) the blood system; and
   (j) the immune system.
2. Substances within, but not limited to, the following categories:
   (a) acidifying agents;
   (b) adrenergic blocking agents;
   (c) adrenergic stimulants;
   (d) agents affecting calcium and bone metabolism;
   (e) agents that directly or indirectly affect or manipulate gene expression;
   (f) alcohols;
   (g) alkalinising agents;
   (h) anabolic agents;
   (i) anaesthetic agents;
   (j) analgesics;
   (k) antiangina agents;
   (l) antianxiety agents;
   (m) antiarrhythmic agents;
   (n) anticholinergic agents;
   (o) anticoagulants;
   (p) anticonvulsants;
   (q) antidepressants;
   (r) antiemetics;

(s) antifibrinolytic agents;
(t) antihistamines;
(u) antihypertensive agents;
(v) anti-inflammatory agents;
(w) antinauseants;
(x) antineoplastic agents;
(y) antipsychotic agents;
(z) antipyretics;
(aa) antirheumatoid agents;
(bb) antispasmodic agents;
(cc) antithrombotic agents;
(dd) antitussive agents;
(ee) blood coagulants;
(ff) bronchodilators;
(gg) bronchospasm relaxants;
(hh) buffering agents;
(ii) central nervous system stimulants;
(jj) cholinergic agents;
(kk) corticosteroids;
(ll) depressants;
(mm) diuretics;
(nn) erectile dysfunction agents;
(oo) fibrinolytic agents;
(pp) haematopoietic agents;
(qq) haemostatic agents;
(rr) hormones (including trophic hormones) and their synthetic counterparts;
(ss) hypnotics;
(tt) hypoglycaemic agents;
(uu) hypolipidaemic agents;
(vv) immunomodifier;
(ww) masking agents;
(xx) muscle relaxants;
(yy) narcotic analgesics;
(zz) neuromuscular agents;
(aaa) oxygen carriers;

(bbb) plasma volume expanders;

(ccc) respiratory stimulants;

(ddd) sedatives;

(eee) stimulants;

(fff) sympathomimetic amines;

(ggg) tranquillisers;

(hhh) vasodilators;

(iii) vasopressor agents; and

(jjj) vitamins administered by injection.

3. Metabolites, artefacts and isomers of the substances set out in paragraphs 1 and 2 of this Division 1.

Note: *The above list needs to be read with the exemptions and thresholds set out below in Part 2, Divisions 2 and 3.*

Division 2 – Prohibited List B exemptions

The substances set out below in this Division 2 are exempt from Prohibited List B.

1. Antimicrobials (antibiotics) and other antiinfective agents but not including procaine penicillin.
2. Antiparasitics approved and registered for use in horses.
3. Ranitidine.
4. Omeprazole.
5. Ambroxol.
6. Bromhexine.
7. Dembrexine.
8. Registered vaccines against infectious agents.
9. Orally administered glucosamine.
10. Orally administered chondroitin sulphate.
11. Altrenogest when administered to fillies and mares.

Division 3 – Prohibited List B thresholds

The prohibited substances set out below in this Division 3 when present at or below their respective threshold are exempt from Prohibited List B.

1. Alkalinising agents, when evidenced by total carbon dioxide (TCO_2) at a concentration of 36.0 millimoles per litre in plasma.
2. Arsenic at a mass concentration of 0.30 milligrams per litre in urine.
3. Not used. *[amended 1.11.24]*

4. In male horses other than geldings, free and glucuroconjugated 5α-estrane-3β, 17α-diol at a mass concentration of 45 micrograms per litre in urine when, at the screening stage, the free and glucuroconjugated 5α-estrane-3β, 17α-diol exceeds the free and glucuroconjugated 5,10 estrene-3β,17α-diol in the urine. *[part 4 amended 1.6.19]*
5. Salicylic acid at a mass concentration of 750 milligrams per litre in urine or 6.5 milligrams per litre in plasma.
6. Hydrocortisone at a mass concentration of 1.00 milligrams per litre in urine;
7. Testosterone:
   (a) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
   (b) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;
   (c) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma; *[paragraph (c) amended 1.6.19]*
   (d) in fillies and mares that have been notified as pregnant under AR 84(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine or free testosterone at any concentration in plasma. *[paragraph (d) amended 1.6.19]*
8. 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.
9. 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.
10. Not used. *[sub-rule deleted 1.2.21]*
11. Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.
12. Prednisolone (free prednisolone) at a mass concentration of 10 micrograms per litre in urine. *[part 12 added 1.6.19]*

SCHEDULE 2 – TRAINER & OWNER REFORM RULES (TOR RULES)

TOR Rule 1 – Commencement and operation of the TOR

(1) The TOR, including the TOR Rules, will commence pursuant to these Australian Rules on the TOR Commencement Date.

(2) From the TOR Commencement Date:

(a) persons bound by these Australian Rules must comply with the TOR Rules;

(b) all trainers and owners (except exempt trainers and exempt owners) must comply with the 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 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 Australian 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 Australian 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 Australian 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 Australian 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 Australian 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 Australian 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 PRAs in relation to the TOR

(1) A PRA shall, in addition to the powers conferred by these Australian 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/s, who must have relevant experience in dealing with commercial disputes, as a 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 prize money to which an Owner would otherwise be entitled and pay that prize money 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 breaches 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 under TOR Rule 8(8)).

TOR Rule 3 – Requirement for trainers to issue a Fees Notice

(1) (a) Subject to TOR Rule 3(3), a trainer must issue a Fees Notice to the manager within 7 days of the date on which he or she is appointed as the trainer of a horse.

(b) The manager must provide a copy of the Fees Notice to each owner within 5 days of being issued the Fees Notice by the trainer.

(c) If the manager 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).

(3) If a trainer fails to issue a Fees Notice in accordance with TOR Rule 3(1)(a), the only consequence of such failure is that the trainer is not permitted to rely on the presumption of a training debt in respect of training fees and/or training disbursements relating to training services provided prior to the date on which a Fees Notice was issued.

TOR Rule 4 – Circumstances in which the 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/s in relation to training fees and/or training disbursements to the owner of the relevant horse by the 15th 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 15th 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 15th 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 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 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 an exceptional circumstance determined in its discretion, freeze the payment of prize money to which the Owner would otherwise be entitled, and direct payment of that prize money to the trainer owed the training fees and/or training disbursements. Subject to any exceptional 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 an exceptional 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.

(5) If, in respect of a horse owned or part owned by an owner:

(a) the horse is transferred from one trainer to another trainer;

(b) the owner owes training fees and/or training disbursements to both trainers; and

(c) both trainers have filed an EAA/s pursuant to TOR Rule 6(1)(c),

the earlier of the EAA/s filed will take precedence in respect of freezing the payment of prizemoney to which the owner would otherwise be entitled and directing payment of that prizemoney to the trainers.

TOR Rule 7 – Further trainer rights (when the presumption of a training debt has not arisen)

(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 – Training Disputes Tribunal

(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 permission 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 Australian 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/s 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 TDT decision

(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 an exceptional circumstance to be determined in its discretion, freeze the payment of any prize money 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 an exceptional circumstance to be determined in its discretion, pay any prize money 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 exceptional circumstance determined by a PRA, the defaulting owner expressly waives any right to objecting to a PRA's payment of that prize money 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 prize money 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 prize money; and

(b) if:

(i) one of those PRAs is in possession of an amount of prize money 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 prize money; and

(ii) if more than one of those PRAs is in possession of an amount of prize money 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 prize money.

(5) If Racing Australia or a PRA directs prize money 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.

SCHEDULE 3 – SYNDICATE RULES (SR)

SR 1 Members of Syndicates

A person is deemed to be a member of a Syndicate if the person has an ownership or lease interest with not more than 20 persons in total (or not more than 50 in total in the case of a Promoter Syndicate) in any undertaking, common enterprise, arrangement or scheme relating to the racing of one or more horses.

SR 2 Requirement of manager of a Syndicate

In order to enter or race a horse, a Syndicate must appoint a natural person as its Syndicate manager, with that person authorised to act for and on behalf of the Syndicate (to the extent permitted by the Rules and any agreement or instrument governing the Syndicate).

SR 3 PRAs may make rules or regulations in relation to Syndicates

(1) Any person who wishes to register a Syndicate must apply to a PRA to do so, providing information required by that PRA and as required by these Australian Rules.

(2) A PRA must approve a Syndicate's name before it can be registered and used.

(3) Racing Australia may make or amend rules (and regulations or policies) in relation to the formation, conduct and termination of Syndicates, including but not limited to:

- (a) the number of Syndicates that a person may have an interest in;
- (b) the information to be provided to a PRA in relation to the registration of a Syndicate;
- (c) the form of the written confirmation to be issued by it or a PRA in relation to a Syndicate, the person to whom it is to be issued, and the person required to retain possession of the record;
- (d) the representation of a Syndicate for the purposes of the Rules;
- (e) the name in which a Syndicate can be registered and the powers of a PRA to register, refuse to register, or require the alteration of the name of, a Syndicate;
- (f) the information to be provided to a PRA in relation to any additional horse to be raced by a Syndicate
- (g) the renewal or registration of a Syndicate and related matters;
- (h) the details in relation to a Syndicate which are to be published from time to time;
- (i) when and how the registration of a Syndicate can be cancelled;
- (j) how notices are to be served on a Syndicate, or its members;
- (k) the termination of a Syndicate;
- (l) procedures in relation to any change in membership of a Syndicate; and
- (m) the fees to be paid in relation to a Syndicate.

SR 4 Syndicate members bound by these Australian Rules

Every member of a Syndicate is bound by these Australian Rules (irrespective of the nature or extent of the interests or rights of the member/s in the Syndicate) and the provisions of any rules or constitution governing the Syndicate, or any agreement between the members of the Syndicate.

SR 5 No responsibility of a PRA for the actions of a Syndicate or its members

Neither Racing Australia nor any of the PRAs have any responsibility or liability for the actions of the persons in a Syndicate or who are party to any Syndicate agreement or any other instrument relating to a Syndicate, or for the performance of any legal or equitable obligations of the members of a Syndicate.

SR 6 Limits on the registration or continued operation of a Syndicate

(1) A Syndicate cannot be registered or continue to be registered:
   (a) if a horse owned or leased by the Syndicate is disqualified;
   (b) if any member of the Syndicate is a person whose interest in any horse would under these Australian Rules operate to prohibit the horse from being entered for or started in any race.

(2) A PRA may at any time call upon the Syndicate manager or the Syndicate members to show cause why the registration of the Syndicate should not be cancelled or suspended.

(3) If, but for this subrule, a horse would under these Australian Rules be ineligible for a race by reason of the interest of a Syndicate member, and the horse has started in or is nominated for a race, a PRA or the Stewards may (after considering the circumstances associated with the ownership, leasing or membership of the horse and any other circumstances they think fit) rule that the horse was eligible for the race in which it started or for which it is nominated.

(4) In circumstances where a PRA or the Stewards rule a horse eligible under subrule (3), if the horse has won or wins prize money, the proportion of the prize to which the relevant Syndicate member would otherwise have been entitled will be retained by and become the property of the Club holding the meeting.

SR 7 Penalties for breach of Syndicate Rules

Without limiting any other powers or rules in these Australian Rules, if a person breaches any rule in this Schedule 3 a PRA or the Stewards may:

(a) penalise the person; and

(b) disqualify any horse owned or leased by the Syndicate of which the person was, at the relevant time, a member.

SR 8 Additional horses to be owned or leased by a Syndicate

If a Syndicate which wholly or partly owns or leases a horse wishes to wholly or partly own or lease an additional horse/s, a separate registration form must be lodged with the

relevant PRA for each additional horse, and be accompanied by any fee prescribed by a PRA from time to time to be paid in relation to that registration.

SR 9 Promoter Syndicates

(1) Any person who wants to make an offer to promote shares in a horse/s must:
   (a) hold an Australian Financial Services Licence ("AFSL") issued by ASIC;
   (b) comply with any provision of the Corporations Act in relation to the promotion, offering, or issue of shares in horses; and
   (c) comply with the provisions and requirements of any applicable ASIC Class Order or instrument (including *ASIC Corporations (Horse Schemes) Instrument 2016/790*, or any successor to it) in relation to the promotion, offering, or issue of shares in horses.

(2) Before an offer of shares in a horse/s is made, an AFSL holder must be recorded as a registered Promoter in the Register of Promoters held by a PRA.

(3) Promoters must obtain approval from a PRA for each Product Disclosure Statement prior to an offer of shares in a horse being made.

SR 10 Applications for Syndicates

(1) An application to a PRA for approval for a Syndicate to race a horse must be in writing in the form required by a PRA and:
   (a) signed by all members of the Syndicate if the Syndicate is not a company; and
   (b) where a company is an applicant or member of a Syndicate, signed by an authorised officer of that company.

(2) An application to a PRA for approval for a Syndicate to race a horse must be accompanied by:
   (a) a copy of the Syndicate agreement (except where a company is the sole applicant);
   (b) an address to be the registered address for the Syndicate;
   (c) the prescribed fee;
   (d) details of registration of the Syndicate by any other PRA;
   (e) in the case of an applicant which is an unincorporated organisation, a copy of the certificate of registration of business name and any renewal of it.

SR 11 Requirements for Syndicate agreements and their registration

(1) A Syndicate agreement must be in a form prescribed or approved by a PRA.

(2) A PRA may require that matters including the following be included in a Syndicate agreement:
   (a) the name, address and date of birth of each member, and the share of each member in the horse;
   (b) 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;

(c) provision for the appointment of a Syndicate manager in whom the legal possession of the horse is to be vested on behalf of the Syndicate;

(d) a declaration that each member has read these Australian Rules (including these Syndicate Rules) and any Local Rules of the PRA to which the application is made in relation to Syndicates and interests in horses, and that except for traffic convictions involving a fine, has not been convicted of any criminal offence;

(e) a term imposing on a Syndicate manager in whom legal possession of the horse is vested on behalf of the Syndicate an obligation to keep proper books of account and to send to each member of the Syndicate a copy of the Syndicate's accounts each and every 3 months, and to send each member an audited copy of the annual accounts;

(f) any other provisions that the relevant PRA considers fit.

(3) All Syndicate agreements, and any other instrument in relation to the Syndicate that a PRA considers necessary, must be approved and registered by a PRA.

(4) A PRA which approves a Syndicate must:

(a) register and record the name of:

(i) every company approved as a Syndicate;

(ii) every person approved to be a Syndicate manager;

(b) publish the information referred to in subrule (4)(a); and

(c) issue a Certificate of Registration in relation to the Syndicate to the Syndicate manager.

SR 12 Applications for companies to race horses as a Syndicate

(1) An application for approval for a company to race a horse as a Syndicate must be made in a form prescribed from time to time by a PRA together with any prescribed fee. An application must be accompanied by information including:

(a) the Certificate of Incorporation of the company;

(b) if the company has a Constitution, its Constitution;

(c) the name, address and date of birth of each director of the company;

(d) the name and address of each member of the company; and

(e) the address of the registered office of the company.

(2) The PRA to which an application by a company to race a horse as a Syndicate is made may in its discretion and to the extent it thinks fit, dispense with any requirement to submit the names and addresses of persons who are directors or members of the company.

SR 13 PRA's powers to approve and register a Syndicate

(1) A PRA has complete discretion whether to approve any Syndicate as the owner or lessee of a horse, or any members of it as lessees or as Syndicate manager.

(2) Notwithstanding subrule (1), a PRA must refuse to approve a Syndicate where any member is a disqualified person.

(3) A PRA has the absolute discretion at any time and without assigning any reason, to suspend or cancel the registration of a Syndicate.

(4) Notwithstanding subrule (3), registration of a Syndicate must be cancelled if:

(a) any member, Syndicate manager, director or officer of the Syndicate is or becomes a disqualified person or a person whose interest in a horse would, under these Australian Rules, operate to prohibit the horse from being entered for or starting in a race;

(b) the manager or any member of the Syndicate fails to supply information required by a PRA or the Stewards within a stipulated time frame;

(c) in relation to a company registered as a Syndicate:

(i) a winding up order is made or a receiver, receiver and manager, or official manager is appointed in respect of the company; or

(ii) any manager for or officer of the company fails to supply information required by a PRA or the Stewards within a stipulated time frame.

(5) The registration of a Syndicate will not be affected by the fact that a member of the Syndicate, other than the Syndicate manager, has disposed of the whole or part of his or her share in the horse since the relevant Syndicate agreement was registered, provided no share of any member is disposed of more than once in any period of 28 days and provided that:

(a) notification of each disposition is signed by the transferor and the transferee and is lodged with the relevant PRA within 7 days of the disposition; and

(b) that notification contains a declaration by the transferee that he or she possesses a copy of the Syndicate agreement for the Syndicate and has read these Australian Rules (including these Syndicate Rules) and any Local Rules of the PRA which registered the Syndicate in relation to Syndicates and interests in horses.

(6) The registration of a Syndicate will not be affected by the fact that a member of the Syndicate has died, provided that:

(a) written notification of that person's death is lodged with the relevant PRA within 28 days of death; and

(b) if the PRA has previously sent to the registered address of the Syndicate notice of a new formal agreement being required to be lodged with it, then at the expiration of 28 days after the date of the notice or any other period that the notice may prescribe, the registration of the agreement previously lodged will be cancelled.

(7) The registration of a Syndicate will not be affected by the fact that there has been a change of the directors and/or the shareholders of a company registered as a Syndicate

(or of the members of a Syndicate not being a company), provided that notification of those changes is made to the relevant PRA within 28 days of each change. The relevant PRA may publish those changes to the extent it considers appropriate.

(8) A PRA may cancel the registration of a Syndicate on written application by the Syndicate manager if the PRA is satisfied that:

(a) the Syndicate manager has given written notice of the application to each member of the Syndicate; and

(b) after the expiration of one month from a notice having been given, the members of the Syndicate holding an ownership interest of at least 25% in the Syndicate have not given notice in writing to the PRA of their objection to the application.

(9) The registration of a Syndicate will be cancelled by a PRA if the Syndicate has so resolved by resolution passed by members holding an ownership interest of at least 75% in the Syndicate.

(10) A PRA must publish notice of the suspension, cancellation or reinstatement of the registration of a Syndicate, and such publication shall be deemed sufficient notice to all members and other persons.

SR 14 Renewal of the registration of a Syndicate

(1) Application for renewal of registration of a Syndicate must be made annually or at any other renewal frequency required by a PRA.

(2) An application for renewal of a Syndicate must be accompanied by information required by a PRA and payment of the relevant prescribed fee.

SCHEDULE 4 – LIST OF RESTRICTED RACES

1. Maiden and Trophy Races

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

(2) A "Trophy Race" is a race in which the prize money and/or value of any trophy to the winner does not exceed $5,000.

2. Class A and Class B Races

(1) A "Class A Race" is a race restricted to horses which, at the time of starting, have not earned prizes in total worth more than $6,000 for wins in races on the flat, and have never won a race on the flat outside Australia.

(2) A "Class B Race" is a race restricted to horses which, at the time of starting, have not earned prizes in total worth more than $12,500 for wins in races on the flat, and have never won a race on the flat outside Australia.

(3) The value of the prize to the winner of a Class A Race must not exceed $6,000.

(4) The value of the prize to the winner of a Class B Race must not exceed $12,500.

(5) Class A and/or Class B Races are not permitted to be programmed for TAB meetings, except in the Northern Territory, King Island and approved country areas of Western Australia.

(6) Each PRA should restrict Class A and Class B Races to "remote/minor" race meetings, as determined by the PRA.

(7) For the purpose of determining the value of the prize to the winner and the eligibility of any horse for a Class A or Class B Race, no account is required to be taken of prizes 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 in that race.

3. Class 1 to Class 6 Races

(1) A "Class 1 Race" is a race restricted to horses which, at the time of starting, have not won more than 1 race on the flat, provided that:

  (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and

  (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(2) A "Class 2 Race" is a race restricted to horses which, at the time of starting, have not won more than 2 races on the flat, provided that:

  (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and

(b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(3) A "Class 3 Race" is a race restricted to horses which, at the time of starting, have not won more than 3 races on the flat, provided that:

(a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse;

(b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(4) A "Class 4 Race" is a race restricted to horses which, at the time of starting, have not won more than 4 races on the flat, provided that:

(a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse; and

(b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(5) A "Class 5 Race" is a race restricted to horses which, at the time of starting, have not won more than 5 races on the flat, provided that:

(a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and

(b) the winner of the following races will be ineligible:

(i) any Group Race;

(ii) any Listed Race or Restricted Listed Race in which horses older than 2 years old could run; or

(iii) more than one Listed Race or Restricted Listed Race in which 2 year olds only could run.

(6) A "Class 6 Race" is a race restricted to horses which, at the time of starting, have not won more than 6 races on the flat, provided that:

(a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races, other than a win as a Maiden horse; and

(b) the winner of the following races will be ineligible:

(i) any Group Race;

(ii) any Listed Race or Restricted Listed Race in which horses older than 2 years old could run; or

(iii) more than one Listed Race or Restricted Listed Race in which 2 year olds only could run.

SCHEDULE 5 – TABLE OF COMPARATIVE PROVISIONS

1. Comparison between Australian Rules of Racing as at 7 January 2019 (old rules) and 1 March 2019 (new rules)

Australian Rules of Racing as at 7 January 2019 (old rules)	Australian Rules of Racing as at 1 March 2019 (new rules)
Dictionary	
AR 1	AR 2
Restricted races	
AR 1A	Schedule 4
Application of these Rules	
AR 2	AR 3
AR 3	AR 7
AR 4	AR 6
AR 5	AR 8
AR 6	AR 4
Powers of a Principal Racing Authority	
AR 7(i)	AR 9(3) & AR 12(d)
AR 7(ii)	AR 12(a)
AR 7(iii)(a)	AR 15(e)
AR 7(iii)(b)	AR 13(a)&(c)
AR 7(iii)(c)	AR 15(a)
AR 7(iii)(d)	AR 16(b)
AR 7(iii)(e)	AR 12(b)
AR 7(iii)(f)	AR 16(d)
AR 7(iii)(g)	Deleted
AR 7(iii)(h)	AR 16(d)
AR 7(iii)(i)	AR 16(e)
AR 7(iii)(j)	AR 16(f)
AR 7(iii)(k)	AR 14(d)
AR 7(iii)(l)	AR 13(b)
AR 7(iii)(m)	AR 14(b)
AR 7(iii)(n)	AR 12(c)
AR 7(iii)(o)	Deleted
AR 7(iii)(p)	AR 12(e)
AR 7(iii)(q)	AR 15(f)
AR 7(iii)(r)	AR 15(d)

AR 7(iii)(s)	AR 15(b) & AR 16(b)
AR 7(iii)(t)	AR 14(a)
AR 7(iii)(u)	AR 17(a)
AR 7(iii)(v)	AR 17(b)
AR 7A	AR 16(c)
Stewards	
AR 8(a)	AR 20(b)
AR 8(b)	AR 22(1)(d)
AR 8(c)	AR 20(f)
AR 8(d)	AR 20(a)
AR 8(e)	AR 24(a)
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AR 305 Breeding horse transfer of ownership	New Rule
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Note: *These tables of comparative provisions are intended as a guide only.*

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 rules6 and 8 of the Australian Rules of Racing apply *mutatis mutandis* to these Local Rules as if the same were expressly incorporated therein. *[amended 1.3.2023]*

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 premises" means premises away from a racecourse approved by Racing NSW under Section 16A of the *Betting and Racing Act* 1998 at which bookmakers so authorized may conduct telephone or electronic betting

[added 1.3.2011 & 1.03.2023]

"AR" means Australian Rule of Racing; and **"LR"** means Local Rule of Racing of Racing NSW; and **"BR"** means Rule of Betting of Racing NSW.

[amended 1.03.2023]

"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.

"Bookmaker" means a natural person or eligible company licensed in accordance with section 14A of the *Thoroughbred Racing Act* 1996, and a person acting as a bookmakers agent and/or bookmakers remote clerk. *[amended 1.3.2023]*

"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, including the Australian Capital Territory, not defined as being metropolitan or provincial areas.

[amended 3.12.17] [amended 1.9.18]

"Excluded List" – is a list maintained by Racing NSW that details the names of persons who are not permitted, due to horse welfare concerns, to be provided with and/or have in their care, custody or control thoroughbreds that have been domiciled in NSW for the majority of their lives. *[added 1.5.20]*

"Licensed racecourse" means a racecourse licensed under the provisions of the *Racing and Betting Act* 1998 as amended. *[amended 1.3.2023]*

"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 Racing NSW, 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. *[amended 1.3.2023]*

"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.

[amended 3.12.17] [amended 1.9.18]

"Racecourse" means any racecourse, training ground or property over which, or of which, Racing NSW 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. *[amended 1.3.2023]*

"Racing authority" has the meaning given to that term in section 42(2) of the *Thoroughbred Racing Act* 1996. *[amended 1.3.2023]*

"Racing Calendar" means *Racing NSW*, the Racing NSW Official Publication. *[amended 1.3.2023]*

"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.

LR 5A. *[Deleted 1.02.2023].*

POWERS OF RACING NSW

LR 6. Racing NSW has the power to warn off any or all racecourses within its control any person whose presence thereon in the opinion of Racing NSW is not desirable. *[amended 1.3.2023]*

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 20(f), 22(1)(d)(f)(h)(j)(k)(l), AR 22(2), AR 22(3) . 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 1st July 2000][added 22.5.13] [amended 1.3.2023]*

LR 8. Racing NSW, or an 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. *[amended 1.3.2023]*

LR 9. (1) Racing NSW, 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. *[amended 1.3.2023]*

(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 Racing NSW with a written report. *[amended 1.3.2023]*

APPOINTMENT OF STEWARDS

LR 10. (1) Racing NSW may from time to time appoint a Chairman of Stewards, Deputy Chairman of Stewards, and Stewards of such categories as it thinks fit.

[amended 1.3.2023]

(2) *[deleted 1.03.2023]*

(3) Racing NSW 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.

[amended 1.03.2023]

LR 11. Subject to LR 10 as to the appointment of Stewards, and subject to any appointment of officials made by Racing NSW or an Association, a Club must appoint all officials necessary for the conduct of its meetings. *[amended 1.3.2023]*

POWERS OF STEWARDS

LR 12. (1) The Stewards referred to in LR 10 have jurisdiction to officiate as directed by Racing NSW at any race meeting conducted in New South Wales or the Australian Capital Territory. *[amended 1.3.2023]*

(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 Racing NSW is *ipso facto* the Chairman of Stewards of such meeting for the purposes of the Rules.

[amended 1.3.2023]

(6) Racing NSW, 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. *[amended 1.3.2023]*

(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 12A.

(1) In addition to any powers to enter, inspect and search that exist under the Rules of Racing, a Steward or Investigator may use a dog to detect substances or items prohibited under the Rules of Racing in relation to:

a. any person subject to the Rules of Racing who is at, or seeking to enter or leave, any racecourses, licensed stables or any other premises under the control of a licensed person and used in any manner relating to any licence; and
b. any racecourses, licensed stables or any other premises under the control of a licensed person (including any vehicle) and used in any manner relating to any licence.

(2) A Steward or Investigator using a dog under this Local Rule is to take all reasonable precautions to prevent the dog touching a person and to otherwise keep the dog under control.

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. Racing NSW 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. *[amended 1.3.2023]*

LR 15. Where a declaration has been made under AR 89, 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: *[amended 1.3.2023]*

(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 Racing NSW, and are subject to such conditions or policies which may be set down from time to time by Racing NSW. *[amended 1.3.2023]*

LR 20. Every race meeting, unless otherwise determined by Racing NSW, 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 Racing NSW.
[sub paragraph (d) amended 1.3.2023]

LR 21. Notwithstanding the definition of metropolitan area contained in LR 5, Racing NSW 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] [amended 1.3.2023]*

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 Racing NSW, or an Association, the list of acceptors or declared runners must be published in weight order.

[amended 1.3.2023]

LR 25. Subject to the provisions of AR 167, 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 Racing NSW. *[amended 1.1.07& 1.3.2023]*

LR 25A. (1) If a horse's true weight in a handicap held at a race meeting is below the minimum weight allocated pursuant to AR167 and LR25:Subject to sub-rule (2), the rider of such horse is permitted to ride at that true weight, provided that a rider must not ride at less than such true weight as Racing NSW determines and publishes as the minimum true weight for a specific race meeting or race type;

(2) Notwithstanding and in addition to the provisions of LR25A(1), an apprentice jockey may also claim any allowance that he or she is entitled to in accordance with the provisions of AR143 and LR70 (such allowance to be claimed against the higher of that true weight and the minimum true weight determined and published by Racing NSW for a specific race meeting or race type);

(3) A declaration that a rider or apprentice jockey intends to ride below the minimum weight pursuant to AR167 and LR25 must be made to Racing NSW in writing by not later than 12.00pm on the day of acceptances. The declaration must include the weight upon which the rider shall ride such horse at; and

(4) Where a rider has been declared to ride below the minimum weight in accordance with LR25A(3) and is found to be overweight, the rider or any other person at fault commits an offence and may be penalised. Stewards may permit another rider to be substituted at the declared weight, or nearer to the declared weight.

[deleted 1.1.07] [added 1.8.18] [amended 1.9.20 & 1.03.23]

LR 25B. Subject to the approval of the nominator of a horse engaged to race at a NSW race meeting, a rider may declare up to 1kg overweight from the handicapped weight released at

the declaration of acceptances, provided that such declaration must be made by no later than 12:00pm on the day acceptances are declared. Subject to AR273, if an overweight declaration is made, that declared weight will be published as the probable weight, with the weight confirmed at the time of weighing out for such race. For the avoidance of doubt, an apprentice jockey may not make an overweight declaration in accordance with LR25B, unless there is no other available rider at the handicapped weight. *[added 27.9.22] [amended 1.3.2023]*

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 Racing NSW 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: *[amended 1.3.2023]*

(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 14(c) and AR 155, and if the conditions of entry authorise it, Racing NSW, or a Club, situated within the metropolitan area with the approval of Racing NSW, may at any time, in respect of any race meeting being conducted or to be conducted:

[amended 1.3.2023]

(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 14(c) and AR 155, provided that a minimum of 5 races is run on any one programme, and if the conditions of entry authorise it, a Club outside the Metropolitan Area may, with the approval of Racing NSW:

[amended 1.3.2023]

(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. Racing NSW 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. *[amended 1.3.2023]*

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 AR54, 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. *[amended 1.3.2023]*

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 Racing NSW thinks fit. *[amended 1.3.2023]*

(2) The lots shall be randomly drawn by means of a computer system approved for that purpose or any other means approved by Racing NSW, provided that, irrespective of the means used, all lots must be drawn randomly. *[sub-rule amended 28.11.16 & 1.3.2023]*

(3) The order must be determined by lots drawn under the supervision of a person appointed for the purpose by Racing NSW, 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. *[amended 1.3.2023]*

(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 Racing NSW or any Club by reason of error or failure in dealing with any nomination, declaration or acceptance on the part of Racing NSW or a Club or its servants or agents. *[rule amended 25.7.08 & 1.03.23]*

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 181, 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] [amended 1.3.2023]*

LR 36B. *[Rule deleted 1.7.19]*

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 Racing NSW and as advertised in the conditions of the race. *[amended 1.3.2023]*

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 77, two-year-olds:
[amended 1.3.2023]

(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.

(3) Except with the permission of Racing NSW (or the Stewards exercising powers delegated to them) a horse that has

(a) not started in a race or Official Trial for 12 months or more, or

(b) is returning from a major fracture or major orthopaedic injury (as determined by the Racing NSW policy on major fractures or other orthopaedic injuries) or other injury as determined by Racing NSW,

shall not be permitted to start in a race until it has competed in an Official Trial to the satisfaction of the Stewards.

(4) Any person who breaches this rule, or is party to breaching this rule, commits an offence and may be penalised.

[Sub-rules (3) & (4) added 1.7.19]

LR41A. Except with the permission of Racing NSW (or the Stewards exercising powers delegated to them):

(1) No horse shall be permitted to start in a race on more than five (5) occasions during any thirty (30) day period.

(2) In any thirty (30) day period, a horse is only permitted on one (1) occasion, to start in a race that results in the horse starting in two races that are two (2) Clear Days or less than apart.

(3) A two-year-old shall not be permitted to start in a race on consecutive days.

[Rule added 1.7.19]

LR41B. – Racing NSW (or the Stewards exercising powers delegated to them) may decline to receive, or at any time after having received, reject any nomination or entry when the frequency of starts of the horse are, in the opinion of Racing NSW (or the Stewards exercising powers delegated to them), considered detrimental to the welfare of such horse.

[Rule added 1.7.19]

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 55, 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.

[amended 1.3.2023]

(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 AR20(c) and AR 22(1)(g) and (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. *[amended 1.3.2023]*

(2) Unless ordered otherwise, the cost of such tests shall be borne by the owners of the horse.

LR 44A. *[Added 10.8.18] [amended 1.3.2023][Rescinded 27/7/23]*

LR 45. Blinkers of a design approved by the Stewards may be used in races in accordance with the provisions of AR 206 and in accordance with the conditions which are approved by Racing NSW and published in the *Racing Calendar*. *[amended 1.3.2023]*

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 Racing NSW, 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 Racing NSW 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.

[amended 1.3.2023]

(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 Racing NSW in accordance with the rules. *[amended 1.3.2023]*

LR 47B. (1) The trainer of any horse intending to start in an Official Trial must declare with the Trainers Service Centre the name of the rider engaged to ride such horse by not later than:

(a) 1:00pm the day before the Official Trial to be conducted in a metropolitan or provincial area of NSW.
(b) 8:00am on the day of an Official trial to be conducted in a country area of NSW.

(2) Failing such declaration, the Stewards may reject the nomination of any horse.

(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.

(5) Any person who breaches this rule, or is party to breaching this rule, commits an offence and may be penalised.

[Rule added 1.7.19]

LR47C. (1) Notice of the scratching of a horse (including emergency runners) entered for an Official Trial must be declared by the trainer of such horse with the Trainers Service Centre, by no later than the following times, on the scheduled day of the Official Trial.

(a) 7:30am for an Official Trial to be conducted in a metropolitan or provincial area of NSW.
(b) 8:00am for an Official Trial to be conducted in a country area of NSW.

(2) The Stewards may, in their absolute discretion, extend the time or times provided by this rule.

(3) Any person who breaches this rule, or is party to breaching this rule, commits an offence and may be penalised.

[Rule added 1.7.19]

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 Racing NSW; 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. *[amended 1.3.2023]*

(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 Racing NSW may, in an emergency, decide.

(d) For recovered horses a vaccination no earlier than 1 July 2008 and no later that 1 August 2008 with subsequent vaccinations in accordance with subsection 2(c).

[amended 1.3.2023]

(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 Racing NSW 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.

[amended 1.3.2023]

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 Racing NSW, 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.

[amended 1.3.2023]

(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) Racing NSW, 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 Racing NSW require the owner or trainer to provide information as to the positive immune status of such horse and the dates relative thereto. *[amended 1.3.2023]*

(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 Racing NSW in their discretion may apply. *[amended 1.3.2023]*

(10) Racing NSW 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] [amended 1.3.2023]

JUDGING

LR 49. *[Deleted 1.10.07]*

LR 50. Further to the provisions of AR 214(4) – (6), 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.
[amended 1.3.2023]

LICENSING - GENERAL

LR 51. (1) Any person seeking a licence, permit, registration, transfer or indentureship as provided by the Rules must apply to Racing NSW on such form as Racing NSW may from time to time direct. Any such application must be accompanied by the prescribed fee.
[amended 1.3.2023]

(2) Racing NSW 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.
[amended 1.3.2023]

(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 12 and AR13, Racing NSW 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 & 1.03.2023]

(4) The holder of a licence, permit or registration must immediately notify Racing NSW in writing any change of address. *[amended 1.3.2023]*

(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 31st day of October each year. *[subrule amended 18/6/08 & 1.3.2023]*

(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. Racing NSW may however in its discretion reduce the said period. *[subrule added formally LR 53][amended 1.4.17 & 1.3.2023]*

(7) Racing NSW is to restrict a person from holding an ownership or lease interest in a horse that is being trained or raced in NSW if, in its opinion, the person is not a fit and proper person to own or lease a horse.

(8) Without limiting subrule (7), except where permitted by Racing NSW in writing, a person is not permitted to hold an ownership or lease interest in a horse that is being trained or raced in NSW if the person:

(a) has been convicted of an indictable criminal offence or a criminal offence involving violence against a person or dishonest activity in the previous 10 years;

(b) has been convicted of an offence under any animal welfare or prevention of cruelty to animals legislation in the previous 10 years; or

(c) is an undischarged bankrupt or is taking advantage of the laws in force for the time being relating to bankruptcy.

(9) A person must not enter or cause to be entered a horse in a race, official trial or jump-out where a person who is not permitted to hold an ownership or lease interest in the horse pursuant to subrules (7) or (8) purports to hold such an interest in the horse.

(10) Notwithstanding Racing Australia, a PRA or the Stewards of another jurisdiction assessing a person as fit and proper, Racing NSW may conduct its own assessment as to that person's fitness and propriety before permitting him or her to own, lease or race a horse in NSW.
(11) For the avoidance of doubt and without limiting any other provisions of the Rules (being the Australian Rules of Racing and these Local Rules), an ownership or lease interest includes an interest held by a person (from 0% to 100%) as a:

(a) director or shareholder of a company;
(b) partner of a partnership or firm;
(c) trustee of a trust;
(d) manager or member of a syndicate,

and any other interest or position where the person is able to exercise any control or influence in respect of a horse or either directly or indirectly has the power to vote or participate in business decisions in respect of the horse.
(12) Without limiting any other provisions of the Rules (being the Australian Rules of Racing and these Local Rules) and except where permitted by Racing NSW, an ownership or lease interest in a horse that is being trained or raced in NSW is not permitted to be held in a trust where the persons having an interest in the horse, beneficial or otherwise, are not readily and accurately identifiable (for example, where the trust is a discretionary trust with broad and potentially unlimited beneficiaries). *[sub rules (7) – (12) added 8.2.22]*

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 Schedule 3, SR9, should a Promoter intend to promote shares in a racehorse/s through an Authorised Representative (as permitted by the *Corporations Act* 2001) then: *[amended 1.3.2023]*

(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 Racing NSW 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. *[amended 1.3.2023]*

(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) For the purposes of this Rule:

(a) "Dual Licence" means a licence granted by Racing NSW which licences the holder to train horses as a licensed Trainer and also to ride horses in races and barrier trials as a licensed Jockey.

(b) "Dual Licence Holder" means a person who has been duly granted a Dual Licence.

LR 56. (2) An applicant for a Dual Licence, must:

(a) be a licensed Jockey pursuant to The Rules of Racing NSW and

(b) be licensed and/or eligible to be licensed as a Trainer pursuant to The Rules of Racing NSW;

(c) have been licensed as a Jockey for a minimum period of 2-years immediately prior to making application for such licence.

LR 56. (3) Further to the provisions of LR56(1) and LR56(2), the following provisions shall apply to a Dual Licence, namely:

(a) each application for a Dual Licence shall be made in the form prescribed for that purpose by Racing NSW, and the applicant shall furnish to the Racing NSW such information as Racing NSW may from time to time require;

(b) a Dual Licence Holder is not eligible to be granted permission to train in partnership with another Trainer under AR98; *[amended 1.03.2023]*

(c) a person who has been granted permission to train in partnership with another Trainer is not eligible for consideration for a Dual Licence;

(d) a Dual Licence Holder is not eligible to be granted an Owner Trainer Permit. A holder of an Owner Trainer Permit is not eligible for consideration as a Dual Licence Holder;

(e) unless otherwise approved by Racing NSW, a Dual Licence Holder shall be entitled to train no more than five (5) horses at any given time as registered by the lodgement of stable returns pursuant to The Rules of Racing NSW;

(f) unless otherwise approved by Racing NSW, the maximum time a person can hold a Dual Licence is 5 years from the date upon which the licence is first granted;

(g) a Dual Licence Holder shall not be entitled to have an Apprentice Jockey indentured to him or her.

(h) a Dual Licence Holder shall not have any ownership interest in any horse;

(i) The continued validity of a Dual Licence is contingent on the Dual Licence Holder:

(i) being eligible to have both a Jockey's licence and a Trainer's licence under The Rules of Racing NSW. In the event the Dual Licence Holder ceases to be eligible to hold either a Jockey's licence or a Trainer's licence, the Dual Licence shall cease with immediate effect; and

(ii) Riding in a minimum of 24 races each racing season.

(j) Racing NSW reserves the right, in its absolute discretion, to revoke, cancel or suspend any Dual Licence prior to its expiry, without assigning any reasons therefore.

LR 56. (4) The following provisions apply to a Dual Licence Holder:

(a) where a Dual Licence Holder is the trainer of a horse entered in a race, the Dual Licence Holder may ride that horse but shall not be declared for, or ride, any other horse in that race;

(b) in the event a Dual Licence Holder is the trainer of more than one horse entered in the same race, then that Dual Licence Holder may not be declared for, or ride, any horse in that race;

(c) if a horse ("Subject Horse"), which is trained by a Dual Licence Holder changes stables and is thereafter trained by another trainer, that Dual Licence Holder may not ride the Subject Horse or any other horse entered to race in the same race as the Subject Horse in the 28 days immediately following that change of stables without prior express permission of the Stewards;

(d) a Dual Licence Holder who trains a horse(s) entered in a race, and who is declared to ride any horse at that race meeting must:

(i) engage the services of another trainer or licensed person as approved by the stewards to act on their behalf with respect to the saddling of the horse which they train prior to the event;
(ii) not conduct any activities at the racecourse associated with the training of that horse(s) until they have concluded all riding commitments that day and have vacated the Jockey's room with the permission of the Stewards; and
(iii) upon vacating the Jockey's room at the conclusion of all riding commitments not return to the Jockey's room or be named for any other rides.

(e) a Dual Licence Holder may only have an interest in the buying, selling, trading or leasing of thoroughbred bloodstock with the express prior permission of the Principal Racing Authority in accordance with AR.118(1) and the provisions of AR.118(2) &(3) shall apply accordingly; *[amended 1.03.2023]*

(f) where a Dual Licence Holder is suspended for a breach of the Rules of Racing as a Jockey, the Stewards may, in the exercise of their discretion, and in addition to any other penalty imposed under the Rules, also suspend that Dual Licence Holder in their capacity as a Trainer for the same, or for such other, period as the Stewards may determine;

(g) where a Dual Licence Holder is suspended for a breach of the Rules of Racing as a Trainer, the Stewards may, in the exercise of their discretion, and in addition to any other penalty imposed under The Rules of Racing NSW, also suspend that Dual Licence Holder in their capacity as a Jockey for the same, or for such other, period as the Stewards may determine;

(h) the provisions of AR115 and AR116 shall, so far as applicable, apply to a Dual Licence Holder, including at times when the Dual Licence Holder is a not performing the role of a jockey; *[amended 1.03.2023]*

LR 56. (5) In connection with an application for a Dual Licence (including any renewal), Racing NSW may in its absolute discretion and without assigning any reason therefore;

(a) refuse to grant a Dual Licence to an applicant;

(b) grant a Dual Licence upon such conditions as Racing NSW may deem fit to impose, including (but not limited to) restrictions regarding duration and locality or both;

(c) determine the fee payable by an applicant for a Dual Licence.

LR 56. (6) The provisions of this Local Rule 56 will apply to any person holding a Dual Licence issued by another Principal Racing Authority, while participating in NSW.

[Rule deleted 30.6.03][Rule added 28.11.16][Rule replaced 1.1.19]

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 58A. If a rider intends to wear a rider camera during a race (having applied for and been granted permission to do so by Racing NSW or the Stewards exercising their delegated authority), then either the rider camera (including any transmitter and power source) or an object equivalent to the weight of that equipment must be included by the rider in the weight for the purposes of AR 184(b). *[Rule added 1.11.19]*

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 Racing NSW for such purpose.

[amended 1.3.2023]

(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 127 should a riders 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.

[amended 1.3.2023]

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 Racing NSW to enter or use a sauna located on-course; and

[amended 1.3.2023]

(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 Racing NSW 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 Racing NSW from time to time.

[amended 1.3.2023]

(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 Racing NSW from time to time; and

[amended 1.3.2023]

(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 Racing NSW have been lodged with and approved by Racing NSW. The period of indentureship, unless otherwise approved, must be for a period of not less than 4 years.

[amended 1.3.2023]

LR 63. Racing NSW 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 Racing NSW considers it undesirable for the apprenticeship to continue. *[amended 1.3.2023]*

LR 64. (1) During the term of his or her indentures, every apprentice or trainee apprentice must attend Racing NSW or Association apprentice school as required and must otherwise conform to the requirements of Racing NSW in connection with his or her training.

[amended 1.3.2023]

(2) Racing NSW 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 Racing NSW or the Stewards deem fit. *[amended 1.3.2023]*

LR 65. Every trainer must keep a wages book or such other payroll record as approved by Racing NSW 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 Racing NSW, the Stewards or an official authorised by Racing NSW.

[amended 1.3.2023]

LR 66. Racing NSW may grant permission to ride in races to any person bound as an apprentice outside New South Wales if:

[amended 1.3.2023]

(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 Racing NSW 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 & 1.3.2023]*

(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 143 unless: *[amended 1.3.2023]*

(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 the minimum prizemoney for a Saturday metropolitan race as set by Racing NSW from time to time (excluding trophies or bonuses).

[rule amended 21.6.04] [subrule (3) amended 13.8.12 & 27.7.23]

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 Racing NSW to be held in accordance with the conditions of the apprenticeship agreement. *[amended 1.3.2023]*

LR 71A. - Except with the written permission of Racing NSW, any rider's agent who:

(a) bets, has an interest in a bet, or facilitates a bet; or

(b) provides either directly or indirectly to any person for any direct or indirect financial or other benefit (regardless of whether such benefit materialises) any tip, or any other information or advice that may influence any person to bet,

on any NSW race in which a rider whom the rider's agent represents (in accordance with AR2) is engaged to ride, commits an offence and may be penalised.

For the purposes of this rule, a bet includes a lay bet.

[added 1.8.19]

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 Racing NSW. *[amended 1.3.2023]*

(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, after deduction of welfare funding, 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)	83.0%	88.0%	88.0%	98.0%
Trainer	10.0%	10.0%	10.0%	Nil
Jockey	5.0%	Nil	Nil	Nil
Stablehand Prizemoney Scheme *	2.0%	2.0%	2.0%	2.0%

*** 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] [sub-rule 2 amended 1.7.24]*

LR 73. (1) Racing NSW may, in its absolute discretion, deduct a portion of the prizemoney payable to the owner(s) pursuant to LR72(2) and credit that amount to the stakes payment account of the trainer of the horse that won that prizemoney.

(2) Any trainer that receives a credit of prizemoney pursuant to sub-rule (1) is required to account to the relevant owner(s) for that payment by deducting it from any training fees due from the owner(s) to that trainer (either due at the time or accruing in the future). If the amount credited is more than training fees that are due at the time or are likely to accrue in the next 3 months in respect of that horse, then the trainer is to pay the net amount (after deduction of any training fees that are due or retention of training fees that are likely to accrue in the next 3 months) as directed by the relevant owner(s).

(3) Any trainer that fails to account to the relevant owner(s) as required by sub-rule (2) commits an offence and may be penalised.

(4) Where a trainer is found guilty of wilfully and consistently breaching sub-rule (2), a penalty of disqualification for a period of not less than 12 months must be imposed unless there is a finding that a special circumstance exists whereupon that period of disqualification may be reduced. *[Rule deleted 1.2.01][New Rule added 28.5.24]*

LR 74. *[deleted 1.7.00]*

APPROVED RIDERS

LR 75. Only persons licensed by Racing NSW 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 Racing NSW, accompanied by the required fee and all applicants must: *[amended 1.3.2023]*

(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 Racing NSW Insurance Fund, and *[amended 1.3.2023]*

(e) fulfil such other conditions as Racing NSW may from time to time impose. *[amended 1.3.2023]*

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 trainer's licence or permit to train or a racing employee contractor licence from Racing NSW must on or before 1st November each year apply to Racing NSW 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 & 1.03.2023]*

(2) Application for the registration of employees engaged subsequent to 31st 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 Racing NSW 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. *[amended 1.3.2023]*

(5) Unless with the consent of Racing NSW, 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. *[amended 1.3.2023]*

(6) Trainers licensed by Racing NSW, 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. *[amended 1.3.2023]*

(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 Racing NSW: *[amended 1.3.2023]*

(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 Racing NSW any stablehand employed by the contractor,
[amended 1.3.2023]

(b) provide such further information as is from time to time requested by Racing NSW, and *[amended 1.3.2023]*

(c) register with Racing NSW a copy of each contract between the contractor and the trainer for the supply to the trainer of the services of the stablehands,
[amended 1.3.2023]

(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 AR 136(1); or *[amended 1.3.2023]*

(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 AR136, 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. *[amended 1.3.2023]*

(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 AR136. *[amended 1.3.2023]*

(4) Further, provided that the provisions of AR139(5) as they apply to a rider shall apply mutatis mutandis to any person under this rule. *[rule added 1.12.05][amended 1.3.2023]*

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 22(1)-(3) 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:

[amended 1.03.2023]

(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 22(1)-(3) in respect of a premises or surgery occupied by or under the control of an approved veterinarian;
>
> *[amended 1.03.2023]*
>
> "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 Racing NSW. *[amended 1.3.2011 & 1.3.2023]*

LR 83A (1)**.** Further to the provisions of AR 237(1)-(6) 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. *[amended 1.03.2023]*

(2) Further to the provisions of AR 237(1)-(6) 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 & 1.3.2023]*

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 Racing NSW. Any person making an application for a bookmakers licence must supply such evidence of character, fitness and experience as Racing NSW may require and unless authorised by Racing NSW must have attained the age of 21 years. If resident within the jurisdiction of Racing NSW 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 Racing NSW and is satisfactory to it.

[amended 1.03.2023]

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 Racing NSW 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 Racing NSW.

[amended 1.03.2023]

LR 85. Except with the permission of Racing NSW, a bookmaker must not accept any bet in relation to any race except upon a licensed racecourse and during such hours as a Club may determine, or at an approved betting premise if authorized to do so by Racing NSW.

[amended 1.3.2011& 1.03.2023]

LR 86. If any bookmaker or bookmakers clerk be convicted of an offence under the provisions of the *Unlawful Gambling Act* 1998, *Betting and Racing Act* 1998, the *Thoroughbred Racing Act* 1996 or otherwise be found by Racing NSW or Association to have been engaged in illegal off-course bookmaking, Racing NSW or Association may revoke or suspend his or her licence for such period as Racing NSW thinks fit.

[amended 1.03.2023]

LR 87. A Bookmaker shall only operate on a stand or in a location under license as may be determined by a 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 Racing NSW. *[amended 1.3.2011 & 1.03.2023]*

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 Racing NSW.

[amended 1.03.2023]

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 Racing NSW, or
(c) bet on the result of a photo-finish or a protest, or
(d) except with the permission of Racing NSW;
(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 waging operator in accordance with that license.
[amended 1.03.2023]

LR 91. Every bookmaker must:

(a) conform to, observe and comply strictly with the *Betting and Racing Act* 1998, the *Unlawful Gambling Act* 1998, the *Thoroughbred Racing Act* 1996, and with the Rules of Racing which include the Rules of Betting,
[amended 1.03.2023]

(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 Racing NSW and the NSW Office of Racing,

[amended 1.03.2023]

(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 Racing, where the bet is placed by telephone or via the internet. *[added 27.8.08][amended 1.03.2023]*

(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 Racing NSW, bet against it and another horse to finish first and second irrespective of order (quinella betting),
[amended 1.03.2023]

(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 Racing NSW provided however:

(a) with the approval of Racing NSW, 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 Racing NSW or Association by 10:00am on the day preceding the race meeting,

[amended 1.03.2023]

(b) with the permission of Racing NSW, 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,

[amended 1.03.2023]

(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 Racing NSW from time to time.
[amended 1.03.2023]

(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 Racing NSW or Association the duplicate copy of the written records specified in subrule (1).
[amended 1.03.2023]

LR 95. Unless authorised by Racing NSW, 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: *[amended 1.03.2023]*

(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 Racing may conduct telephone betting subject to the provisions of the *Betting and Racing Act* 1998, and any conditions imposed by the Minister under the Act, and subject to such conditions as imposed from time to time by Racing NSW.
[amended 1.03.2023]

(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 Racing.
[amended 1.03.2023]

(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 Racing NSW in accordance with the Rules. *[subrule amended 1.3.11 & 1.03.2023]*

ELECTRONIC INTERNET ACCESS/BETTING

BOOKMAKERS

LR 97A

(1) Bookmakers who have been issued with an Electronic Betting Authority by the Minister for 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] [amended 1.03.2023]*

(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 Racing may conduct events betting, subject to the provisions of the *Betting and Racing 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 & 1.3.2023]

(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 Racing.
[amended 1.3.11 & 1.3.2023]

(3) A bookmaker authorised to carry out sports betting must receive the approval of Racing NSW for a bookmakers clerk to act in his or her absence.
[amended 1.3.11 & 1.3.2023]

(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 Racing NSW 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 & 1.3.2023]*

(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 Racing NSW. Any person making application for a bookmakers clerks licence must supply such evidence of character and fitness as Racing NSW may require and unless authorised by Racing NSW must have attained the age of 18 years.

[amended 1.03.2023]

LR 100. A licensed bookmakers clerk must:

(a) conform to, observe and comply strictly with the *Betting and Racing Act* 1998, the *Unlawful Gambling Act* 1998, the *Thoroughbred Racing Act* 1996, Sports Betting Rules and conditions and Telephone Betting conditions approved by the Minister for Racing, and with the Rules of Racing which includes the Rules of Betting,

[amended 1.03.2023]

(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 Racing NSW.

[amended 1.03.2023]

(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 Racing NSW.

[amended 1.03.2023]

(2) A fee to register colours may be set from time to time by Racing NSW.

[amended 1.03.2023]

(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) Racing NSW reserves the right to refuse the renewal of registration of any colours.

[amended 1.03.2023]

(7) Disputes as to the right to any colours shall be determined by Racing NSW.

[amended 1.03.2023]

ASSOCIATIONS

LR 103. Subject to such terms and conditions as Racing NSW may impose, Racing NSW 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 Racing NSW by the Rules of Racing, subject to such conditions or limitations as Racing NSW 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 Racing NSW to such Association or Committee shall immediately cease and be determined.

[amended 1.03.2023]

APPEALS

LR 104. Pursuant to the relevant provisions of the Act, Racing NSW 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.
[amended 1.03.2023]

LR 105. Pursuant to section 42(3) of the Act, and subject to the provisions of AR 280 and LR 12(4), the delegation to the Committees of Associations of the power to hear and determine appeals is limited to: *[amended 1.03.2023]*

(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
[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 9, AR 129, AR139, AR 177B, AR 225, AR 240, AR 240(2), AR 241, AR 242, AR 243, AR 244, AR 245 (1), AR 246, AR 249, AR 250, AR 251(1) –(4) AR 252 AR 255 AR 256 and LR 82B.
[amended 16.1.04 & 21.11.05, & 1.03.2023]

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 Racing NSW, and lodged with either:

[amended 1.03.2023]

(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 Racing NSW.

[amended 1.03.2023]

(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 280(2) 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.

[amended 1.03.2023]

(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:

(a) an appellant may be represented, by leave of the Panel, by a member of the legal profession;
(b) an apprentice jockey may be represented by his master; and
(c) a jockey or apprentice jockey may be represented by the Chief Executive Officer of the NSW Jockey's Association.

[subrule added 1.8.04][amended 4.4.19]

(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 7 days from its decision 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][para amended 1.7.21]*

PENALTIES

LR 108. (1) Unless otherwise ordered, fines or costs imposed by Racing NSW, 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.

[amended 1.03.2023]

(2) For the purposes of AR283, special circumstances means where:

[amended 1.03.2023]

(a) the person has pleaded guilty at an early stage and assisted the Stewards or Racing NSW in the investigation or prosecution of a breach of the Rule(s) relating to the subject conduct; or

[amended 1.03.2023]

(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 AR249, 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] [amended 1.03.2023]*

(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 AR283(4) (in relation to cumulative penalties), AR 283(7) (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] [amended 1.03.2023]*

(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 AR23 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 *[amended 1.03.2023]*

(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 263(1); and

[amended 1.03.2023]

(ii) consider that backdating the period of disqualification to the date on which the person ceased do all the things set out in AR 263(1) or some other date is appropriate at the time of determining the penalty for the relevant charge. *[sub-rule added 28.11.16] [amended 1.03.2023]*

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 inAR 2.

[Rule added 10.7.13] [amended 1.03.2023]

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.

(5) 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 of 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]

LR 110D.

(1) In addition to any terms and conditions of entry imposed by a NSW Race Club, any person entering a racecourse in NSW is subject to Rules of Racing (being the Australian Rules of Racing and Racing NSW's Local Rules of Racing and Betting Rules of Racing) and further agrees that unless approved in writing by Racing NSW (and on such terms and conditions as Racing NSW considers appropriate):

(a) the use of devices to live-stream racing from the racecourse is prohibited;

(b) the making of films, video, digital or sound recordings (including by way of any hand-held communications device) of races within the racecourse for any purpose other than for private and personal use is prohibited;

(c) the taking of photographs or the making of films, video, digital or sound recordings (including by way of any hand held communications device) within the racecourse for any purpose other than for private and personal use is prohibited; and

(d) the use of thermography equipment, laser thermometers or other diagnostic equipment is prohibited at a racecourse.

(2) Sub-rule (1) does not limit or restrict any rights granted by Racing NSW or a NSW Race Club.

(3) If Racing NSW or the Stewards (exercising powers delegated to them) are of the opinion that a person that has entered, or is intending to enter, a racecourse in NSW has breached, or intends to breach, sub-rule (1) then that person may be:

(a) refused entry to a racecourse;

(b) evicted from a racecourse;

(c) required to surrender articles in that person's possession; and/or

(d) penalised for a breach of these Rules or warned off.

[Rule added 11.3.20]

INSURANCE FUND

LR 111. (1) Racing NSW 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. *[amended 1.03.2023]*

(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 Racing NSW in accordance with the Australian Rules of Racing and the *Thoroughbred Racing Act 1996.*
[amended 1.03.2023]

"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) Racing NSW will set premiums from time to time in respect of:
[amended 1.03.2023]

(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 Racing NSW 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),

[amended 1.03.2023]

(c) the Racing Clubs must pay these fees to Racing NSW 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 Racing NSW, effect workers compensation insurance with Racing NSW Insurance Fund at the rates determined by Racing NSW from time to time.

[amended 1.03.2023]

(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 Racing NSW 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 Racing NSW, whether the trainer has any person employed or not.

[amended 1.03.2023]

(b) a contribution as prescribed from time to time by Racing NSW in respect of any unpaid stablehand registered to the trainer, who rides work on a racecourse. *[amended 1.03.2023]*

(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 Racing NSW.

[amended 1.03.2023]

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 Racing NSW shall cover, in addition to other risks, the risks run by owners of racehorses, in that the policies deemed to be issued by Racing NSW 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: *[amended 1.03.2023]*

(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 Racing NSW, 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.
[amended 1.03.2023]

(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 Racing NSW may require. *[amended 1.03.2023]*

(11) Any person who, in the opinion of Racing NSW makes a wilfully 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.
[amended 1.03.2023]

(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 trainer's 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. *[amended 1.03.2023]*

(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. Racing NSW shall effect a public risks insurance policy covering all race Clubs and Associations whose meetings are registered by Racing NSW, other than those specifically exempted by Racing NSW. The following provisions apply:

[amended 1.03.2023]

(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 Racing NSW from time to time,

[amended 1.03.2023]

(c) such contributions must be remitted to Racing NSW at the commencement of each financial year.

[amended 1.03.2023]

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 Racing NSW and furnish such information and assistance as may be required.

[amended 1.03.2023]

BENEVOLENT FUND

LR 113. (1) Racing NSW will manage a fund hereafter referred to as the Racing NSW Benevolent Fund established and maintained from:

[amended 1.03.2023]

(a) funds transferred from the AJC Benevolent Fund,

(b) donations received,

(c) any other amounts Racing NSW may from time to time determine.

[amended 1.03.2023]

(2) At its absolute discretion Racing NSW may make payments from the funds for the relief or assistance of any trainer, jockey or other person connected in racing in distressed circumstances. *[amended 1.03.2023]*

(3) Racing NSW may require applicants for funds to furnish such evidence as Racing NSW feels is necessary or expedient. *[amended 1.03.2023]*

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. For the avoidance of doubt, this Local Rule 114 is a Local Rule relating to traceability for the purposes of AR286(3)(d) and any forms lodged with Racing Australia or the Australian Stud Book (including but not limited to a Mare Return, Foal Ownership Declaration or Breeding Horse Registration). *[sub-rule amended 27.7.23]*

(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. In the event that a registered veterinary surgeon has certified in writing that it necessary for a horse to be euthanized on welfare or safety grounds or for reasons approved in writing by Racing NSW, then the horse can only be euthanized by a registered veterinary surgeon and is not to be sent to an abattoir or knackery or similarly disposed of. *[sub-rule amended 1.2.21]*

(5) Further to AR 290 and AR 297, 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: *[amended 1.03.2023]*

(a) the Manager, in addition to any forms to be lodged with Racing Australia pursuant to AR 290 and AR 297, is to lodge with Racing NSW the Retirement Notification form prescribed by Racing NSW, such form to includes 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);

[amended 1.03.2023]

(b)

(i) 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 minimums standards are met; *[sub- paragraph added 1.10.17 & re-numbered 1.5.20]*

(ii) that horse is not to be transferred, sold or gifted upon retirement or thereafter, to a person who is placed on the Racing NSW Excluded List for rehoming of thoroughbreds. *[sub- paragraph added 1.5.20]*

(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.

(7) If Racing NSW wishes to assess or determine any matter relating to the health or welfare of a horse (including but not limited to an Unnamed Horse, a Named Horse or any horse that has been retired from racing (or, in respect of which, a decision has been made to not race that horse)), it may, in its absolute discretion and without the need to give prior notice:

a. enter premises where that horse is located and examine that horse; and/or

b. take possession of that horse and cause that horse to be removed from the premises for such period and on such terms as Racing NSW considers necessary for the health and welfare of that horse.

[Rule effective 1.10.17] [sub-rule (7) added 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. <u>Powers to Inspect, Observe or Search</u>

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

(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.

(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

AR232 (h) 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. *[amended 1.03.2023]*

AR232(h) *– The Principal Racing Authority (or the Stewards exercising the powers delegated to them) may penalise;* *[amended 1.03.2023]*

> ***(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 ***AR281*** 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.

[amended 1.03.2023]

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 AR Schedule 1, Part 1, Division 1 – Prohibited List

Veterinarians must be aware of AR Schedule 1, Part 1, Division 1 – Prohibited List ofwhich 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.

[amended 1.03.2023]

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 Racing NSW 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.
[amended 1.03.2023]

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, 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. *[amended 1.03.2023]*

(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 198(2), AR 200 and AR 204(1) & (2), , 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, & 1.03.2023]*

(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 Racing NSW. *[sub-rule amended 1.8.11& 1.03.2023]*

(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]*

(a) 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.

(b) 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

DIVIDEND	IMPERIAL CONVERSION	QUINELLA	CONCESSION
1.05	1/20		0.70
1.06			0.70
1.07		**A**	0.70
1.08	1/12	**L**	0.70
1.09		**L**	0.70
1.10	1/10		0.70
1.12	1/8	**B**	0.70
1.14	1/7	**E**	0.70
1.16	1/6	**T**	0.70
1.18		**S**	0.70
1.20	1/5		0.70
1.22		**V**	0.70
1.24		**O**	0.68
1.26	¼	**I**	0.66
1.28	2/7	**D**	0.66
1.30	1/3		0.64
1.35	4/11	**A**	0.62
1.40	2/5	**N**	0.61
1.45	4/9	**D**	0.59
1.50	½		0.56
1.55	8/15	**R**	0.55
1.60	4/7	**E**	0.53
1.65	4/6, 8/13	**F**	0.52
1.70		**U**	0.50
1.75	8/11	**N**	0.48
1.80	4/5	**D**	0.47
1.85		**E**	0.46
1.90	9/10	**D**	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,

(3) (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 ticketed) 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 placemen(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) 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 198(2), AR 200 or AR204(1). *[paragraph amended 1.8.11 & 1.03.2023]*

(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 198(2), AR 200130 or AR204(1). 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 & 1.03.2023]

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