Australian Harness Racing Rules

Effective: 1st September 1999

Amendments up to and including 17 July 2026

HARNESS RACING AUSTRALIA
HRA
THERE IS NO FINISH LINE

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DICTIONARY

"Anabolic Androgenic Steroid Clearing Certificate" means a certificate from a person or drug testing laboratory approved by the Controlling Body certifying that a sample is free of anabolic androgenic steroids or that any anabolic androgenic steroids that are present are at or below the relevant concentration set out in Rule 188A(2).

"Approved Instrument" (*repealed, HRA approved 1 June 2022)*

"Approved Method" means an analytical method that the National Association of Testing Authorities (NATA) has formally recognised as capable of meeting the competency requirements to produce reliable technical results when used by the drug testing laboratory approved by the Controlling Body.

"Arrears" mean moneys owed for not less than 30 days.

"Artificial breeding" means artificial breeding as defined by Australian Harness Racing Rule 281.

"Artificial breeding station" means a place where artificial breeding is attempted or carried on.

"**Australian bred**" means a foal that is registered in Australia and is the progeny of a mare registered in the Australian Trotting Stud Book domiciled in Australia at the time of service by a stallion registered in the Australian Trotting Stud Book at the time of service.

"Australian Trotting Stud Book" or "**Stud Book**" means the annual Stud Book comprising a record of all Standardbreds active in breeding and racing and all horses named subsequent to the publication of the previous Stud Book together with such information and records deemed necessary by the Keeper of the Stud Book.

"Authorised agent" and **"Authorised person"** means a person recognised as such by the Controlling Body.

"Bet" or **"betting"** means to make either directly or indirectly a monetary investment on the outcome of a race.

"Birdcage" means an enclosure or place on a racecourse where horses are stabled**,** marshalled or paraded for events.

"Body" includes a corporation, a body corporate, an unincorporated association and a recognised harness racing authority.

"Breeder" means:

(a) In the case of a foal which is the result of an embryo transfer, the registered owner or lessee of the donor mare at the time the embryo is flushed from such donor mare and impregnated into a recipient mare.

(b) In all other cases, the registered owner or lessee of the dam at the time of last date of service.

"Breeding Season" means the period commencing 1 September in a calendar year and ending 31 August in the following calendar year.

"Competing" for the purposes of insurance has the following applications -

a driver, who is not also the trainer of a horse or the trainer's agent, is deemed to be competing in a race from the time that the driver first sits in the sulky of the horse for the purpose of parading the horse for the race until the reins of the horse are taken by the trainer or the trainer's agent following the finish of a race;

a driver, who is also the trainer of a horse or the trainer's agent, is deemed to be competing in a race from the time that the driver first sits in the sulky of the horse for the purpose of parading the horse for the race until the horse leaves that part of the racecourse on which the race takes place following the finish of the race.

"Connections" includes the persons who are the owners or lessees of a horse or who otherwise have a legal interest in it, a trainer, a manager of a syndicate, a joint ownership manager, a stud master, and the authorised agents of such persons.

"Co-owner" means a natural person who owns a horse together with at least one other natural person and is registered or is intended to be registered with a Controlling Body as an owner.

"Controlling Body" means

(a) Save and except for paragraph (b) an organisation which by convention, recognition or law is or is deemed to be in control of harness racing in a State or Territory of Australia or in part of or the whole of a country; and

(b) in respect of the State of Queensland, the Racing Queensland Board unless a rule provides for the Controlling Body to perform a function that is a function of the Queensland Racing Integrity Commission under the Racing Integrity Act 2016 (Qld) in which case the Queensland Racing Integrity Commission must perform the function.

"Determination" includes requirements, orders, directions, decisions, and the like, made, given or imposed on or about any subject matter, person, group or class of persons, or any club, organisation or body, with or without sanctions attaching thereto.

"Disqualification" means a penalty that imposes the restrictions contained in Part 16.

"Driver" means a person who is on a racecourse, racetrack or a registered or unregistered training track for the purpose of driving or riding a horse.

"Drug of Abuse" (*repealed, HRA approved 11.12.2015)*

"Family interest" refers to a situation other than a bet on a horse in a race, where if a steward or handicapper were to exercise a power under the rules, the spouse, domestic partner, parent, sibling or child of, or person residing with, the steward or handicapper would have, or be likely to have, a financial or other significant interest in the outcome.

"Foal Died" is a foal that is still born, dies during birth or does not stand and suckle after birth.

"Foreign horse" means a horse foaled outside Australia which is not Australian bred.

"Handicapper" means a person appointed by the Controlling Body to handicap.

"Harness racing association" or **"association"** means any organisation which represents harness racing clubs or other bodies which promote or conduct races or meetings.

"Harness Racing Australia" or **"HRA"** is the body which on 1 March 2008 replaced the Australian Harness Racing Council being the body incorporated in accordance with the Australian Capital Territory Associations Ordinance 1953 under the name Australian Harness Racing Council Incorporated.

"Harness racing club" or **"club"** means any body, other than a Controlling Body, which promotes or conducts races or meetings.

"Horse" means a horse bred, cared for, managed, trained, raced or otherwise dealt with for purposes connected with the harness racing industry.

"Interest" in respect of a horse for any purpose under these Rules includes membership of a syndicate which owns or leases a horse or has any interest direct or indirect in a horse.

"Jurisdiction" means that country or State or Territory of Australia in which a Controlling Body or recognised harness racing authority has by law the power to control and regulate harness racing.

"Keeper of the Stud Book" is the person appointed by Harness Racing Australia to keep records of sires, mares and foalings and to publish annual editions of the Australian Trotting Stud Book in accordance with the Stud Book Regulations.

"Legal Practitioner" means a person who has been admitted to practice law pursuant to the relevant Statute of a Controlling Body jurisdiction.

"Licence" includes permit.

"List" means the unpaid forfeit list except where some other list is identified in the rules.

"Live Foal" is a foal that stands and suckles after birth.

"Log Book" means any book or register including an electronic format used for the purposes of recording the information required by Rule 190B.

"Manager" means a natural person registered by a Controlling Body as the manager of a horse owned or leased by a natural person, a group of natural persons or a Syndicate.

"Meeting" means a meeting at which harness racing horses race or participate in events or were scheduled to do so and includes official trials and training at tracks registered by a Controlling Body.

"Microchip" means an electronic identifier transponder of a type approved by the Controlling Body encoded with a unique unalterable number.

"Offence Provision" means a provision of these Rules and the SBR which is either described as an Offence Provision or provides in it, or with reference to it, that failure to comply or contravention of it makes a person guilty of an offence.

"Official" includes an official of a club.

"One clear day" means the twenty four (24) hour period from 12.01 a.m. to midnight.

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

“Person” includes an individual, a syndicate, a corporation, a body corporate, and an unincorporated association.

“Place” means the official finishing position of a horse in a race.

“Race” means a race or official trial or official time trial or event in which harness horses race or participate.

“Racecourse” or **“course”** means a place at which harness racing horses race or participate in events, and includes all the land and improvements - such as stands, seats, stables, enclosures, rooms, offices, betting and recreational areas, carparks - used in connection with the conduct or observation of races, meetings or events by persons engaged in the harness racing industry or by members of the public.

"Race day" or **"day of the race"** means the period commencing at midnight on the day of the race for which the horse is nominated and concluding at the time the horse is lawfully removed from the racecourse after competing in the race for which it was nominated.

“Racetrack” or **“track”** means that part of a racecourse on which harness racing horses race.

“Racing year” means the period commencing 1st January in a calendar year and concluding on 31st December in the same year.

“Recognised harness racing authority” means Harness Racing Australia and any organisation accepted by the Controlling Body as controlling the harness racing industry in a State or Territory of Australia or in part of or the whole of a country.

“Registered” or **“Registration**” in relation to a horse or other person or thing means registered or registration under the Stud Book Regulations or the Rules in force as at the time of registration.

“Registered training establishment” means a property approved by a Controlling Body to be used for the purposes of conducting harness racing activities.

“Registrar” is the person appointed by Harness Racing Australia to supervise the allocation of names of sires, dams and progeny.

“Registration Certificate” means a registration certificate issued either by the Controlling Body or Harness Racing Australia.

“Reprimand” includes caution and means an official censure or rebuke.

“Rules” or **“these Rules”** means the Australian Harness Racing Rules and, as the context requires, the Stud Book Regulations.

“Sample” means a sample or specimen of saliva, urine, perspiration, breath, blood, tissue, skin, hair or any other excretion, bodily fluid, tissue or matter taken from a person or horse.

“Semen” includes frozen, and chilled semen.

“Sprint Lane” means a clearly identified inward expansion of the inside of the straight immediately preceding the winning post.

"Standardbred" when used with reference to a horse means a horse which is the progeny of a registered Standardbred sire and a registered Standardbred dam.

"Start" – The Start means the point at which the starter declares by whatever means determined by the Controlling Body the commencement of the race.

"Stewards" means stewards appointed under these rules.

"Stud" means a place where the breeding of horses is attempted or carried on.

"Stud Book Regulations" or **"SBR"** means regulations made from time to time by Harness Racing Australia entitled 'Australian Trotting Stud Book Regulations' or some adaptation thereof.

"Suffering" means to intentionally hurt or cause pain, distress or hardship to a horse.

"Suspension" -

(i) In relation to a licensed person means the temporary or permanent withdrawal of all rights provided by any licence issued by a Controlling Body.
(ii) In relation to a horse means the temporary or permanent withdrawal of its right to participate in any race.
(iii) In relation to a non-licensed person means the temporary or permanent withdrawal of a right to participate in a facet of the Harness Racing Industry.

"Swab" means the taking, or a procedure for the taking, of blood, urine, saliva, or other matter or sample or specimen from a horse for the purpose of testing for the presence of a prohibited substance and "positive swab" means that the swab, when tested, reveals such a presence.

"TAB" means the organisation appointed or established by or under the law in the jurisdiction of the Controlling Body to regulate off course betting and when used in connection with a race or meeting means off course betting so regulated.

"Therapeutic substance" means a prohibited substance to which a screening limit applies and which is promulgated as such from time to time by Harness Racing Australia and published on the websites of Harness Racing Australia and a Controlling Body"

"Trainer" includes a person who though not holding a licence granted under these rules trains a horse or does other things which are only done or usually done by trainers.

"Training" includes the preparation, education and exercising of a horse to race, but not the mere process of keeping a horse in good health.

"Training Track" means a track that is registered with a Controlling Body and authorised for use as a training track for horses.

"Veterinarian" or **"registered veterinarian"** 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 Controlling Body (including by way of permit, approval or licence) if required by a Local Rule of that Controlling Body.

"Warned Off" or **"Warning Off"** means a decision or penalty prohibiting a person from entering any racecourse or place under the control of a club or the Controlling Body and a

person “warned off” shall be subject to the same prohibitions as a disqualified person mentioned in rule 259 sub-rule (1).

Notes:

(1) Part headings and brief descriptions in bold type are inserted in the rules solely for ease of reference and do not form part of the text.

(2) Offence provisions are found throughout the rules and are not confined to those in Part 14 or under the bold type heading “Offences”.

(3) In the interpretation of these rules nothing turns on the fact that in some instances capital letters may be used and in others letters in lower case.

(4) On 1st March 2008 Harness Racing Australia Inc (HRA) replaced Australian Harness Racing Council Inc (AHRC) as the organisation's name. All AHRC's formal structures, rules, regulations, policies, processes etc., now pertain to HRA.

PART 1

CLUBS

Registration of clubs and other bodies

1. The Controlling Body shall keep a register of all harness racing clubs granted registration.

2. (1) A club desiring to promote or conduct meetings or races may make application to the Controlling Body for registration.

(2) An application shall be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) The Controlling Body may grant registration upon such terms and conditions as it thinks fit.

(4) Registration may be refused by the Controlling Body without assigning any reason.

(5) Registration may be cancelled by the Controlling Body for breach of a rule or a term or condition of registration.

2A. (1) An application for registration shall be made to the Controlling Body not less than 2 months before the expiration of any existing registration.

(2) An applicant shall forward copies of its financial reports and accounts to the Controlling Body not less than 2 weeks before the expiration of any existing registration.

(3) An unregistered club may make application for registration at any time and its application shall be accompanied by copies of its financial reports and accounts.

(4) An application shall be made on form R2-A.

(5) Any change to the information furnished on the form shall be notified to the Controlling Body within 7 days of the change occurring.

(6) It is a term and condition of registration under rule 2 that a registered club shall keep worker's compensation and public risk insurance current during the term of registration.

(7) It is a term and condition of registration under rule 2 that a registered club which makes application to a person or body (other than the Controlling Body) for permission to conduct a meeting or race or for the allocation of dates for a meeting or race, shall forward a copy of its application and any associated correspondence and documentation to the Controlling Body.

3. *(Rule 3(1), (2), (3), (4), (5) repealed, HRA approved 30.03.2007)*

3A. *(Rule 3A(1), (2), (3), (4), (5), (6) repealed, HRA approved 30.03.2007)*

Inspection and measurement of tracks

4. Before registration can be granted under rule 2 the track proposed to be used for the conduct of meetings or races must be inspected by a person nominated by the Controlling Body and the Controlling Body must approve the use of the track.

5. Each club shall whenever required by the Controlling Body to do so, furnish the Controlling Body with a certificate relating to the dimensions of the club's track made by such person and containing such information and certification and complying with such requirements as the Controlling Body may determine.

5A. (1) A club seeking registration for the first time must furnish the Controlling Body with a surveyor's certificate relating to the dimensions, features and composition of the club's track.

(2) A surveyor's certificate must be furnished by a club to the Controlling Body whenever the club's track is modified or race distances are changed or distance or start markers are removed or altered.

Qualifying/requalifying supervisors

6. (1) Clubs, persons or bodies and such other persons as the Controlling Body may determine, may make application to the Controlling Body for the appointment of persons as qualifying/requalifying supervisors.

(2) The application shall be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) The Controlling Body may make appointments upon such terms and conditions as it thinks fit.

(4) An application may be refused by the Controlling Body without assigning any reason.

(5) Subject to the terms and conditions imposed under sub-rule (3), qualifying/requalifying supervisors may -

(a) at or in respect of races promoted or conducted exercise the powers conferred on Stewards by these rules;

(b) supervise the conduct of official trials.

6A. Application for appointment of a person as a Qualifying/Requalifying supervisor shall be made on form R6-A.

Harness racing associations

7. (1) The secretary or other office holder of a harness racing association shall submit the association's constitution, rules, or any amendments thereto, to the Controlling Body for approval.

(2) The constitution, rules, or amendments thereto, as the case may be, have no force or effect unless approval is given by the Controlling Body.

(3) The secretary or other office holder of a harness racing association shall comply with a direction or request of the Controlling Body.

(4) A person who fails to comply with sub-rule (1) or sub-rule (3) is guilty of an offence.

Information and reports

8. A club or an official shall when directed by the Controlling Body furnish it with information or investigate and report upon a matter.

Exclusion from racecourse

9. (1) A club may exclude from its racecourse, premises or other place under its control, a person under disqualification or a person currently warned off or excluded from a racecourse.

(2) A club shall immediately inform the Controlling Body of action taken under sub-rule (1) and the reasons for that action.

(3) If the Controlling Body disallows the action the club shall rescind it.

(4) A club shall act under sub-rule (1) if so directed by the Controlling Body.

(5) A club which fails to comply with sub-rule (2) or sub-rule (3) or a direction given under sub-rule (4) is guilty of an offence.

Offences and related matters

10. (1) A club shall not promote or conduct meetings or races unless it is registered under these rules.

(2) A club which fails to comply with sub-rule (1) is guilty of an offence.

(3) An office bearer of a club or body which fails to comply with sub-rule (1) is guilty of an offence.

11. *(Rule 11(1), (2), (3), (4) repealed, HRA approved 30.03.2007)*

12. (1) A person shall not take part in, or be employed or engaged in or about, or be connected with, any meeting, race or event promoted or conducted by a club not registered under these rules.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

13. Any horse owned, trained, raced or driven by any person convicted of an offence under rule 12, may be disqualified from racing and prevented from being trained on any racecourse or track.

PART 2

STEWARDS

Appointment

14. (1) The Controlling Body may appoint Stewards.

(2) One steward shall be appointed Chairman of Stewards and others may be appointed Deputy Chairman of Stewards.

(3) The Chairman shall be the Chief Steward at any meeting or race officially attended by the Chairman unless the Chairman otherwise directs.

(4) The Deputy Chairman shall be the Chief Steward at any meeting or race officially attended by the Deputy Chairman unless the Chairman is also in official attendance or the Deputy Chairman otherwise directs.

(5) At any meeting or race attended by Stewards one shall be the Chief Steward including the case where only 1 steward is in attendance.

(6) At any meeting or race attended by more than 1 steward the Chief Steward shall have a casting as well as a deliberative vote.

(7) The Controlling Body may substitute other names for Chairman of Stewards and Deputy Chairman of Stewards and these rules will then be read accordingly.

Powers

15. (1) Stewards are empowered -

(a) to direct and control at any time the activities of persons licensed under these rules and anyone else appointed, employed or engaged in any aspect of the harness racing industry, concerning the application of these rules;

(b) to entertain and determine all matters under question or in dispute at or arising out of a meeting or race, or concerning the meaning or application of these rules, or concerning any aspect of the harness racing industry;

(c) at any meeting or race to appoint or remove any person from or to any office, position, responsibility or task;

(d) to exclude or direct the removal of a person from any property being used for any aspect of the harness racing industry;

(e) to suspend or disqualify any person from participating in or being employed or engaged in or about the harness racing industry;

(f) to furnish information about any person excluded, directed or warned off any racecourse to such persons and in such form as they consider appropriate;

(g) to stop, restart, rerun, postpone or abandon any race;

(h) to declare any race void;

(i) to postpone any meeting;

(j) to make announcements or issue publications or notices;

(k) to inspect, examine or test in such manner as they consider appropriate any person, horse, racetrack, stable, stud, artificial breeding station or other place, item, document, equipment, vehicle or substance;

(l) to provide reports and recommendations about or arising out of any inquiry, investigation or determination or upon any subject connected with the harness racing industry to the Controlling Body;

(m) to impose fines;

(n) to impose any other penalties provided for in these rules;

(o) to utilise any equipment;

(p) to confiscate or take possession of any substance or equipment or item or document permanently or for a period;

(q) to substitute any driver at a meeting or race;

(r) to suspend or disqualify any driver;

(s) to control the number of starters in a race;

(t) subject to sub-rule (2), to withdraw, bar or disqualify a horse from a race, or declare a horse to be a non starter, or late scratching;

(u) to reinstate a horse withdrawn or scratched or direct that a horse start in a race;

(v) to exclude a horse from a barrier draw;

(w) to handicap or rehandicap a horse;

(x) to take possession of a horse, alive or dead;

(y) to order the removal or destruction of a horse;

(z) to authorise or direct an autopsy of a horse;

(aa) to bar a horse from racing;

(ab) to make declarations and orders with respect to betting;

(ac) to engage the assistance or services of any person as a deputy or in any other capacity;

(ad) to order payment by a person of costs or expenses incurred by the Stewards in the performance of their duties;

(ae) to do anything else reasonably necessary to the performance of their duties; and

(af) to direct a driver to drive in a designated number of trials and to their satisfaction prior to driving in a race other than an official trial.

(2) A horse which is placed first, second, third or fourth including after the determination of any protest shall not be declared a non-starter.

15A. (1) Without limiting Rule 15 the Stewards have the power at any time to enter upon land and premises owned, or occupied by or under the control of a licensed person and used in any manner for harness racing purposes to :-

(a) Inspect and search the premises.

(b) Inspect and search any item or thing in or on the premises.

(c) Inspect and search any vehicle, float, trailer, gear or equipment in or on the premises.

(d) Take extracts from or make copies of, or download or print-out, any documents found in the course of the inspection or search.

(e) Photograph or film anything in or on the premises.

(f) Secure against interference anything that cannot be conveniently removed from the premises.

(g) Require any person who is on the premises to:-

(i) State his or her full name and address.

(ii) Answer (orally or in writing) questions put to them.

(iii) Give any information in the person's possession or control that is relevant to the inspection or search.

(iv) Operate equipment or facilities on the premises for inspection purposes.

(v) Give any translation, code, password or other information necessary to gain access to or interpret and understand any document or information located or obtained by the Stewards in the course of the inspection or search that is relevant, or potentially relevant, to any investigation (whether commenced or not).

(vi) Give other assistance that the Stewards reasonably require to carry out the inspection or search.

(h) Inspect and search any licensed person.

(i) Exercise any other powers conferred on the Stewards by these Rules.

(2) A Steward who enters and remains upon land or premises under this rule shall not thereby commit a trespass thereon and no action shall be brought or maintained

against the Stewards or the Controlling Body for any damages or relief in respect of such entry or remainder.

(3) For the purposes of this rule premises include land, buildings or any fixed or removable structure including any vehicle.

(4) A person who obstructs, hinders, frustrates or impedes, or endeavours to obstruct, hinder, frustrate or impede a Steward from exercising a power in sub-rule (1) is guilty of an offence.

15B. (1) Without limiting Rules 15 and 15A the Stewards are empowered to:-

(a) Require production of and take possession of any mobile phone, computer, tablet, storage device or other electronic device (including any code, password or other information necessary to gain access) for the purpose of examining by any means including but not limited to downloading, copying or imaging its data and/or contents.

(b) Require production of any documents or records (including, but not limited to, phone, veterinary or bank records).

(2) A person who obstructs, hinders, frustrates or impedes or endeavours to obstruct, hinder, frustrate or impede a Steward from exercising a power in sub-rule (1) is guilty of an offence.

16. The Stewards may, at races, official trials and time trials, exercise the powers conferred upon them by these rules.

17. (1) The Stewards may require a horse to be trialled.

(2) If the Stewards are not satisfied with the performance of a horse trialled pursuant to sub-rule (1), they may declare it ineligible to race for such period as they think fit.

Presence of Stewards at meetings

18. Except with the approval of the Controlling Body or Stewards, a club shall not conduct a meeting or race in the absence of the Stewards.

Cadet and assistant Stewards

19. (1) The Controlling Body may appoint cadet and assistant Stewards**.**

(2) Persons appointed under sub-rule (1) may exercise such powers of a steward as the Controlling Body may determine and are subject to the provisions of rule 20.

Conflicts of interest

20. (1) No steward shall exercise any power conferred by these rules in respect of any matter in which the steward has a financial or family interest or which in any other way gives rise to a conflict of interest.

(2) No steward shall bet or have a financial interest in any bet on a race.

(3) No steward shall be engaged, whether alone or in any type of association with others, in any business or activity involving the ownership, breeding, sale, lease, training, racing or management of horses connected with the harness racing industry.

(4) Unless the Controlling Body directs otherwise, the office of a steward is vacated if the steward does any of the things mentioned in this rule.

(5) Unless the Controlling Body directs otherwise, a steward's office is vacated if the steward's spouse or domestic partner becomes involved in or acquires an interest in any business or activity described in sub-rule (3).

PART 3

MEETINGS AND RACES

Dates for meetings and races

21. (1) The Controlling Body may allocate to clubs and associations the dates on which meetings and races may be conducted.

(2) Applications for dates must be lodged with the Controlling Body by the time stipulated by the Controlling Body.

22. The date of a meeting shall not be changed except with the consent of the Controlling Body.

Nominations and acceptances

23. (1) A horse may be nominated for acceptance in a race.

(2) Only the Controlling Body can accept nominations.

(3) A horse shall be nominated by the persons, in the manner and form, and with the accompanying documentation, information and fees determined by the Controlling Body.

(4) Without limiting sub-rule (3), the Controlling Body may require the nominator of a horse to supply names and particulars of persons with an interest in the horse.

(5) A horse cannot be nominated if it is not registered under these rules or the Stud Book Regulations or if a current stable return has not been lodged.

(6) *(Rule 23(6) repealed, HRA approved 29.10.1999)*

(7) A horse in which a disqualified person and the spouse or other domestic partner, or parent, sibling or child of a disqualified person have an interest shall not be nominated for a race without the consent of the Controlling Body**.**

(8) A nomination is not voided by the death of 1 or more of the connections or nominator of the horse.

(9) A nomination cannot be made after the closing time shown on the approved program except when the closing time is extended by the Controlling Body.

(10) A nomination cannot be altered or otherwise changed after the closing time except with the consent of the Controlling Body or the Stewards.

(11) *(Rule 23 (11) repealed, HRA approved 29.10.1999)*

(12) A disqualified horse cannot be nominated for or start in a race.

(13) The Controlling Body or Stewards may reject a nomination without assigning any reason.

(14) Once nominated for a race the Rules and policies of the Controlling Body conducting the race shall apply.

23A. (1) Where nomination is made in writing form R23-A shall be used.

(2) Nominations shall be lodged with the Controlling Body in accordance with the advertised racing program.

(3) If the last race of a nominated horse was outside the jurisdiction of the Controlling Body it must receive clearance from the Controlling Body of the place where that race occurred.

23B. (1) A horse cannot be nominated for a race if it is a horse as defined by sub-rule (2) and it has not satisfied the provisions of sub-rule (3).

(2) (a) A horse that has not participated in an official trial or racewithin the twelve month period prior to the race.

(b) A foreign horse that has been imported into Australia and has not participated in an official trial or race within the six month period prior to the race.

(3) The horse must participate in an official trial to the satisfaction of the Stewards.

24. Nominations for any race may be called for in heats or in qualifying divisions.

Stable returns

25. (1) (a) When a horse enters the stable of a trainer a stable return containing true and correct particulars must be lodged with the Controlling Body or Stewards by the connections of a horse within the time and in the manner and form determined by the Controlling Body or Stewards and the connections shall ensure that all particulars on the stable return are true and correct.

(b) Unless otherwise determined by the Controlling Body or Stewards, a stable return shall be made within twenty four hours and in such form as the Controlling Body may determine.

(2) In the event of a change to any of the particulars entered on the stable return, a fresh stable return containing the current particulars shall immediately be lodged with the Controlling Body or Stewards.

(3) If, after a horse is accepted but before the race is run, some dealing in or change of interest or event specified by the Controlling Body or Stewards occurs, particulars thereof shall be furnished to, and in the manner and form determined by, the Controlling Body or Stewards.

(4) The Controlling Body or Stewards may reject a stable return or impose on the return such conditions as it or they consider appropriate.

(5) A person who fails to comply with any provision of this rule is guilty of an offence.

25A. (1) *(Rule 25A(1) repealed, HRA approved 21.10.2016)*

(2) *(Rule 25A(2) repealed, HRA approved 21.10.2016)*

(3) *(Rule 25A(3) repealed, HRA approved 21.10.2016)*

Change of Horse Location - Trainer Obligations

25B. (1) A trainer must:

(a) disclose any change in the previously notified location of a horse in their care within 24 hours of the day on which that change is made, by notifying the Stewards or Controlling Body in such manner or form as may be determined by the Controlling Body; and

(b) lodge a Stable Return within 24 hours of a horse joining or leaving the trainer's stable;

(c) lodge an amendment to a Stable Return immediately if any particulars on the Stable Return have changed.

(2) For the purposes of sub-rule (1):

(a) if a trainer's stable is comprised of more than one registered training establishment, the trainer must disclose at which registered training establishment 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.

(3) A person is not required to comply with sub-rules (1)(a) and (2)(a) if:

(a) the 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 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.

(4) Nothing in this rule affects a trainer's Stable Return obligations under AHRR25.

(5) 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;

(a) the entry of the horse for any race or official trial may be rejected or cancelled.

(b) the horse may be disqualified from any race in which it has competed.

Change of Location - Owner Obligations

25C. (1) The managing owner of a horse must, unless otherwise contained in a Stable Return lodged by a trainer in accordance with these rules, disclose:

(a) any change in the previously notified location of the horse within 24 hours of the day on which that change is made, by notifying the Stewards or Controlling Body in such manner or form as may be determined by the Controlling Body; and

(b) the location of the horse upon request by the Controlling Body, including as required under any registration, transfer of ownership, or other form.

(2) The requirement referred to in sub-rule (1)(a) does not apply where the named horse is in the care of a trainer and the managing owner proves to the satisfaction of the Stewards that 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.

Security of horses

26. (1) The Controlling Body or Stewards shall in respect of any race determine all applicable security arrangements including those applying to a horse or horses.

(2) Where a determination is made under sub-rule (1) the connections of every horse accepted for the race shall upon acceptance or by such other time determined by the Controlling Body or Stewards, notify the Controlling Body or Stewards where the horse will be located from the time of notification until the start of the race.

(3) Notification under sub-rule (2) shall be in writing or given in such other form as the Controlling Body or Stewards may require.

(4) From the time of notification until the start of the race the connections shall ensure that the horse is located in accordance with sub-rule (2) and that it is available for inspection and testing by the Stewards.

(5) A horse tested under sub-rule (4) which is found to have in or on its body a substance specified in Rule 190A(2) or is considered by the Stewards to be otherwise unfit to race shall be withdrawn from the race.

(6) Where security arrangements apply the Controlling Body or Stewards may appoint persons to maintain surveillance of a horse.

(7) The connections or other persons in charge of a horse shall not frustrate or hinder, or endeavour to frustrate or hinder, persons appointed under sub-rule (6) from carrying out their duties.

(8) Where security arrangements apply the connections shall comply with any direction given by the Controlling Body or Stewards which, in its or their opinion, is necessary or conducive to the more effective implementation of those arrangements.

(9) Without restricting the scope of sub-rule (8), the Controlling Body or Stewards may direct that a horse be brought to a nominated place by a certain time.

(10) Where the connections or other persons fail to comply with any provision of this rule, the Stewards may withdraw the horse from the race.

(11) A person who fails to comply with any provision of this rule is guilty of an offence.

Programs

27. (1) No club or other person or body shall publish or issue a program for a meeting or race except with the approval of the Controlling Body.

(2) A draft of the proposed program shall be sent to the Controlling Body within the time, in the manner and form, and containing the information specified by the Controlling Body.

(3) The Controlling Body may amend the draft or require the club or other person or body to amend it.

(4) Approved programs shall be published or issued in accordance with the directions of the Controlling Body.

Starters

28. (1) The number of starters in a race is not to exceed the number fixed by the Controlling Body.

(2) The Controlling Body shall determine the starting positions for a race.

Divisions

29. With the approval of the Controlling Body a race may be run in divisions.

Unfitness to race

30. (1) The trainer or the person in charge of a horse that is included in the final acceptors for a race shall inform the Stewards as soon as practicable if the horse has been injured in any way or suffered any illness or condition that may affect its running in the race.

(2) A horse described in sub-rule (1) shall not start except with the approval of the Stewards.

(3) Any person who fails to comply with sub-rule (1) is guilty of an offence.

31. A horse withdrawn from a race because of unfitness or injury shall not race within 6 days next following the date of withdrawal and within 6 days next following the date of the race from which it was withdrawn, except with the permission of the Stewards.

32. A horse may race twice at the same meeting provided the races are not less than 1 hour apart and the horse is passed by veterinary examination as fit to compete.

Notification of win

33. If a horse handicapped for a race wins another race before the running of the race in respect of which the horse has already been handicapped, the trainer must as soon as possible after the win notify the Stewards in the manner and form determined by the Controlling Body.

Conditions and restrictions

34. (1) The Controlling Body may make determinations concerning the conduct of a meeting or the running of a race.

(2) Without restricting the scope of sub-rule (1) determinations made thereunder may relate to the conditions, requirements, rights and privileges attaching to a meeting or race and the racing procedure which must or may be adopted by drivers during the course of a race.

35. The Controlling Body may impose conditions or restrictions concerning the ages at which and distances over which horses may be trialled or raced.

35A. (1) (*Rule 35A(1) repealed, HRA approved 13.05.2020)*

(2) (*Rule 35A(2) repealed, HRA approved 13.05.2020)*

(3) A horse shall not compete in a trial before 1 October in the year preceding it attaining the age of 2 years.

36. A race shall not be less than 1609 metres except with the approval of the Controlling Body.

Officials

37. A club shall ensure that all officials necessary in the opinion of the Controlling Body for the proper conduct of a meeting and its associated activities are appointed and are in attendance at the meeting.

38. (1) The Controlling Body may at any time disallow the appointment of a person as an official of a club or direct the removal from office of a person appointed as an official.

(2) A club which fails to comply with any direction given under sub-rule (1) is guilty of an offence.

39. An official at a meeting may not appoint a deputy or assistant except with the approval of the Stewards.

40. (1) A person acting as an official at a meeting or a deputy of such person shall not -

(a) bet or have a financial interest in any bet at that meeting; or

(b) discharge any official function in respect of a race in which the person or deputy is financially interested or which may otherwise give rise to a conflict of interest.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Appointed times

41. (1) A horse entered to race at a meeting shall be within the stabling area of the race course at which the meeting is to be conducted 60 minutes before the scheduled start time of the race or such other time as determined by the Controlling Body.

(2) Once present in accordance with sub-rule (1), a horse shall remain within the stabling area until it has completed its racing engagement unless otherwise approved by the Stewards.

(3) For the purposes of sub-rule (2), "stabling area" means that section of the racecourse at which the meeting is to be conducted used to stable horses entered to race at the meeting.

42. (1) If a horse is not at the racecourse by the appointed time mentioned in or determined under rule 41, the owner or trainer shall notify the club or other body conducting the meeting of that fact and the club or other body shall inform the Stewards.

(2) A horse not at the racecourse by the appointed time mentioned in or determined under rule 41 may be withdrawn by the Stewards.

(3) An owner or trainer who fails to comply with sub-rule (1) or an official or representative of a club or other body who has been notified by an owner or trainer and fails to inform the Stewards or fails to ensure they are informed, is guilty of an offence.

43. (1) A driver engaged to drive a horse in a race shall report his attendance at the racecourse to the Stewards or the person authorised by the Stewards no later than 30 minutes prior to the official start time of the race or at such other time as prescribed by the Controlling Body.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

Licensed Persons Reporting Before Leaving Course

43A. (1) A driver, trainer or person in charge of a horse engaged in a race and the horse shall remain on the racecourse for at least 30 minutes after the race unless permission to leave is granted by the Stewards.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Tactics

44. (1) (*Rule 44(1) repealed, HRA approved 15.05.2018)*

(2) (*Rule 44(2) repealed, HRA approved 15.05.2018)*

(3) (*Rule 44(3) repealed, HRA approved 15.05.2018)*

(4) (*Rule 44(4) repealed, HRA approved 15.05.2018)*

(5) (*Rule 44(5) repealed, HRA approved 15.05.2018)*

Inspection

45. (1) A horse is ineligible to start in a race unless a steward or other person authorised by the Controlling Body is satisfied by physical inspection that the horse is the horse described in the registration certificate.

(2) Where a steward or authorised person is satisfied in terms of sub-rule (1), but considers some amendment is required to the certificate, the steward or authorised person shall take delivery of the certificate from the holder and forward the same and explanatory report and recommendation to the Controlling Body.

(3) Where a steward or authorised person is not satisfied in terms of sub-rule (1) the steward or authorised person shall prohibit the horse from racing and take possession of the certificate.

(4) Where a steward or authorised person is satisfied in terms of sub-rule (1) the steward or authorised person shall sign the certificate in the space provided thereon.

(5) A person shall ensure that the correct horse is presented to start in a race.

(6) A person who fails to comply with this rule is guilty of an offence.

Medical matters

46. (1) Subject to sub-rule (2) a club conducting a meeting shall have in attendance 2 trained ambulance officers properly equipped and an ambulance or some other suitable vehicle.

(2) The provisions of sub-rule (1) do not apply to official trials and training tracks registered by a Controlling Body.

47. A driver involved in an accident at a meeting must attend the medical or ambulance officer for assessment and any consequential treatment and must not drive in any subsequent race except with the approval of the Stewards.

Human Consumption of Products

48. The Controlling Body may make determinations concerning consumption of food, beverages, drugs, and substances by persons discharging official duties**,** driving or managing horses or otherwise participating in meetings or races or having a connection with the harness racing industry and for the testing and examining of such persons.

Judging

49. (1) Races shall be judged by the judge or the judge's substitute.

(2) Horses may be photographed at the finish of a race to assist the judge to determine finishing positions.

(3) Horses shall be placed by the judge according to the order in which the horses' noses pass the winning post.

(4) A horse shall be a finisher if at the time it passes the winning post, its driver is:-

(a) holding the reins or any part thereof, or

(b) touching any part of the sulky, or

(c) in, on or within the confines of the sulky.

(5) 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 declaration of All Clear; and

(b) The Stewards may alter a determination made by the judge either before or after the declaration of All Clear if the Stewards are satisfied on the available evidence (including imprints or images) that the judge has made a mistake in the determination of the finishing order of a race.

(6) Notwithstanding sub-rule (5) where, in the opinion of the Stewards, the judge has made an error, which the judge declines to correct having been afforded opportunity to do so, or where in the opinion of the Stewards the judge was not in a position to determine the result, the Stewards shall stand the judge down for such period as they think fit.

(7) Where sub-rule (6) applies, the Stewards become the judges of the race in question.

(8) Notwithstanding sub-rule (7) the Stewards may declare a race void if the judge or a substitute was not in a position to determine the result.

(9) Any alterations to judge’s placings after the declaration of All Clear will not have any effect on previous orders given by the Stewards as to the betting on the race.

Timekeeping

50. (1) The timekeeper shall take the time of the first horse and, where possible, the times of all other finishers.

(2) A manual or electronic timing device or both of them may be used.

(3) The timekeeper shall make an appropriate entry of the times taken and sign it.

(4) Times so taken and entered are the official times and upon entry are to be publicly announced.

(5) Times taken and entered cannot be altered except at the direction of the Stewards.

Recording races

51. (1) A club shall record in a manner to a standard required by the Controlling Body each race conducted by the club and furnish a copy of the recording to the Stewards.

All clear

52. (1) The All clear steward at a meeting shall be the Chief Steward or some other steward appointed by the Chief Steward.

(2) Where only 1 steward attends a meeting, that steward shall be the All clear steward.

(3) After each race the All clear steward shall inspect placed horses and their drivers.

(4) Placed horses and their drivers shall attend for inspection in the order in which they were placed.

(5) A driver who fails to attend for inspection is guilty of an offence.

(6) The horse driven by a driver found guilty of an offence under sub-rule (5) may be disqualified from the race.

(7) Sub-rules (5) and (6) do not apply where the attendance of the driver has been dispensed with by the All clear steward.

(8) After inspection and if there is no protest the All clear steward shall declare "all clear" and the declaration shall be announced or published by the club or other body conducting the meeting.

(9) Unplaced horses and their drivers shall remain on the track as directed by the All clear steward until inspection under sub-rule (3) is concluded.

(10) In this rule “placed horses” are horses so designated by the All clear steward.

Cancellation - transfer - postponement

53. (1) Subject to the approval of the Controlling Body a meeting may be cancelled or postponed for a period not exceeding 7 days.

(2) A postponed meeting is cancelled if not held within 7 days of the date originally allocated to it.

54. If a meeting is cancelled nomination and acceptance fees shall be returned to the nominators.

55. A horse nominated for a race may be transferred to another race at the same meeting by the Stewards or Handicappers.

56. (1) Where the Controlling Body considers that insufficient nominations have been received for a race the Controlling Body or with its approval the club conducting the meeting, may cancel the race or transfer the nominations to another race or extend nominations for such race.

(2) Where action is taken under sub-rule (1) the club or a person authorised by the Controlling Body shall before declaration of acceptances inform the nominators of the affected horses of such action.

(3) A nominator on being informed pursuant to sub-rule (2) may withdraw the nomination.

57. If a meeting is postponed scratchings may be rescinded with the approval of the Stewards.

Stops reruns and related matters

58. If during a race held under artificial lights, a lighting failure occurs which is either total or would render racing hazardous, drivers shall pull up their horses and the race will cease.

59. Where a race is rerun all horses shall compete unless permission to withdraw is given by the Stewards.

Forfeits and fees

60. The nominator and owner of a horse is each liable for all fees relating to nomination or acceptance.

61. (1) A club must give reasonable notice to a nominator of the amount and payment date of any fee due and payable in respect of any race.

(2) A club which fails to comply with sub-rule (1) loses any right to the fees payable.

Disqualification for non payment

62. (1) If fees payable in respect of a horse's participation in a race are not paid before the start, the Stewards may disqualify the horse.

(2) If fees are paid by cheque or other instrument requiring clearance, then if that cheque or instrument is not cleared with the bank or financial house the Stewards may disqualify the horse.

Review of racing performance

63. (1) The Stewards may review the racing performance of a horse.

(2) If the Stewards are satisfied that the racing performance of a horse is inconsistent or otherwise unsatisfactory they may declare it ineligible to race for such period as they think fit.

(3) The Chairman or Deputy Chairman of Stewards may form the opinion and exercise the power conferred by sub-rule (2).

(4) To act under sub-rule (3) it is not necessary that the Chairman or Deputy Chairman should have been present on any occasion when the horse concerned raced and the Chairman or Deputy Chairman as the case may be may form an opinion and reach a decision on the basis of information furnished by Stewards who were present.

(5) A trainer shall take all reasonable measures to ensure that the racing performance of a horse is consistent.

(6) A trainer who fails to comply with sub-rule (5) is guilty of an offence.

Disqualification

64. If a horse fails to start in a race from its correct handicap mark or its correct barrier position it may be disqualified or declared a non-starter in that race.

65. If the Stewards find that a horse or a trainer or driver was ineligible to compete in a race they may disqualify the horse from the race or declare such horse a non-starter and make any consequent changes to the placings.

66. A horse may be disqualified from a race or placed in a lower finishing position in a race if the horse -

(a) crosses a horse without being clear of it;

(b) jostles or interferes with a horse unless solely in response to the action taken by another horse or driver;

(c) forces a passage where there is insufficient room;

(d) forces a horse out of its ground;

(e) races on the inside of a marker post or if its sulky or part thereof goes on the inside of a marker post**;**

(f) interferes with another runner so as to cause that runner, or cause its sulky or any part thereof, to go inside a marker post**;**

(g) being in the home straight and having a clear uninterrupted run to the post, changes course and thereby prejudices or advantages the chances of another runner.

(h) gains an unfair advantage.

(i) is driven in a manner prejudicial or detrimental to the reputational interests of harness racing.

Information and reports

67. At the conclusion of a meeting the club which conducted it shall immediately forward to the Controlling Body such information about the meeting, and in such manner and form, as the Controlling Body may require.

68. The Chief Steward of a meeting shall forward to the Controlling Body within such time after the conclusion of the meeting as the Controlling Body may appoint, a report about the meeting in such form and with such content as the Controlling Body may direct.

Match races

69. A match race will not be run with less than 2 starters.

Futurity races

70. (1) The Controlling Body may determine a race to be a futurity race.

(2) Futurity races shall be run under such rules as the Controlling Body may determine.

Derby

71. The word "Derby" in the name of a race shall be used only in respect of a race for 3 year old horses.

Claiming races

72. (1) The Controlling Body may determine a race to be a claiming race.

(2) Subject to rule 77 a horse cannot be claimed unless a claiming race is conducted and an official result declared.

(3) An official who is in any way involved in the conduct of a claiming race is ineligible to claim a horse from that race.

73. (1) In or with respect to a claiming race a person shall not -

(a) claim directly or indirectly a horse owned, trained or driven by that person;

(b) claim a horse for another person unless authorised in writing to do so;

(c) enter into an agreement to claim or not to claim or to prevent or attempt to prevent a person from claiming a horse.

(2) A person who fails to comply with any provision of this rule is guilty of an offence.

74. Notwithstanding rule 73 a horse owned by a syndicate or otherwise jointly owned may, where the syndicate or joint ownership arrangement is being dissolved, be claimed by a member of that syndicate or party to the joint ownership arrangement.

75. (1) The terms, conditions and procedures relating to the nomination of horses in a claiming race, the organisation and conduct of the race and the claiming of a horse from the race, shall be as determined by the Controlling Body.

(2) Subject to any determination made under sub-rule (1) the following applies -

(a) the amount of the claiming price plus the fees payable in respect of the transfer of registration must be paid by the claimant to the Controlling Body or club conducting the race by either:

(i) lodging a bank cheque marked "A/C Payee Only" or

(ii) establishing an appropriate credit arrangement";

(b) a current claiming race authorisation form duly completed and signed by the owner must be on file with the Controlling Body before the close of nominations for the claiming race in which the owner's horse is to be a starter;

(c) the claiming price for a horse in a claiming race is to be printed in the racebook;

(d) a claim must be made on the approved form and be placed in the claim box not less than 15 minutes before the advertised starting time of the race and once made cannot be withdrawn;

(dd) a person shall not lodge more than one claim for a horse in a claiming race;

(e) the claim box shall be under the control of the Chief Steward;

(f) the Chief Steward shall open the claim box no earlier than 15 minutes before the start of the race and no later than immediately after the race and determine the claims;

(g) should more than 1 claim be made for the same horse the successful claimant shall be determined by the Chief Steward by conducting a ballot;

(h) a claimed horse with its head collar or halter and a detailed schedule in writing of the harness used on the horse and without altering or removing the horse's shoes, shall be delivered immediately by the original owner or his trainer or authorised agent to the successful claimant upon authorisation of the Chief Steward;

(i) every horse claimed shall race in the claiming event in the interest and for the account of the person who owned it at the time of acceptance for the race but, subject to paragraph (m) of this sub-rule, title to the horse shall vest in the person who becomes the successful claimant immediately upon the start of the race and regardless of death or injury to the horse during the race;

(j) the Chief Steward may require a claimant to declare that he or she is claiming the horse on the claimant's own account;

(k) for thirty (30) days after claiming, a horse is ineligible to start in a race in the interest and for the account of the person who owned it at the time of acceptance for the claiming race, nor during that period shall the horse remain in or return to the ownership, care or management of that person unless it be reclaimed out of another claiming race;

(kk) for 30 days after claiming, a horse shall not remain in or return to the care or management of the trainer who trained it at the time of claiming except with the permission of the Chairman of Stewards, unless it be reclaimed out of another claiming race;

(kkk) for 30 days after claiming, a horse shall not remain in or on the registered training establishment from which it had been trained at the time of claiming except with the permission of the Chairman of Stewards unless it be reclaimed out of another claiming race.

(l) any eligible horse in the declared field for a claiming race including emergencies can be claimed;

(ll) where a horse is declared to race in a claiming race and is subsequently withdrawn on veterinary advice the trainer shall at the time of its withdrawal or as soon thereafter as the Stewards may direct produce a veterinary certificate stating precisely the reason for the withdrawal;

(lll) where a horse is declared to race in a claiming race and is subsequently withdrawn, the trainer shall if so directed by the Stewards bring the horse to the racecourse;

(m) if a claimed horse returns a positive swab, the claimant may repudiate the claim within seven days of the claimant being notified by the Controlling Body that the first analysis of the swab has reported the presence of a prohibited substance or before the horse has its next start following that notification, whichever is the sooner and deliver the horse to the person who was the owner at the time of its acceptance for the claiming race;

(n) where a horse is accepted for a claiming race, no transfer of ownership shall have any legal effect during the period commencing from date of acceptance and terminating upon the declaration of an official result in the claiming race;

(o) the Controlling Body or club conducting a claiming race shall pay the price to the former owner as soon as possible after the transfer to the successful claimant has been registered by the Controlling Body.

75A. (1) The owner, lessee and any other person with an interest in a horse to be nominated for a claiming race must:-

(a) complete form R75-A and lodge it with the Controlling Body;

(b) if the horse to be nominated is a filly or mare, declare whether the horse has been served or is pregnant and the term of the pregnancy as at the time of nomination.

(2) A person claiming a horse in a claiming race must complete form R75-B and place it in the claim box.

(3) If required by the Controlling Body a claimant shall pay as directed a sum by way of premium to insure the claimant's risk.

76. (1) A person who fails to comply with paragraph (h) or paragraph (j) of rule 75(2) is guilty of an offence.

(2) A person who deals with a horse contrary to the requirements of paragraph (k) of rule 75(2) is guilty of an offence.

(3) Where a claimant repudiates a claim under paragraph (m) of rule 75 (2) the owner of the horse at the time of its acceptance for the claiming race –

(a) is liable to reimburse the claimant for moneys spent on the horse's care and sustenance;

(b) shall hold the claimant indemnified against any claim for the horse's care and sustenance and also any claim arising out of the death of, or injury to, the animal not directly attributable to the negligence of the claimant.

(4) A person who fails to comply with any provision of sub-rule (3) is guilty of an offence.

(5) A person who refuses to accept delivery of a horse pursuant to paragraph (m) of rule 75(2) is guilty of an offence.

(6) If a person fails to comply with the requirements of sub-paragraph (b) of Rule 75A (1) and the horse is claimed, the claimant may repudiate the claim within seven (7) days of the claimant providing a veterinary certificate to the Controlling Body that the horse is pregnant with such certificate to be provided to the Controlling Body within fourteen (14) days of the claim.

(7) Where a horse is involved in an offence arising under this rule, the Controlling Body may take such action with respect to the horse as it thinks fit.

77. (1) With the approval of the Controlling Body a horse may be claimed in a race which is not a claiming race.

(2) Where approval is given under sub-rule (1) the provisions of rules 73, 74, 75 and 76 apply to the race in question unless the Controlling Body makes any alterations to suit the requirements of a particular race.

77A. (1) A horse may not be claimed in a heat.

(2) A horse which has qualified for the final is eligible to be claimed irrespective of whether the horse is in the declared field for the final or not and whether the horse participates in the final or not.

Official trials and other matters

78. (1) The Controlling Body may determine a race or event to be an official trial, or a time trial.

(2) A race or event referred to in sub-rule (1) shall be conducted in accordance with the conditions determined by the Controlling Body.

Time performances and records

79. (1) The Controlling Body may determine a race or event to be a performance against time.

(2) Performances against time must take place at meetings held in accordance with these rules.

(3) The club conducting the meeting shall give such notice and publish such advertisement as the Controlling Body determines.

80. (1) In performances against time a horse must endeavour to equal or better a specified time.

(2) A losing performance shall not be recorded.

81. (1) In performances against time a horse may be assisted by one or more horses acting as pacemakers.

(2) Pacemakers must not precede the assisted horse nor be harnessed with or otherwise attached to it.

82. If a horse breaks during a performance against time it shall be disqualified from that trial.

83. In performances against time the whip shall be used solely in a way which complies with these rules.

84. The result of a performance against time shall not be an official record unless a swab is taken before and/or after the trial and found negative.

85. (1) A record time, whether in respect of a race or performance against time, is one which has been approved as a record time by the Controlling Body.

(2) Application for approval may be made in the manner and form determined by the Controlling Body.

(3) An application shall be accompanied by such documentation, information and fees as the Controlling Body may determine.

85A. A person seeking approval of a record time must arrange for form R85-A to be completed and submitted to the Controlling Body.

Offences and related matters

86. A person who allows a horse to start or fails to prevent it from starting in a race from an incorrect handicap mark or from an incorrect barrier position is guilty of an offence.

87. (1) If a horse is ineligible for a race, its connections shall not nominate it for the race, or allow it to start or fail to prevent it starting, in a race.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

88. (1) Where a horse is withdrawn -

(a) after the declaration of acceptances for a race; or

(b) where there is no TAB betting on the race,

after the declaration of handicaps,

the Stewards may require the owner or trainer to satisfy them that there was good and sufficient reason for such withdrawal.

(2) A person who fails to give the satisfaction required under sub-rule (1) is guilty of an offence.

(3) The horse concerned may be barred by the Stewards from participating in a race for a period specified by them or pending satisfaction of such conditions as they impose.

89. (1) After the running of any race and for a period of 7 days thereafter if the owner, trainer, driver, stablehand or any person in charge of a horse is aware of or has knowledge of anything which may have affected the horse's performance in that race, he or she shall report it immediately to the Stewards.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

PART 4

LICENCES

Grant of licences and other matters

90. (1) The Controlling Body may by licence regulate any activity connected with the harness racing industry.

(2) An application for a licence shall be made by the persons in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) A person applying to be relicensed with a Controlling Body shall, if previously licensed by another Controlling Body or recognised harness racing authority, provide a written clearance from that Controlling Body or recognised harness racing authority detailing the status of the person relating to current penalty, debt or other embargo.

(4) The Controlling Body may grant a licence for such period and upon such terms and conditions as it thinks fit.

(5) An application for a licence may be refused by the Controlling Body without assigning any reason.

(6) An applicant for a licence or an existing licence holder shall if found guilty of a crime or offence which is punishable by term of imprisonment immediately notify the Controlling Body or Stewards of that finding of guilt.

(7) A licence may be suspended or cancelled:

(a) by the Controlling Body or the Stewards for breach of a term or condition of the licence; or

(b) by the Controlling Body where the Controlling Body is satisfied that the person holding the licence is not a fit and proper person to be associated with harness racing.

(8) The type**,** grade or class of a licence held by a person may be varied by the Controlling Body or by the Stewards.

(9) The terms or conditions attaching to a type, grade or class of licence may be varied by the Stewards or the Controlling Body.

Drivers Licence

90A. (1.1) Application for a driver's licence Grades C, B or A shall be made on form R90-A.

(1.2) A Grade C licence shall not be granted to a person younger than 15 years and a Grade B or Grade A licence shall not be granted to a person younger than 16 years.

(1.3) Unless the material is already on file with the Controlling Body an applicant for a driver's licence of each grade shall furnish with the application –

(a) two recent passport photographs;

(b) certified extract of birth;

(c) the applicant's police record.

(1.4) The Controlling Body at any time may request an applicant or licensee to furnish further copies of the material mentioned in sub-rule (1.3).

(1.5) An applicant for a driver's licence shall be interviewed by the Stewards.

(1.6) A successful applicant will be issued with a licence card or document by the Controlling Body which must be produced to the Stewards or persons authorised by the Controlling Body on demand.

(1.7) An applicant or licensee shall immediately notify the Controlling Body of any change to personal particulars.

(1.8) It is a term and condition of a driver's licence that all training modules specified by the Controlling Body shall be completed satisfactorily by the licensee.

(1.9) The holder of a driver's licence -

(a) Grade C, is licensed to drive at trials and to carry out track work.

(b) Grade B, has the driving licence rights mentioned in (a) and is licensed to drive at graduation meetings and, other than in races of a metropolitan class, at country or provincial meetings, including country or provincial class meetings at metropolitan sites;

(c) Grade A, has the driving licence rights mentioned in (a) and (b) and is licensed to drive at any meeting.

(1.10) The holder of a driver's licence who, on expiration of the licence, desires to make application for a new licence of the same grade may make such application on form R90-B.

(1.11) The holder of a driver's licence Grade C who desires to upgrade to a Grade B licence, shall make application on form R90-C.

(1.12) The holder of a driver's licence Grade B who desires to upgrade to a Grade A licence, shall make application on form R90-D.

(1.13) If required by the Controlling Body an applicant for a driver's licence shall pay as directed a sum to effect insurance relating to the applicant in such amount and of such type as the Controlling Body may decide.

Trainers Licence

(2.1) Application for a trainer's licence Grades C, B or A shall be made on form R90-A.

(2.2) A trainer's licence will not be granted to a person younger than 18 years.

(2.3) Sub-rules (1.3), (1.4), (1.5), (1.6), (1.7), (1.8), (1.10) and (1.13) in Part 1 above apply equally to an applicant for a trainer's licence, a licensed trainer and a trainer's licence, as the case may be.

(2.4) An applicant for a trainer's licence must furnish 2 references from licensed trainers with the application and must own, lease or otherwise have available for use stables which in the opinion of the Controlling Body are suitable for the training of Standardbred horses.

(2.5) If required by the Controlling Body evidence shall be furnished of the financial capacity of an applicant for a trainer's licence Grades C or A to operate a training establishment.

(2.6) An applicant for a trainer's licence Grade A must have satisfactorily completed all training modules applicable to a trainer's licence Grade B and held such licence for not less than 12 months unless the Controlling Body decides otherwise.

(2.7) The holder of a trainer's licence -

(a) Grade C, is licensed to prepare, educate and exercise a horse, but cannot trial it or nominate it to race;

(b) Grade B, is licensed to train a horse which the person owns or partly owns or which is owned by the person's spouse, other domestic partner, parent, sibling or child, or any horse approved by the Controlling Body upon the written application of the person;

(c) Grade A, is licensed to train any horse.

(2.8) (a) The Controlling Body may grant a trainer's licence to a person to train only in partnership with up to three persons.

(b) Subject to sub-rule 2.8(c) each partner shall be subject to any penalty that may be imposed under the Rules on any other partner.

(c) If a partner other than the partner upon whom the penalty is imposed satisfies the Stewards that the penalty was not imposed for a breach of any Rule directly related to the training of a horse then the Stewards may determine that the penalty does not apply to that partner.

(d) (i) A partner shall give notice in writing to the Stewards of his intention to withdraw from or dissolve the partnership.

(ii) Upon receipt of such notice the Stewards may order that any horse trained by the partnership shall not be eligible to race until the Stewards are satisfied that the horse is being trained in accordance with the Rules.

(2.9) (a) The holder of a trainer's licence shall ensure that all persons carrying out the activities of a stable hand are licensed as stable hands.

(b) A trainer who fails to comply with sub-paragraph (a) is guilty of an offence.

(2.10) (a) A trainer is at all times responsible for the administration and conduct of his stables.

(b) A trainer is at all times responsible for the care, control and

supervision of the horses in his stables.

(c) If a trainer is to be absent from his stables for a period exceeding forty eight (48) hours he must after obtaining the approval of the Stewards nominate a licensed or registered person to be in charge of such stables during his absence.

(d) If a trainer is unable to attend a race meeting where any horse trained by him is engaged to race:-

(i) He must nominate in writing his licensed stable representative or another licensed trainer to be responsible for such horse at the meeting.

(ii) The nomination must be notified to the Stewards no later than one (1) hour prior to the advertised starting time of the race.

(iii) The nomination must be accompanied by the written consent of the nominee accepting such nomination.

(iv) The nomination cannot be further delegated.

(e) Any nomination by the trainer in accordance with sub-rules (c) and (d) does not relieve the trainer of the responsibilities imposed by sub-rules (a) and (b).

Stablehands Licence

(3.1) Application for a stablehand's licence shall be made on form R90-A.

(3.2) A stablehand's licence shall not be granted to a person younger than 14 years.

(3.3) Sub-rules (1.3), (1.4), (1.6), (1.7), (1.8), (1.10) and (1.13) apply equally to an applicant for a stablehand's licence, a licensed stablehand and a stablehand's licence, as the case may be.

(3.4) The holder of a stablehand's licence is licensed, under the supervision or instructions of a licensed trainer, to -

(a) Carry out track work;

(b) Assist with the training, management, care and control of horses;

(c) Assist with pre-race preparation of, and post race procedures affecting, a horse.

Studmasters and
Artificial Breeding Technicians Licence

(4.1) Application for a studmaster's licence or an artificial breeding technician's licence shall be made on form R90-E.

(4.2) A licence referred to in sub-rule (4.1) will not be granted to a person younger than 18 years.

(4.3) Sub-rules (1.3), (1.4), (1.6), (1.7), (1.8), (1.10) and (1.13) apply equally to an applicant for a studmaster's licence or an artificial breeding technician's licence, a person holding either licence, and to either licence, as the case may be.

(4.4) The holder of a studmaster's licence is licensed –

(a) to take responsibility for the care and control of horses at a stud;

(b) to take responsibility for breeding activities at a stud other than those for which an artificial breeding technician is responsible.

(4.5) The holder of an artificial breeding technician's licence who is a registered veterinary surgeon, is licensed to carry out all techniques and procedures of artificial breeding.

(4.6) The holder of an artificial breeding technician's licence who is not a registered veterinary surgeon, is licensed to carry out all techniques and procedures of artificial breeding apart from those relating to embryo transfer.

(4.7) The holder of an artificial breeding technician's licence may hold and deal with semen collected from a stallion not standing in Australia during the breeding season.

Medical Standards

(5.1) An applicant who fails to satisfy the medical requirements attaching to a licence, may be licensed to perform such activities as the Controlling Body deems appropriate.

(5.2) Sub-rule (5.1) does not apply to an applicant for a driver's licence.

Offences

91. (1) A person shall not carry on an activity regulated by licence -

(a) if that person is not the holder of a current licence;

(b) if the person's licence is suspended; or

(c) except in accordance with the terms and conditions of the licence.

(2) A person who fails to comply with any provision of sub-rule (1) is guilty of an offence.

(3) Notwithstanding sub-rule (1)(b), unless otherwise determined by the Stewards a driver who is suspended is eligible to drive in a trial other than a time trial.

(4) A person who fails to comply with Rule 90A sub-rule (1.6) or sub-rules (2.3), (3.3) and (4.3) insofar as they relate to sub-rule (1.6) is guilty of an offence.

PART 5

HORSES

Age

92. (1) Save and except for sub-rule (2), provided that the service date of the foal is on or after 1st September the age of a horse shall be reckoned as beginning on 1st January in the next but one racing year.

(2) If a horse is foaled in New Zealand between 1st August and 31st August inclusive its age shall be reckoned as beginning on 1st January in the next but one racing year.

Eligibility for registration and naming

See Stud Book Regulations 3 and 4

93. (1) *(Rule 93(1)(a), (b), (c), (d)(i), (ii) repealed, HRA approved 31.08.2022)*

(2) *(Rule 93(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 93(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 93(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 93(5) repealed, HRA approved 31.08.2022)*

(6) The connections shall keep clipped that area of a horse's body adjacent to or surrounding its brand.

(7) In the event of the identification of a horse becoming indistinct, illegible or otherwise unsatisfactory to the Controlling Body, the connections shall comply with any directions given by the Controlling Body to rectify the matter.

(8) A person who fails to comply with sub-rule (6) or a direction given under sub-rule (7) is guilty of an offence.

(9) Where a person is guilty of an offence under this rule, the Controlling Body may take such action with regard to the horse as it may determine.

94. (1) *(Rule 94(1)(a), (b) repealed, HRA approved 31.08.2022)*

(2) A Controlling Body shall not permit any horse to participate in any breeding or racing activities in its jurisdiction unless and until it has a name approved by the Registrar.

(3) *(Rule 94(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 94(4) repealed, HRA approved 31.08.2022)*

(5) (a) *(Rule 94(5)(a)(i) to (xiii) repealed, HRA approved 31.08.2022)*

(b) *(Rule 94(5)(b)(i), (ii) repealed, HRA approved 31.08.2022)*

(c) *(Rule 94(5)(c) repealed, HRA approved 31.08.2022)*

(d) *(Rule 94(5)(d) repealed, HRA approved 31.08.2022)*

(e) *(Rule 94(5)(e) repealed, HRA approved 31.08.2022)*

(6) (a) *(Rule 94(6)(a) repealed, HRA approved 31.08.2022)*

(b) *(Rule 94(6)(b) repealed, HRA approved 31.08.2022)*

(c) *(Rule 94(6)(c) repealed, HRA approved 31.08.2022)*

(d) *(Rule 94(6)(d) repealed, HRA approved 31.08.2022)*

94A. (1) This rule applies to all horses which are eligible to be registered under these Rules but have not yet been registered.

(2) The Stewards or other official appointed by the Controlling Body may, at any time, direct that a horse be produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.

(3) Where a horse is not produced to provide a sample as directed pursuant to Rule 94A(2) that horse is ineligible to start in any race:

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

(i) the date on which the horse, having been registered under these Rules, is allowed to start in a race; and

(ii) the date on which the horse is in fact produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse; and

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

(4) Where a sample taken at any time from a horse has detected in it an anabolic androgenic steroid (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in Rule 188A(2)), that horse is ineligible to start in any race:

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

(i) the date on which the horse, having been registered under these Rules, is allowed to start in a race; and

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

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

(5) Any person must, when directed by the Stewards or other person authorised by the Controlling Body, produce, or otherwise give full access to, the horse so that the Stewards or other person authorised by the Controlling Body may take or

cause a sample to be taken and analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.

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

(a) under the care or control of another person; and/or

(b) located at the property of another person.

(7) Any person who fails to produce, or give full access to, a horse to provide a sample as required by sub-rule (5) is guilty of an offence.

Naming and registration

See Stud Book Regulations 5

95. (1) *(Rule 95(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 95(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 95(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 95(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 95(5) repealed, HRA approved 31.08.2022)*

(6) *(Rule 95(6) repealed, HRA approved 31.08.2022)*

(7) *(Rule 95(7) repealed, HRA approved 31.08.2022)*

(8) *(Rule 95(8) repealed, HRA approved 31.08.2022)*

Foreign horses

See Stud Book Regulations 6

95A. (1) (a) *(Rule 95A(1)(a) repealed, HRA approved 31.08.2022)*

(b) *(Rule 95A(1)(b) repealed, HRA approved 31.08.2022)*

(c) *(Rule 95A(1)(c) repealed, HRA approved 31.08.2022)*

(d) *(Rule 95A(1)(d) repealed, HRA approved 31.08.2022)*

(e) *(Rule 95A(1)(e) repealed, HRA approved 31.08.2022)*

(f) *(Rule 95A(1)(f) repealed, HRA approved 31.08.2022)*

(2) *(Rule 95A(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 95A(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 95A(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 95A(5) repealed, HRA approved 31.08.2022)*

(6) *(Rule 95A(6) repealed, HRA approved 31.08.2022)*

(7) *(Rule 95A(7) repealed, HRA approved 31.08.2022)*

(8) *(Rule 95A(8) repealed, HRA approved 31.08.2022)*

(9) *(Rule 95A(9) repealed, HRA approved 31.08.2022)*

(10) *(Rule 95A(10) repealed, HRA approved 31.08.2022)*

95AB. See Stud Book Regulations 7

(1) *(Rule 95AB(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 95AB(2) repealed, HRA approved 31.08.2022)*

Registration certificate

See Stud Book Regulations 8

96. (1) *(Rule 96(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 96(2) repealed, HRA approved 31.08.2022)*

(3) The registration certificate of a horse shall at all times be in possession of the trainer or other person in charge of the horse from time to time.

(4) The Controlling Body or HRA may substitute some other document or record for a registration certificate and the rules relating to such certificates shall then be read accordingly.

(5) The person who is required under this rule to have possession of the registration certificate shall produce same to the Controlling Body, HRA or Stewards on demand.

(6) A person not authorised in that behalf by the Controlling Body or HRA shall not erase or alter any information or particulars on a registration certificate.

(7) A person who fails to comply with sub-rule (3) or sub-rules (5) and (6) is guilty of an offence.

Retirement and Death of a Horse

See Stud Book Regulations 11

96A. (1) *(Rule 96A(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 96A(2) repealed, HRA approved 31.08.2022)*

(3) (a) *(Rule 96A(3)(a) repealed, HRA approved 31.08.2022)*

(b) *(Rule 96A(3)(b) repealed, HRA approved 31.08.2022)*

(4) (a) *(Rule 96A(4)(a) repealed, HRA approved 09.12.2022)*

(b) (Rule 96A(4)(b) *repealed, HRA approved 09.12.2022)*

(5) *(Rule 96A(5) repealed, HRA approved 09.12.2022)*

(6) *(Rule 96A(6) repealed, HRA approved 09.12.2022)*

(7) *(Rule 96A(7) repealed, HRA approved 09.12.2022)*

(8) *(Rule 96A(8) repealed, HRA approved 09.12.2022)*

(9) *(Rule 96A(9) repealed, HRA approved 09.12.2022)*

(10) *(Rule 96A(10) repealed, HRA approved 09.12.2022)*

96B. *(Rule 96B repealed, HRA approved 09.12.2022)*

Horse retired to industry participant

96C. (1) This rule applies where:

(a) a horse is retired from racing in accordance with SBR 11 or a decision is made not to commence racing the horse (for the purposes of this rule, "retired racehorse");

(b) the retired racehorse is not registered for breeding; and

(c) the person responsible for the retired racehorse is 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 the Controlling Body by lodging the relevant prescribed form:

(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 sub-rule (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.

(4) A person who fails to comply with this rule is guilty of an offence.

Status update for inactive horse

96D. (1) Within seven days of a horse not having been the subject of any activity for a period of six consecutive months, the connections must by lodging a Stable Return where applicable or giving notice in such manner or form as determined by the Controlling Body notify the Controlling Body of the following matters:

(a) the current status of the horse;

(b) the location of the horse; and

(c) any other matters in respect of which a notification should have been made under any rule in that six-month period.

(2) Prior to the horse reaching the six-month period of inactivity referred to in sub-rule (1), the Controlling Body will notify the connections of the upcoming notification requirement.

(3) For the purposes of this rule, “activity” includes but is not limited to the lodgement or notification of a Stable Return, nomination, scratching, transfer of ownership, change of location, retirement from racing, or death.

(4) A person who fails to comply with this rule is guilty of an offence.

Breach of traceability rules

96E. (1) If a person provides any false or misleading information or fails to provide the required information in respect of any form lodged or notification as required by Rules SBR11, SBR12, 96C and 96D, the person may be penalised.

(2) If a person fails to lodge any document or provide any notification as required by Rules SBR11, SBR12, 96C and 96D, the Controlling Body may:

(a) restrict that person or any relevant horse from participating in the Standardbred 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; and/or

(c) 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.

Gait Change

97. (1) The owner or lessee of a horse may make application to the Controlling Body or Stewards to change the gait of the horse.

(2) The gait of a horse shall not be changed until the horse has trialled to the satisfaction of the Stewards.

(3) The application shall be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

97A. Application to change the gait of a horse shall be made in such form as the Controlling Body may determine.

Medical and surgical procedures

98. (1) (a) Limb neurectomy is a prohibited practice.

(b) A tracheostomy is a prohibited practice.

(2) A person shall not perform, attempt to perform or authorise a performance of a limb neurectomy or tracheostomy.

(3) If a horse has been subjected to either a limb neurectomy or a tracheostomy:-

(a) The owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable.

(b) The horse is ineligible for any race.

(c) A person must not enter or start the horse in any race.

(4) A person who fails to comply with this Rule is guilty of an offence.

99. (1) Firing is a prohibited practice.

(2) Firing means a procedure which involves the application of thermal cautery to the legs of a horse and which creates damage to, or an inflammatory reaction in one or more tissues of the legs of a horse.

(3) If a horse has been subjected to a firing procedure in Australia:-

(a) The owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable.

(b) The horse is ineligible for any race.

(c) A person must not enter or start the horse in any race.

(4) A person who fails to comply with this Rule is guilty of an offence.

99A. (1) A person shall not perform, attempt to perform or authorise the performance of the procedure of blistering.

(2) For the purposes of this rule blistering means the application of a substance to cause blistering (vesiculation) and inflammation of the skin and underlying tissues.

(3) If a horse has been subjected to a blistering procedure:-

(a) The horse is ineligible for a minimum period of twelve months; and

(b) A person must not enter or start the horse in any race or track work whilst ineligible.

(4) If a horse is subject to a blistering procedure the connections of the horse must provide written notification of that to the Stewards as soon as practicable.

(5) A person who fails to comply with any provision of this rule is guilty of an offence.

99B. (1) A person shall not perform, attempt to perform or authorise the performance of the procedure of blood letting.

(2) For the purposes of this rule blood letting 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:-

(a) Diagnostic/laboratory testing procedures; or

(b) Use by a veterinary surgeon in any procedure/s performed for life saving purposes; or

(c) In the use of veterinary regenerative therapies for the treatment of musculoskeletal injury or disease as the case may be.

(3) If a horse has been subjected to a blood letting procedure:-

(a) The horse is ineligible to race for a minimum period of twelve months; and

(b) A person must not enter or start the horse in any race whilst ineligible.

(4) A person who fails to comply with sub-rule (1) is guilty of an offence.

100. (1) A person who has a horse gelded or submits it to a medical, surgical or other procedure of a type specified by the Controlling Body or Stewards, shall notify the Controlling Body or Stewards of that fact.

(2) Notification under sub-rule (1) shall be given within 7 days of the gelding or other procedure occurring, in writing or such other form as the Controlling Body or Stewards may determine and, if the horse is named, notification shall be accompanied by the horse's registration certificate.

(3) Except as provided for in Rule 100A, where a horse has been gelded the connections of such gelding shall not nominate such gelding for a race to be run within a period of 28 days of the horse being gelded.

(4) A person who fails to comply with any provision of this rule is guilty of an offence.

100A. (1) If a horse has been subjected to a chemical castration or immunocastration procedure:-

(a) The horse is not permitted to start in any race or be used for the purposes of breeding for a minimum period of twelve months; and

(b) A person must not enter or start the horse in any race.

(2) If a horse is subject to a chemical castration or immunocastration the connections of the horse must provide written notification of that to the Stewards as soon as practicable.

Bleeding attacks

101. (1) Any time a horse suffers a bleeding attack the trainer shall immediately and in any event within 24 hours notify the Stewards.

(2) The appearance of blood at both nostrils constitutes a bleeding attack.

(3) If the Stewards are satisfied that a horse has suffered a bleeding attack which has originated from the lungs the Stewards shall bar the horse from racing:-

(a) after the first bleeding attack for three (3) months;

(b) after the second bleeding attack for life.

(4) A horse which has been barred under sub-rule (3) (a) shall not resume racing until:-

(a) it has trialled to the satisfaction of the Stewards.

(b) a veterinary surgeon has certified in writing that the horse is fit to resume racing.

(5) A trainer who fails to comply with sub-rule (1) or races a horse in contravention of sub-rule (4) is guilty of an offence.

(6) Any person who furnishes the Stewards with a false certificate is guilty of an offence.

101A. (1) Where a horse is barred from racing under rule 101 the Stewards shall issue a notice in terms of form R134-A and give it to the trainer or authorised agent.

(2) Sub-rules (2), (3) and (4) of rule 134A apply.

101B. (1) Any time a horse suffers bleeding from one nostril and that blood has originated from the lungs the trainer shall immediately and in any event within twenty four (24) hours notify the Stewards.

(2) If the Stewards determine that a horse has bled from one nostril and that blood has originated from the lungs the horse shall not be eligible to race until it has trialled to the satisfaction of the Stewards.

101BB.(1) Upon a person becoming aware of the presence of blood in a horse's nostril and/or nostrils at a meeting this shall not be interfered with in any manner until such occurrence has been confirmed by the official on course veterinarian and permission has been granted by the veterinarian or the Stewards.

(2) Any person who fails to comply with this rule is guilty of an offence.

Atrial Fibrillation

101C. (1) If a horse suffers atrial fibrillation the trainer shall immediately and in any event within 24 hours notify the Stewards.

(2) If the Stewards are satisfied that a horse has suffered atrial fibrillation the Stewards shall:

(a) After the first episode stand the horse down from racing for a period of fourteen (14) days, and such further period as required by the Stewards to obtain a veterinary clearance which includes a normal ECG prior to a trial and then trial to the satisfaction of the Stewards.

(b) If the horse suffers a second episode within twelve months after the first episode, stand the horse down from racing for a period of twenty eight (28) days, and such further period as required by the Stewards to obtain a veterinary clearance which includes a normal ECG before trialling and then trial on two occasions to the satisfaction of the Stewards.

(c) If the horse suffers a second episode more than 12 months after the first episode, the provisions of sub-rule (2)(a) apply.

(d) If the horse suffers a third episode more than twelve months after the second episode, the provisions of sub-rule (2)(b) shall apply.

(e) If the horse suffers a third episode within twelve months after the second episode, bar the horse for life.

(f) If the horse suffers a fourth episode at any time, bar the horse for life.

(3) A trainer who fails to comply with sub-rule (1) or races a horse while it is stood down or barred under sub rule (2) is guilty of an offence.

Blindness

102. (1) The owner or trainer of a horse which is blind in 1 eye or has visual impairment may apply to the Chairman of Stewards for permission to race the horse.

(2) The Chairman of Stewards may grant permission subject to such conditions as the Chairman sees fit to impose.

(3) A person shall not permit a horse which is blind in 1 eye or which has visual impairment to race without permission, or contrary to or in non compliance with a condition imposed by the Chairman of Stewards on granting permission.

(4) A person who fails to comply with any provision of sub-rule (3) is guilty of an offence.

Vice in horse

103. The Controlling Body, or the Stewards on forming the opinion that a horse has a defect, habit or vice which endangers or might endanger itself or other horses or drivers may bar the horse from racing for any period of time.

103A. (1) Where the Stewards deem it appropriate, they may issue a notice in terms of form R134-A in respect of a horse which has a defect, habit or vice and give it to the trainer or authorised agent.

(2) Where the Stewards act under sub-rule (1), sub-rules (2), (3) and (4) of rule 134 apply.

Pregnant Mares

103B. (1) A mare or filly shall not race or perform track work after day 120 of its pregnancy.

(2) A person who fails to comply with this rule is guilty of an offence.

Notification of disease or death

104. (1) If a horse contracts or is suffering any contagious disease or condition specified by the Controlling Body or Stewards, the connections of the horse must immediately and in any event within 24 hours of the horse being diagnosed as suffering from the disease or condition, notify the Controlling Body or Stewards in writing of that fact.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

(3) The Controlling Body or Stewards may take such action with regard to the horse as it or they may determine.

(4) Action under sub-rule (3) may include ordering the destruction of the horse.

104A. (1) The Controlling Body or Stewards may, by order in writing, declare an infectious or contagious animal disease or condition to be a contagious disease or condition for the purposes of this rule.

(2) A person who owns or is in charge of, or has in his or her possession or control, a horse which the person suspects or should reasonably suspect is infected with a contagious disease or condition and who does not, as soon as possible after the person should have suspected or became aware that the horse is infected and in any event within 24 hours of the horse being diagnosed as suffering from the disease or condition, notify the Controlling Body or Stewards in that State or Territory by the quickest means of communication available to the person, is guilty of an offence.

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

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

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

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

(7) Without limiting their powers the Stewards may attach conditions to an authorisation referred to in sub-rule (6) including, but not limited to, conditions that the animal, fodder, fitting or vehicle to which the authorisation relates must be disinfected to the satisfaction of the Stewards and in such manner as may be specified by the Stewards before leaving or being taken out of the infected place or infected vehicle; and/or that the animal, fodder, fitting or vehicle must not go or be brought to any other premises or place where any specified animals, fodder or fittings are located.

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

(9) Nothing in this Rule limits in any way the operation of the Rules and, in particular, the operation of Rule 104.

105. (*Rule 105 repealed, HRA approved 11.12.2015.) Refer to Rule 96A and Rule 96B.*

105A. (*Rule 105A repealed, HRA approved 11.12.2015.) Refer to Rule 96A and Rule 96B.*

Advertisements for service, sale and related matters

106. (1) No person shall advertise any sire for service or any horse for sale, lease or syndication with the representation that the sire or horse has run a certain time unless it is an official winning time, or an official registered time trial time.

(2) For the purposes of an advertisement –

(a) an official winning time recorded overseas shall be converted where necessary to reflect the Australian timing method (i.e. tenths of seconds);

(b) where the time mentioned is that of an official registered time trial that fact shall be indicated;

(c) an official registered time trial time does not include a qualifying trial time.

(3) A person advertising other than in accordance with this rule is guilty of an offence.

(4) Where a person is guilty of an offence under this rule then, in addition to any penalty imposed on that person, registration of a sire the subject of that person's advertisement may be withdrawn or, if the horse is a dam, registration of the dam's foaling may be refused.

Minimum age of owner

107. Unless the Controlling Body approves, a person under the age of 18 years cannot own, lease or otherwise have a legal interest in a horse.

Registration of owners

108. The Controlling Body may register the owners of horses and registration may be effected in such manner and form and with such particulars and information as the Controlling Body considers appropriate.

Ownership, legal interests, leases

109. (1) Within 7 days of entering into a lease or prior to the horse next racing whichever is the earlier the lessee shall lodge a notification of the lease with the Controlling Body.

(2) Notification shall be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) The Controlling Body may register or refuse to register the notification.

(4) The lease becomes effective on registration of the notification by the Controlling Body.

(5) The Controlling Body may cancel the registration of the notification and the lease thereupon becomes ineffective.

109A. *(Rule 109A repealed, HRA approved 09.12.2022)*

110. (1) If the term of a notified lease is extended or if a notified lease is surrendered, or otherwise terminated before the conclusion of its term, the lessor or the lessee shall within 7 days of the event occurring or prior to the horse next racing whichever is earlier notify the Controlling Body.

(2) Notification shall be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) An event described in sub-rule (1) becomes effective when approval thereto is given by the Controlling Body.

110A. (1) *(Rule 110A(1) repealed, HRA approved 09.12.2022)*

(2) *(Rule 110A(2) repealed, HRA approved 09.12.2022)*.

111. (1) A change in the ownership of a registered horse or notified foal shall be made in accordance with this rule.

(2) All transfers of ownership of a named horse must be lodged with the Controlling Body 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, whichever is earlier.

(3) An application under this rule shall be made in the manner and form, and be accompanied by the horse's registration certificate and such other documentation, information and fees as the Controlling Body may determine.

(4) The Controlling Body may register or refuse to register the change.

(5) A change becomes effective on registration.

(6) The Controlling Body may cancel the registration of a change and it thereupon becomes ineffective.

111A. *(Rule 111A repealed, HRA approved 09.12.2022)*.

112. (1) A person who fails to comply with a provision of rule 109, 110 or 111 is guilty of an offence.

(2) Where an offence is committed under rule 109, 110 or 111 the Controlling Body may take such action with regard to the horse concerned in the offence and take such action with regard to the registration of the ownership in the horse as it may determine.

(3) The Controlling Body may register or cancel the registration of notification of a lease, or approve an event of the type described in sub-rule 110 (1) or register or cancel the registration of a change in the ownership of a horse, on the basis of such documentation or information as it considers suitable and notwithstanding the failure of any person to comply with a provision of rule 109, 110 or 111.

Passing of engagements and related matters

113. (1) The engagements of a horse and the rights and liabilities attaching thereto shall pass -

(a) to the new owner when a change in ownership is registered under rule 111;

(b) to the lessee when notification of a lease is registered under rule 109.

(2) The engagements of a horse and the rights and liabilities attaching thereto shall revert to the lessor on cancellation of notification of a lease under rule 109.

(3) Notwithstanding anything in this rule, the Controlling Body or Stewards may make such determinations and give such directions with regard to the engagements of a horse and the rights and liabilities attaching thereto as it or they think fit.

Syndicates & Groups

114. (1) The connections of a horse may make application to the Controlling Body to register a syndicate in respect of the horse.

(2) If 21 or more persons own a horse application to register a syndicate shall be made under sub-rule (1).

(3) An application under sub-rule (1) shall be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body determines.

(4) The Controlling Body may grant or refuse an application under sub-rule (1).

(5) The Controlling Body may at any time cancel the registration of a syndicate.

114A. (1) Application to register a syndicate shall be made on form R114-A.

(2) Application to renew the registration of a syndicate shall be made on form R114-C.

115. (1) A syndicate shall appoint a natural person as its manager.

(2) An appointment under sub-rule (1) can only be made with the approval of the Controlling Body.

(3) 20 or fewer persons who jointly own a horse shall appoint a natural person as the joint ownership manager.

(4) A manager appointed pursuant to this rule shall act for and on behalf of the syndicate or joint ownership as the case may be in all harness racing matters and is responsible for ensuring that the obligations of the syndicate or joint ownership arising under these rules are met.

(5) The Controlling Body may at any time cancel the appointment of a manager appointed under this rule**.**

116. (1) The manager shall notify the Controlling Body of any change in the composition of the syndicate within 7 days of the change occurring or prior to the horse next racing whichever is earlier.

(2) A manager who fails to comply with sub-rule (1) is guilty of an offence.

116A. Notification of change in the membership of a syndicate shall be made on form R114-B.

117. If a member of a syndicate or a party to a joint ownership arrangement is under disqualification a horse owned by the syndicate or in joint ownership as the case may be, cannot be nominated for or start in a race except with the approval of the Controlling Body.

118. (1) A person shall not use a syndicate name if the syndicate is not registered under these rules.

(2) A person shall not assert that he or she is a manager of a syndicate if that person is not appointed as such manager in accordance with these rules.

(3) A person who fails to comply with any provision of this rule is guilty of an offence.

Relinquishment of training

119. (1) A trainer shall on relinquishing the training of a horse immediately give notification of that fact to the Controlling Body or Stewards.

(2) Notification shall be given in the manner and form, and be accompanied by such documentation information and fees as the Controlling Body may determine.

(3) A trainer who fails to comply with any provision of this rule is guilty of an offence.

Temporary transfer of horse

119A. (1) Where a trainer intends to leave his horse with another licensed trainer or another person the trainer must obtain approval from the Stewards prior to doing so.

(2) The period in which a horse may be left with another licensed trainer or another person shall not exceed 14 days from the date of approval.

(3) The details of the request must be confirmed by the trainer in writing within the time and contain the information required by the Controlling Body or Stewards.

(4) A trainer who fails to comply with sub-rules (1), (2) and (3) is guilty of an offence.

Eligibility for Nomination

119B. Unless the Stewards otherwise approve, a horse shall not be eligible to be nominated for a race unless for a period of at least twenty eight (28) days immediately prior to the date fixed for nomination thehorse has been trained by a licensed trainer and that trainer has lodged with the Controlling Body a stable return for that horse.

Location of Horse

119C. (1) A trainer shall not without the prior approval of the Stewards stable any horse trained by him in any location other than any registered training establishment of the trainer.

(2) A trainer who fails to comply with sub-rule (1) is guilty of an offence and in addition to any other penalty that may be imposed, the nomination of the horse concerned may not be accepted or if after acceptance, be rejected and the horse withdrawn from or disqualified from the race.

Transfer from disqualified trainer

120. (1) A horse trained but not owned by a trainer whose licence has been suspended or cancelled or who is disqualified (in this rule called the "disqualified person") is ineligible to race until it is transferred to the control of a licensed trainer.

(2) A transfer must be approved by the Controlling Body or Stewards.

(3) A horse which is trained by a disqualified person shall not without the approval of the Stewards be transferred to an immediate family member or to a person whom the Stewards determine is a close associate.

(4) For the purposes of this rule:-

(a) An immediate family member means the following persons who are related to the disqualified person:-

(i) Spouse, defacto, child, parent, sibling, grandparent, grandchild, uncle, aunt, niece, nephew, cousin;

(ii) Child, parent, sibling, grandparent, grandchild, uncle, aunt, niece, nephew or cousin of the disqualified person's spouse or defacto partner.

(b) A close associate includes but is not limited to the following which may be existing or prior:-

(i) Commercial relationship

(ii) Trainer/owner relationship

(iii) Trainer/breeder relationship

(iv) Employee/employer relationship

(v) Co-located registered training address.

(5) The Controlling Body or Stewards may at any time revoke the approval of a transfer if it or they form the view that the disqualified person is involved with or influencing the training of the horse.

(6) If a transfer is not approved or is revoked the horse is ineligible to race.

(7) A horse may be declared ineligible to race by the Controlling Body or Stewards if it or they form the view that the disqualified person is involved with or influencing the training of the horse.

121. (1) A horse registered or notified under these rules shall not be offered for sale, or sold, unless its owner or trainer has first matched the identity of the horse with its official description maintained in the records of the Controlling Body.

(2) The registration certificate of a horse offered for sale must be available for inspection by prospective purchasers and must be handed over to the purchaser on sale.

(3) The Stewards may cause a horse offered for sale, or sold, to be swabbed or otherwise examined or tested.

(4) A horse shall not be offered for sale, or sold, in a condition which infringes a determination made under rule 188.

(5) A person who fails to comply with any provision of this rule or who frustrates or impedes, or endeavours to frustrate or impede, action taken by the Stewards under sub-rule (3), is guilty of an offence.

Offences

122. (1) Unless the Controlling Body otherwise approves a person shall not nominate for or start in a race a horse which has not been named or registered under these rules.

(2) A person shall not cause someone to believe that an unnamed horse has been named under these rules.

(3) A person shall not cause a horse to take part in a race under a name other than the name shown on the horse's registration certificate.

(4) A person shall not cause another person to believe that a horse has a name other than that shown on the horse's registration certificate.

(5) A person shall not change or abandon the name shown on a horse's registration certificate except with the approval of the Controlling Body or HRA.

(6) Where a horse's name has been changed the old name (in parenthesis) as well as the new, shall be shown in every program for a meeting or race in which the horse participates for a period of 3 months or until the horse has competed under the new name on at least 6 occasions, whichever shall be longer.

(7) A person who fails to comply with any provision of this rule is guilty of an offence.

PART 6

HANDICAPPING

Rules

123. (1) The Controlling Body may make handicapping rules or adopt the handicapping rules of another body.

(2) Handicapping rules whether made or adopted may be amended or repealed by the Controlling Body.

Conflicts of interest

124. (1) No handicapper shall exercise any power conferred by these rules or the handicapping rules in respect of any matter in which the handicapper has a financial or family interest or which in any other way gives rise to a conflict of interest.

(2) No handicapper shall bet or have a financial interest in any bet on a race.

(3) No handicapper shall be engaged, whether alone or in any type of association with others, in any business or activity involving the ownership, breeding, sale, lease, training, racing or management of horses connected with the harness racing industry.

(4) Unless the Controlling Body directs otherwise, the office of a handicapper is vacated if the handicapper does any of the things mentioned in this rule.

(5) Unless the Controlling Body directs otherwise, a handicapper's office is vacated if the handicapper's spouse, or domestic partner becomes involved in or acquires an interest in any business or activity described in sub-rule (3).

Offences

125. (1) A person shall not improperly influence, or attempt to improperly influence, a handicapper in the performance of the handicapper's duties.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

PART 7

STARTING

Appointment

126. (1) The Controlling Body or the club conducting a meeting shall appoint a starter.

(2) An appointment of a starter by a club must be approved by the Controlling Body**.**

Starters

127. A list of the horses competing in a race and their handicaps shall not less than 60 minutes before the appointed time for the race be supplied to the starter by the club or other body conducting the meeting.

128. (1) Subject to the following provisions of this rule, all horses drawn up behind the mobile barrier or standing start barrier are starters in the race regardless of their positions.

(2) Subject to Rule 15(2) the Stewards may declare a horse a non-starter and a late scratching if in their opinion the horse has failed to participate in the start and its driver has made every effort to ensure that it participated in the start.

(3) For the purposes of sub-rule (2), a horse is deemed to have participated in a mobile start when it is facing the mobile barrier and the mobile barrier starts to move.

(4) For the purposes of sub-rule (2), a horse is deemed to have participated in a standing start when it has faced the standing start barrier when directed to do so by the starter.

129. The Stewards shall, after consulting with the starter, determine any question concerning whether a horse has been started for a race.

How horses drawn up

130. (1) As far as practicable horses shall be drawn up before the start according to their handicaps.

(2) Horses on the same mark shall be drawn up in their barrier positions.

(3) The Chief Steward shall determine the number of horses to start abreast in any line.

(4) If there are too many horses to form one line,outside draws will be placed as close as practicable behind the front line.

(5) Drivers shall not permit their horses to deviate from their barrier positions during the score up of a mobile start.

(6) During the score up of a mobile start the starter may give such directions as in the starter's opinion would be conducive to a fair start.

Barrier positions

131. Barrier positions shall be filled at the time and in the manner determined by the Controlling Body.

132. (1) Subject to sub-rules (2) and (3), if at any time after publication of a barrier draw in any race an apparent error is found in the barrier position of a horse the draw shall remain unchanged.

(2) The barrier position of a horse in any race may be changed so long as it is practicable to do so.

(3) If the barrier position of a horse in a race is to be changed, the Controlling Body shall determine the correct barrier position of such horse by random draw from the barrier positions available to that horse and the horse previously drawn in such position and all horses drawn outside that horse shall then move out one barrier position.

133. (1) If at any time after publication of a selected race field, it is found that a horse has been omitted in error from the field the Controlling Body may determine that the horse omitted in error be included in the field so long as it is practicable to do so.

(2) Notwithstanding rule 132, if a horse is included in a race field pursuant to sub-rule (1) the Controlling Body may determine the correct barrier position of such horse by random draw from the barrier positions available to that horse and the horse previously drawn in such position and all horses drawn outside that horse shall then move out one barrier position.

Outside draw

134. (1) Where the Stewards are of the opinion that the behaviour of a horse at the start has affected its chances of winning a standing start event or has affected the chances of another runner, they may make the horse outside draw stands (ODS) for such period as they think fit and may require it to requalify for standing starts.

(2) Should the horse offend in the same manner thereafter the Stewards may ban the horse from competing in standing start events.

(3) A horse while ODS shall be drawn in outside barrier positions in standing start events.

(4) If a horse behaves intractably in the score up of a mobile start or at the start or within a reasonably short distance from the start the Stewards may exclude it from the barrier draw (ODM) for such period as they think fit and require it to requalify for mobile starts.

(5) Should the horse offend in the same manner thereafter the Stewards may ban the horse from competing in mobile start events.

(6) A horse while ODM shall be drawn in outside barrier positions in mobile start events.

(7) If a horse is made ODS or ODM after the draw for barrier positions in a race has been completed such horse shall be placed in the outside of the line in which it is drawn.

134A. (1) Where a horse is required to requalify pursuant to sub-rules (1) or (4) of Rule 134 the Stewards may issue a notice in terms of form R134-A and give it to the trainer or authorised agent.

(2) The trainer or authorised agent, after reading the requirements specified in the notice, shall sign it.

(3) Each trainer having control of the horse during the requalifying period shall sign the notice.

(4) The notice, duly completed, shall be returned to the Stewards after completion of the required trials or races.

Starter's orders

135. (1) Unless otherwise determined by the Controlling Body or Stewards, horses competing in a race shall parade in the area designated by the Stewards not less than twelve minutes before the appointed time of the race.

(2) Horses competing in a race shall be on the track not less than 7 minutes before the appointed time for the race.

(3) Horses shall move to their allotted barrier positions on the blow of the starter's whistle or as otherwise signalled.

(4) Once on the track drivers are under starter's orders and remain so until the race is started.

(5) A driver, trainer, or other person who fails to have his or her horse in the relevant place by the times mentioned in sub-rule (1) or sub-rule (2) or fails to drive to the correct barrier position on the blow of the starter's whistle or as otherwise signalled, is guilty of an offence.

(6) This rule does not affect the powers of the Stewards conferred by these rules.

136. (1) The starter may give such orders and take such measures as the starter considers necessary to secure a fair start.

(2) The starter shall report to the Stewards any driver who disobeys the starter's orders, starts before the signal or from the wrong barrier position, takes an unfair advantage at the start, or otherwise appears to the starter to have infringed these rules.

Positioning horses

137. A horse rehandicapped for a standing start race after the barrier positions are determined shall be positioned on the outside of the horses on the same handicap mark but on the inside of horses excluded from the barrier draw.

138. (1) The starter may reposition a horse which is misbehaving and is thereby in the starter's opinion likely to prevent a fair start, provided the handicap mark of the horse is not thereby altered.

(2) Where the starter acts under sub-rule (1) the remaining horses on the same handicap mark shall have their positions correspondingly adjusted, but they are not to be placed in another line.

139. If a driver informs the starter that a horse has been placed in the wrong position the starter shall not start the race until the Stewards on being informed by the starter have determined the correct position.

Horse causing delay

140. (1) If in the opinion of the starter a horse is likely to cause delay at the start, the starter shall warn the driver but not delay the start and may recommend to the Stewards that the horse be declared a non starter.

(2) If the Stewards accept a recommendation made under sub-rule (1) they shall also declare the horse a late scratching.

False start

141. (1) (a) In mobile start races the starter may declare a false start if at or before the starting point a horse causes interference to another runner, falls, breaks gear or scores up in front of the gate or in an incorrect barrier position.

(b) If in the opinion of the Stewards a horse has been denied a fair start then subject to Rule 15(2) the Stewards may declare such horse a non-starter.

(2) Where a horse offends in the first score up resulting in a false start, it will remain in its allotted position for the subsequent score up.

(3) The starter may declare a false start if the starter considers a horse’s prospects in the race are adversely affected by any incident that occurs immediately prior to or at the time of start.

(4) If a horse causes two (2) false starts through its own intractability, it is automatically withdrawn and declared a late scratching.

Starts

142. Races shall be run from mobile starts unless the Controlling Body or Chairman of Stewards otherwise approves.

Approvals

143. (1) Unless the Controlling Body or Stewards otherwise direct or permit, all races shall be started by means of a starting barrier approved by the Stewards and which functions to their satisfaction.

(2) The Stewards shall record details of their approval including, where applicable, the make, motor vehicle registration number, name of operator and width of track on which barrier and vehicle is permitted to be used.

144. (1) The starting points of mobile start races shall be approved by the Stewards.

(2) Starting points shall be clearly marked by prominent markers on the inside or outside of the track.

Offences

145. (1) A person with a direct or indirect interest in the ownership of a horse or otherwise being one of its connections shall not act as starter in a race in which that horse is competing.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

146. (1) A person who is not the starter, operator or someone authorised by the Stewards, shall not mount or ride on the starting gate.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

PART 8

REQUIRED RACING STANDARD

Racing on merits

147. (1) A driver shall race a horse on its merits.

(2) Action or non action by a driver during the course of a race which prevents or impedes the horse driven by that driver from racing on its merits shall be sufficient to establish non compliance with sub-rule (1).

(3) Sub-rule (2) does not preclude non compliance being established by other means.

(4) A driver who fails to comply with sub-rule (1) is guilty of an offence.

148. (1) A person shall not direct, coerce, persuade, or assist a driver to race a horse otherwise than on its merits.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Race to win or for best position

149. (1) A driver shall take all reasonable and permissible measures during the course of a race to ensure that the horse driven by that driver is given full opportunity to win or obtain the best possible placing in the field.

(2) A person shall not drive in a manner which in the opinion of the Stewards is unacceptable.

(3) A person who fails to comply with sub-rule (1) or (2) is guilty of offence.

(4) The connections of a horse shall not give a direction or instruction to the driver of a horse if in the opinion of the Stewards that direction or instruction may prevent the driver from giving the horse full opportunity to win or obtain the best possible placing.

(5) A person who fails to comply with sub-rule (4) is guilty of an offence.

(6) If a driver receives a direction or instruction that infringes sub-rule (4) he shall prior to the race notify the Stewards.

(7) A driver who fails to comply with sub-rule (6) is guilty of an offence.

Charges

150. (1) Charges may be laid under rules 147 and 149 arising out of the same circumstances.

(2) If an offence is established under each rule penalties may be imposed in respect of each offence.

(3) Where penalties are imposed in respect of each offence the penalty imposed in respect of breach of rule 149 (1) shall be suspended pending the decision on any appeal.

(4) Subject to orders made on appeal, the suspension of a penalty occurring under sub-rule (3) shall become permanent where an appeal against conviction under rule 147 is dismissed or abandoned.

(5) Subject to orders made on appeal, the suspension of a penalty occurring under sub-rule (3) is removed where an appeal relating to conviction under rule 147 is successful.

PART 9

DRIVERS

Driver's fee

151. A driver's fee shall be paid in an amount determined by the Controlling Body.

Priorities concerning horse to be driven

152. (1) The owner or trainer of a horse in a race shall not drive any other horse in the race except with the permission of the Chairman of Stewards.

(2) A person who owns or trains more than one horse starting in a race and who desires to drive in that race must observe the order of priority set out in this sub-rule.

(a) First: The person shall drive the horse the person owns and trains.

(b) Second: The person shall drive the horse which the person owns but which is trained by someone else.

(c) Third: The person shall drive the horse trained but not owned by the person.

(3) Ownership for the purposes of sub-rule (2) shall be determined by the degree of ownership (in percentage terms) held by that person.

(4) The order of priority set out in sub-rule (2) may be varied by the Stewards.

(5) Application to the Stewards to vary the order of priority must be made in such manner as the Chairman of Stewards determines.

(6) In this rule "person" means in relation to horses starting in a race, an owner, trainer, part owner and lessee and a "trainer" includes a driver temporarily in charge of a horse in a trainer's absence.

152A. (1) *(Rule 152A(1) repealed, HRA approved 18/07/2025)*

(2) *(Rule 152A(2) repealed, HRA approved 18/07/2025)*

Pregnant Driver

153. (1) Immediately a driver becomes aware that she is pregnant she shall notify the Controlling Body or Stewards.

(2) A pregnant driver shall not drive after the first trimester of her pregnancy.

(3) A driver who fails to comply with any provision of this rule is guilty of an offence.

Horse breaking gait

154. (1) If a horse breaks gait, its driver shall take immediate action to avoid interference with other runners and without gaining an unfair advantage restrain the horse to its correct gait before rejoining the race without interference to another runner.

(2) Where in the opinion of the Stewards a driver fails to comply with sub-rule (1) the horse may be disqualified for the race or placed in a lower finishing position and the driver is guilty of an offence.

155. (1) If a horse breaks gait during a race and the Stewards are of the opinion that the horse thereby gained ground or maintained its ground or caused interference to or obtained an advantage to the detriment of another runner, the Stewards may disqualify the horse from the race or place it in a lower position.

(2) If the Stewards form the opinion referred to in sub-rule (1) and are further of the opinion that the driver could or should have taken steps to prevent any of the specified events occurring and failed to do so, the driver is guilty of an offence.

155A. (1) *(Rule 155A(1) repealed, HRA approved 09.12.2021)*

(2) *(Rule 155A(2) repealed, HRA approved 09.12.2021)*

Whips

156. (1) (a) A driver shall only use and be in possession of a whip approved by the Controlling Body.

(b) A whip, once approved -

(i) shall not be modified in any manner;

(ii) shall be maintained in a satisfactory condition;

(c) A whip that does not comply with sub-paragraph (b) may be confiscated by the Stewards.

(2) (a) A driver shall only apply the whip and/or the rein in a wrist only flicking motion whilst holding a rein in each hand with the tip of the whip pointed forward.

(b) For the purposes of sub-paragraph (a), "*wrist only flicking motion*" means:-

(i) Ensuring no force is generated by the use of the elbow or shoulder when applying the whip.

(ii) Not applying the whip with overt force.

(3) A driver shall not use a whip or rein in an unapproved manner.

(4) For the purposes of sub-rule (3) a driver shall be deemed to have used the whip or rein in an unapproved manner in the following circumstances which are not exclusive:-

(a) If the whip or rein is applied excessively, continuously and/or without allowing the horse time to respond.

(b) If the whip or rein is applied when the horse:-

(i) is not visibly responding;

(ii) is not in contention;

(iii) cannot maintain or improve its position;

(iv) is clearly winning;

(v) has passed the winning post at the finish of a race.

(c) *(Rule 156(4)(c) repealed, HRA approved 09.12.2021)*

(d) If the whip is used in a prodding or jabbing fashion.

(5) A driver shall not use the whip in a manner which causes injury to a horse.

(6) A whip shall not be used so as to obstruct, strike or endanger another driver or horse.

(7) A driver shall not allow a whip to project outside the sulky.

(8) A person who fails to comply with any provision of this rule is guilty of an offence.

156A. The approved whip is a flexible whip of black or dark tan colour with a core of fibreglass with a handle base and shaft and a leather keeper to a maximum of 60 millimetres in length and 20 millimetres in width amounting to a maximum overall length of 1600 millimetres.

156B. (1) A person shall not instruct or offer an inducement to a driver to use a whip in a manner contrary to the provisions of Rule 156.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Offences

relating to eligibility to drive

157. (1) A person shall not drive in a race unless qualified and eligible to do so.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

157A. (1) A driver who is eligible to claim a concession and who wins a race using that concession outside the area of control of the Controlling Body by which he or she is licensed shall immediately notify that Controlling Body of the race win.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

relating to engagements

158. (1) A driver shall fulfil an engagement to drive in a race except when the Stewards give permission not to do so.

(2) A driver shall not substitute for another driver in a race except with the permission of the Stewards.

(3) A driver who fails to comply with sub-rule (1) or sub-rule (2) is guilty of an offence.

relating to dress - driver's attire

159. (1) A driver shall dress for a race in the manner determined by the Controlling Body.

(2) A driver's jacket shall be of approved material and colour and trousers shall be white and made of suitable material.

(3) A driver shall wear boots which may be black or dark tan and which entirely cover feet and ankles and afford reasonable protection.

(4) A driver's attire shall be clean and tidy.

(5) Where the Stewards consider that the climatic conditions at a meeting warrant the wearing of gear other than or in addition to that mentioned in the foregoing sub-rules, such as the wearing of gumboots, they may direct or give permission for this to be done.

(6) The Stewards may confiscate any item of attire which they consider should not be worn by a driver in a race.

(7) A driver who fails to comply with any provision of this rule is guilty of an offence.

relating to dress - helmets

159A. (1) (a) When driving or riding a horse the driver must:

(i) Wear a properly affixed helmet;

(ii) Wear a helmet the make and model of which has been approved by HRA and entered in the Register of Helmets.

(b) The helmet must:-

(i) Be in a satisfactory condition;

(ii) Not be modified in any way save and except for any art or decorative work;

(iii) Have attached to it a manufacturer's label that states the date of manufacture and that it complies with a standard approved by HRA.

(2) Every driver is responsible for the care and condition of their own helmet.

(3) A helmet will be deemed not in a satisfactory condition and must be immediately replaced by a driver if:-

(a) Five years have expired since its date of purchase or acquisition as a brand new helmet or eight 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.

(4) Further to sub-rule (3)(a) a driver is required to:-

(a) Retain and maintain documentary evidence (such as a receipt) of the date on which the driver purchased or acquired a helmet in his or her possession; and

(b) Produce such evidence to a Controlling Body or the Stewards at any time required by either 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 including as a result of general wear and tear or the manner in which it has been stored or maintained.

(6) When driving or mounted on a horse during darkness every driver must affix to his or helmet a safety warning light of a type approved by a Controlling Body or the Stewards (except that this rule does not apply to any location where the Stewards have ruled that sufficient artificial lighting exists).

(7) A driver who fails to comply with any provision of this rule is guilty of an offence.

relating to dress - protective vests

159B. (1) (a) When driving or riding a horse the driver must:

(i) Wear a properly affixed protective vest;

(ii) Wear a protective vest which is of a make and model approved by HRA.

(b) The protective vest must:-

(i) Be in a satisfactory condition;

(ii) Not be modified in any way;

(iii) Have attached to it a manufacturer's label that states the date of manufacture and that it complies with a standard approved by HRA.

(2) A driver required by these Rules to wear a protective vest must not have in his or her possession a protective vest that does not comply with the requirements in sub-rule (1).

(3) The Stewards may confiscate or order the satisfactory repair of any protective vest that does not comply with the requirements in sub-rule (1).

(4) A driver who fails to comply with any provision of this rule is guilty of an offence.

relating to the preliminary

160. (1) Every driver when entering upon the track to compete in a race shall unless otherwise directed by the Stewards only drive the horse in its preliminary the correct way of the course.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

relating to the instructions of the clerk of the course

161. (1) Subject to the powers of the Stewards, drivers shall obey the instructions and requirements of the Clerk of the Course.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

relating to matters at the start and during the race

162. (1) A driver shall not -

(a) dismount or move the horse off the track when under starter's orders except with the permission of the starter or at the direction of the Stewards;

(b) disobey orders given by the starter;

(c) once on the track speak, communicate or signal to any person other than an authorised official;

(d) delay the start;

(e) come to the barrier out of position;

(f) cross over before reaching the starting point;

(g) start from the wrong barrier position;

(h) fail to come up into position;

(i) fail to come up to the starting gate by the time the candy pole or other nominated marker is reached;

(j) fail to maintain position behind the starting gate until the start;

(k) start before the signal is given;

(l) allow his horse to progress in advance of the mobile barrier arms once the score-up has commenced;

(m) interfere with a driver or horse during the score up or the start;

(n) take or attempt to take an unfair advantage in a race;

(o) look around unduly during a race;

(p) fail promptly to report to the Stewards an incident in the course of a race affecting, or which might have affected, the performance of a horse or the true running of the race;

(q) lose or drop any part of his attire, gear or equipment during a race;

(r) without reasonable explanation fail to take all necessary steps to activate gear, appliances or devices which require activation;

(rr) fail to immediately report to the Stewards if during a race any of his horses' gear is broken, lost, damaged, tampered or interfered with or has malfunctioned;

(s) carry or use a stop watch in a race;

(t) shout loudly, make any improper noise, or do or attempt anything which interferes or is designed to interfere with the progress of a runner;

(u) reduce or check the speed of a driver's horse in a way which causes or could cause interference or jostling;

(v) whip the driver's horse with the reins;

(vv) *(Rule 162(1)(vv) repealed, HRA approved 09.12.2021)*

(vvv) forcefully apply pressure to the reins alternately, when attempting to return the horse to its correct gait, or for any other purpose.

(w) do anything to hinder or prevent a runner from passing where that runner has sufficient room to do so;

(ww) allow his or her horse to shift from its running line unless it is commencing a forward move or improving its position;

(www) allow his horse to shift ground in a manner which:

(i) impedes another horse;

(ii) hinders another horse;

(iii) advantages another horse;

(x) set an excessively slow pace; or

(y) fail to adhere to minimum time standards for sections of a race**.**

(z) fail to fully drive his or her horse out to the end of the race.

(2) A driver who fails to comply with any provision of sub-rule (1) is guilty of an offence.

163. (1) A driver shall not -

(a) cause or contribute to any

(i) crossing

(ii) jostling

(iii) interference;

(b) subject to rule 164

(i) make another horse cover more ground than necessary

(ii) impede the forward progress of another horse;

(c) allow the driver's horse or the sulky or any part thereof to:

(i) shift inside the marker post;

(ii) make contact with the marker post.

(d) directly or indirectly cause another runner to shift inside of the line of marker posts or into the sprint lane.

(2) If a driver's horse or sulky shifts inside the line of marker posts, the driver shall restrain the horse and, without interference to another runner, return to a position outside the line of marker posts at the first opportunity.

(3) A driver shall trail with the head of the driver's horse behind the seat of the sulky being trailed.

(4) A driver shall trail the immediately preceding horse as close as is reasonably practicable in all of the circumstances.

(5) A driver who, in the opinion of the Stewards, fails to comply with any provision of this rule is guilty of an offence and in relation to sub-rules (1)(c)(i) and (ii) and sub-rule (2) the Stewards may disqualify the horse or give it a lower placing.

(6) For the purposes of sub-rule (1)(a)(i) "crossing" occurs when a driver changing the position of the driver's horse, compels another runner to shorten stride or the driver of that other horse to pull it out of its stride.

163A. (1) A driver shall hold a rein in each hand unless activating adjustable gear.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

164. The Controlling Body may determine the circumstances in which a driver who does not have a clear passage in the course of a race may take action to secure such a passage.

164A. *(Rule 164A repealed, HRA approved 31.10.2003)*

165. (1) From the start through the first turn, and until reaching the next straight, a driver shall -

(a) maintain with the inside wheel of the sulky a course which is at least 30cm wider on the track than the course being made good by the outside wheel of the sulky of the horse that is racing in the next position closer to the inside running line;

(b) not move the driver's horse towards the inside running line unless the rear of the driver's sulky is at least one metre clear of the extended front legs of the horse racing in the next position closer to the inside running line.

(2) A driver who fails to comply with any provision of this rule is guilty of an offence.

166. (1) Except in the final lap of a race a horse shall not enter any part of the sprint lane in an attempt to pass other horses or improve its position.

(2) If a driver's horse or sulky shifts inside the line of the sprint lane prior to the final lap, the driver shall restrain the horse and, without interference to another runner, return to a position outside the line of the sprint lane at the first opportunity; and

(3) The driver of a horse in contravention of sub-rule (1) or (2) is guilty of an offence and the horse may be disqualified or given a lower placing.

167. (1) From the time the sprint lane becomes available for racing purposes, the leading horse closest to the inside running line and any horse in advance of and outside that horse or having passed that horse on its outside shall not enter any part of the sprint lane.

(2) In the event of the leading horse or its sulky entering any part of the sprint lane after the sprint lane becomes available for racing purposes the driver shall immediately take all necessary action to remove the horse and sulky from the sprint lane.

(3) The driver of a horse in contravention of sub-rule (1) and (2) is guilty of an offence and the horse may be disqualified or given a lower placing.

relating to careless driving

168. (1) A person shall not before, during or after a race drive in a manner which is in the opinion of the Stewards:-

(a) careless

(b) reckless

(c) incompetent

(d) intimidatory

(e) improper

(f) foul or

(g) likely to endanger person or horse.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

169. (*Rule 169 (1) and (2) repealed, HRA approved 30.04.2001)*

relating to sulkies

170. (1) (a) A driver shall, throughout the course of a race, drive with both feet on the footrests of the sulky, unless he is activating approved gear.

(b) For the purposes of sub-paragraph (a) hereof, when activating approved gear by foot, the driver's foot shall not be moved in a downwards direction from the sulky footrest.

(c) A driver shall not place his feet on any part of the sulky other than the footrests.

(2) A driver shall not drive in a race with part of the driver's body protruding beyond the sulky.

(3) A driver or person in charge of or responsible for affixing a sulky to a horse shall ensure that the sulky is affixed in a manner which prevents the hind legs of the horse from contacting any part of the sulky or the driver's feet.

(4) A driver shall not:-

(a) Attempt to or allow his foot or leg to come into contact with the hind legs of the horse he is driving;

(b) Attempt to or allow his foot or leg to be placed in the immediate vicinity of the hind legs of the horse he is driving.

(5) A driver who fails to comply with any provision of this rule is guilty of an offence and in relation to sub-rule (4) the Stewards may in addition to any other penalty disqualify the horse.

relating to obstructions on the track

171. (1) In the event of an obstruction occurring on the track during a race, drivers shall observe due caution and obey instructions given by the Stewards or any appointed person.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

relating to mobile phone use

172. (1) A person driving or riding a horse in a race shall not use or have in his possession any mobile communication device.

(2) A person driving, riding or handling a horse shall not use any mobile communication device.

(3) A person who fails to comply with sub-rule (1) or (2) is guilty of an offence.

relating to betting

173. (1) A driver shall not bet in a race in which the driver participates.

(2) A driver engaged to drive at a meeting shall not enter the betting area of the racecourse during the period commencing sixty minutes before the time fixed for the first race and finishing at the completion of the driver's engagements at the meeting.

(3) For the purposes of this rule, betting area means those areas of a racecourse where betting with an approved wagering operator is conducted.

(4) A licensed person shall not authorise, enable, permit or allow another person to place a bet on a betting account of the licensed person.

(5) A driver or trainer shall not place or have an interest in a bet on any betting account other than an account registered in their own name.

(6) Any person who fails to comply with any provision of this rule is guilty of an offence.

Disqualification of horse and related matters

174. (1) Where a driver is found guilty of an offence under a rule contained in part 9 and the offence relates to the way in which the driver has driven or behaved or controlled or failed to control the driver's horse at the start or during a race, the Stewards in relation to the race in which the offence occurred may give the driver's horse a lower placing or disqualify it for such period they think fit.

(2) A disqualification under sub-rule (1) or alteration of placings does not affect settlement of bets or wagers.

relating to driving capacity

174A. (1) The holder of a driver's licence shall advise the Stewards of any injury, sickness, abnormality or condition that may affect or has affected their capacity to carry out their driving duties.

(2) A driver who fails to comply with sub-rule (1) is guilty of an offence.

PART 10

OBJECTIONS AND PROTESTS

Lodgment

175. (1) A person who questions the eligibility of a horse to start in a race may lodge an objection with the Stewards.

(2) A person upon coming into possession of information which might establish a horse's ineligibility to race shall immediately lodge an objection with the Stewards.

(3) A person who fails to comply with sub-rule (2) is guilty of an offence.

(4) For the purpose of this rule "person" means a person licensed under these rules, an official of the club conducting the meeting, an owner of a horse competing in the race, or such owner's authorised agent.

176. (1) A person who considers that a horse is not entitled to be placed in a race as the judge has decided, may lodge a protest with the All clear steward.

(2) A protest can relate only to an incident which occurred during the running of a race.

(3) A protest must state the grounds.

(4) A protest must be made before the declaration of all clear.

(5) For the purposes of this rule "person" means a steward, the starter of the race, a connection or driver of any horse competing in the race or an authorised agent.

(6) Where a protest has been lodged in accordance with this rule and:-

(a) The grounds of the protest are that a horse or its driver has caused interference to another horse or its driver and the Stewards are of the opinion that the horse interfered with would have finished ahead of the first mentioned horse had such interference not occurred they shall place the first mentioned horse immediately after the horse interfered with.

(b) The grounds of the protest do not include a claim of interference, the Stewards shall dismiss the protest unless they are of the opinion that the horse lodging the protest would have finished ahead of the horse against which the protest has been lodged in which case they shall place the second mentioned horse after the first mentioned horse.

177. (1) A person may after the declaration of all clear lodge with the Stewards an objection against the judge's placings in a race.

(2) An objection must be lodged within 7 days of the race.

(3) An objection does not affect settlement of bets or wagers.

(4) An objection cannot relate to an incident which occurred during the running of a race.

(5) For the purposes of this rule “person” means a person licensed under these rules, an official of the club conducting the meeting, an owner of a horse competing in the race, or an owner’s authorised agent.

Announcement and inquiry

178. (1) Upon lodgment of a protest the Stewards shall immediately make a public announcement of the nature of the protest and the horses involved and proceed with an inquiry.

(2) At the inquiry the owners or authorised agent and the trainers and drivers of the horses involved are entitled to be present.

(3) Persons entitled to be present may address the Stewards, but may question witnesses only with the Stewards’ permission.

(4) The Stewards may disqualify any horse from the race or give it a lower placing and otherwise decide the protest in such manner as they see fit.

Payment of stakes and bets

179. If a protest is upheld, stakes and bets shall be paid in accordance with the Stewards' decision.

Frivolous protest or objection

180. A person who lodges a frivolous protest or objection is guilty of an offence.

PART 11

INQUIRIES AND INVESTIGATIONS

Conduct and scope

181. The Stewards may, and when directed by the Controlling Body shall, conduct inquiries or investigations in such manner as they think fit into any occurrence or matter at or arising out of or connected with a meeting, race or event, or into any aspect of the harness racing industry, or into anything concerning the administration or enforcement of these rules.

Legal representation and other matters

182. At an inquiry conducted under these rules -

(a) a person or body is not entitled to have a representative present in the room or place where the inquiry is being conducted but the Stewards may permit a representative to be present and to take such part in the inquiry as they consider appropriate;

(b) a person under the age of 18 may be represented by an agent or parent;

(c) a person with an english language difficulty may be assisted by an interpreter;

(d) a club or other body may be represented by a member or official;

(e) where scientific, medical or veterinary questions arise a person affected may have present an adviser in such a field to hear evidence and to assist in the framing of questions and submissions and at the discretion of the Stewards to question a witness;

(f) written or oral evidence may be tendered;

(g) a written or oral opinion on legal, scientific, medical or veterinary matters may be tendered in evidence;

(h) unless the Stewards permit, a legal practitioner cannot represent or assist a person, club or other body pursuant to paragraph (b), paragraph (c), or paragraph (d) of this rule.

Action pending outcome

183. Pending the outcome of an inquiry, investigation or objection, or where a person has been charged with an offence, the Stewards may direct one or more of the following:-

(a) that a horse shall not be nominated for or compete in a race;

(b) that a driver shall not drive or otherwise take part in a race;

(c) that the horses of certain connections shall not be nominated for or start in a race;

(d) that a licence or any other type of authority or permission be suspended.

(e) that a horse shall not be transferred to an immediate family member or close associate within the meaning of AHRR 120.

183A. Upon receipt of a certificate in accordance with Rule 191(1) which establishes prima facie evidence of the presence of a prohibited substance, the Stewards may determine that the horse which is the subject of the certificate shall not be nominated for or compete in any race until the outcome of an inquiry or investigation by the Stewards into the presence of the prohibited substance.

Rehearings

184. On application by anyone affected adversely by a decision of the Stewards they may proceed to a rehearing if fresh evidence relevant to the matter is produced to them within 14 days of the decision.

185. (1) The Stewards shall within a reasonable time before a rehearing give appropriate notice to affected persons.

(2) On a rehearing the Stewards may depart from normal procedural arrangements to meet the convenience of parties or otherwise for purposes considered appropriate by the Stewards.

186. The Stewards shall not have any power to commence or proceed with a rehearing once an appeal to an Appeals Tribunal or a proceeding in a Court of Law relating to the matter is initiated.

Offences

187. (1) A person who is directed to do so by the Stewards shall attend an inquiry or investigation convened or conducted by them.

(2) A person shall not refuse to answer questions or to produce a horse, document, substance or piece of equipment, or give false or misleading evidence or information at an inquiry or investigation.

(3) A person shall comply with an order or direction given by the Stewards.

(4) A person shall undergo any inspection, examination or test required by the Stewards.

(5) A person shall not abuse, intimidate or be deliberately obstructive of the Stewards.

(6) A person shall not frustrate or endeavour to frustrate an inquiry or investigation.

(7) A person who fails to comply with any provision of this rule is guilty of an offence.

PART 12

PROHIBITED SUBSTANCES

Determination of prohibited substance

188. (1) The Controlling Body may determine -

(a) anything to be a substance;

(b) a substance to be a prohibited substance;

(c) a substance which in the opinion of the Controlling Body has or may have a certain effect to be a prohibited substance;

(d) a substance coming within a nominated category or class to be a prohibited substance;

(e) a substance when in or on a horse to be a prohibited substance;

(f) a substance when in or on a horse at or above a nominated level to be a prohibited substance;

(g) a substance when in or on a horse for a nominated time to be a prohibited substance.

(2) When making a determination under sub-rule (1) the Controlling Body may act under any paragraph or any combination of paragraphs in that sub-rule.

188A. (1) The following are prohibited substances:

(a) Substances capable at any time of causing either directly or indirectly an action or effect, or both an action and effect, within one or more of the following mammalian body systems:-

the nervous system
the cardiovascular system
the respiratory system
the digestive system
the musculo-skeletal system
the endocrine system
the urinary system
the reproductive system
the blood system
the immune system
the integumentary system
the ocular system

(b) Substances falling within, but not limited to, the following categories:-

acidifying agents
adrenergic blocking agents
adrenergic stimulants
agents affecting calcium and bone metabolism
alcohols
alkalinising agents
anabolic agents

anaesthetic agents
analgesics
antiangina agents
antianxiety agents
antiarrhythmic agents
anticholinergic agents
anticoagulants
anticonvulsants
antidepressants
antiemetics
antifibrinolytic agents
antihistamines
antihypertensive agents
anti-inflammatory agents
antinauseants
antineoplastic agents
antipsychotic agents
antipyretics
antirheumatoid agents
antispasmodic agents
antithrombotic agents
antitussive agents
bisphosphonates
blood coagulants
bronchodilators
bronchospasm relaxants
buffering agents
central nervous system stimulants
cholinergic agents
corticosteroids
depressants
diuretics
erectile dysfunction agents
fibrinolytic agents
haematopoietic agents
haemostatic agents
hormones (including trophic hormones) and their synthetic counterparts
hypnotics
hypoglycaemic agents
hypolipidaemic agents
immunomodifiers
masking agents
muscle relaxants
narcotic analgesics
neuromuscular agents
plasma volume expanders
respiratory stimulants
sedatives
stimulants
sympathomimetic amines
tranquillisers
vasodilators
vasopressor agents
vitamins administered by injection

(c) Metabolites, artifacts and isomers of the prohibited substances prescribed by sub-rules(1)(a) and (1)(b).

(d) An endogenous substance where the concentration of that substance is in the opinion of the Stewards unusual or abnormal.

(2) The following substances when present at or below the levels set out are excepted from the provisions of sub-rule (1) and Rule 190AA:

(a) Alkalinising Agents, when evidenced by total carbon dioxide (TCO_2) present at a concentration of 36.0 millimoles per litre in plasma.

(b) Arsenic at a level of 0.30 micrograms per millilitre in urine.

(c) Dimethyl sulphoxide at a concentration of 15.0 micrograms per millilitre in urine or 1000 nanograms per millilitre in plasma.

(d) 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.

(e) Salicylic acid at a concentration of 750 micrograms per millilitre in urine or 6.50 micrograms per millilitre in plasma.

(f) Free hydrocortisone at a concentration of 1.00 micrograms per millilitre in urine.

(g) Testosterone -

(i) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine,

(ii) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma,

(iii) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine,

(iv) In fillies and mares that have been notified as pregnant so as to comply with Rule 103B: free testosterone and testosterone liberated from its conjugates at any concentration in urine or free testosterone at any concentration in plasma.

(h) 3-Methoxytyramine (including both free 3-methoxytyramine and 3-methoxytyramine liberated from its conjugates) at a concentration of 4.0 milligrams per litre in urine.

(i) 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.

(j) Prednisolone (free Prednisolone) at a mass concentration of 10 micrograms per litre in urine.

(k) Cobalt at a concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.

(3) A determination and consideration of the specific gravity or creatinine concentration of a horse urine sample is not required when comparing its concentration with a urinary threshold, screening unit or residue limit.

(4) The following are not prohibited substances:

- antimicrobials (antibiotics) and other antiinfective agents but not including procaine penicillin
- antiparasitics approved and registered in Australia by the APVMA for use in horses
- ranitidine
- omeprazole
- ambroxol
- bromhexine
- dembrexine
- registered vaccines against infectious agents
- orally administered glucosamine
- orally administered chondroitin sulphate
- altrenogest when administered to fillies and mares

(5) A trainer must notify the Stewards no later than 1 hour prior to the scheduled starting time of a race if the trainer's horse has been treated with Antimicrobials (antibiotics and other anti infective agents) except Procaine Penicillin, Vaccines and antisera for the prevention of disease, or Mucolytics within the preceding 7 days.

(6) A trainer who fails to comply with sub-rule (5) is guilty of an offence.

188B. (1) In relation to the testing for the presence of a therapeutic substance in a sample taken at any time from a horse there must be an initial screening test or screening analysis of the sample.

(2) As a minimum requirement, the initial screening test or screening analysis is to be conducted as follows:-

(a) A biological matrix, equivalent in volume to the sample, is to have added to it a quantity of the therapeutic substance, or its specified metabolite, sufficient to bring its concentration to the screening limit specified for that therapeutic substance. This is known as the spiked sample and is to be analysed concurrently with the sample.

(b) The sample is then to be tested to ascertain whether or not it contains a quantity of the therapeutic substance, or its specified metabolite, that exceeds the screening limit by making a direct comparison with the spiked sample.

(c) If the screening limit is not exceeded, the detection of the therapeutic substance is not to be reported.

(d) If the screening limit is exceeded then the sample is to be further tested in accordance with normal laboratory procedures designed to certify the presence of the therapeutic substance in the sample.

(3) A therapeutic substance for the purpose of this rule and the screening limit applicable to it or its specified metabolite shall be promulgated from time to time by Harness Racing Australia and published on the websites of Harness Racing Australia and a Controlling Body.

(4) The screening limit testing provided for in this rule is not intended and does not operate to mean that for the purpose of the Rules the therapeutic substance only becomes a prohibited substance if and when the screening limit is exceeded.

(5) It shall not be a defence to any charge under Rules 190, 190A, 190AA, 195 and 196A that the result of any initial screening test or screening analysis should have been below the screening limit for the therapeutic substance in question.

Testing

189. (1) The Stewards may carry out tests and examinations to determine whether a prohibited substance was or is in or on a horse.

(2) A test or examination may be made at any time and place.

(3) A test or examination may be conducted on a horse alive or dead.

(4) For purposes of testing or examining the Stewards may take possession of a horse for such period and subject to such conditions as they think fit.

(5) The connections of a horse shall comply with any directions relating to testing and examining given by the Stewards.

(6) For purposes of testing and examining a horse the Stewards may use the services of a veterinary surgeon or other appropriately qualified person.

(7) Blood, urine, saliva, or other matter or samples or specimens may be taken from a horse for purposes of testing and examining and may be stored, frozen or otherwise dealt with, and shall be disposed of only as the Stewards may direct.

(8) Where the Stewards suspect that a prohibited substance was or is in or on a horse or that blood, urine, saliva, or other matter or sample or specimen taken from a horse may contain a prohibited substance, they may withdraw the horse from a race, bar it from racing for a period, or give such direction about the horse as they consider appropriate.

(9) It is an offence for a person to fail to comply with a direction given under sub-rule (5) or sub-rule (7) or sub-rule (8) or to interfere with or prevent or endeavour to interfere with or prevent the carrying out of a test or examination.

189A. (1) Any sample taken from a horse other than a sample taken in accordance with sub-rule (2) shall only be analysed by a laboratory approved by the Controlling Body.

(2) The Stewards or a Controlling Body:-

(a) 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 analysis (including screening tests).

(b) May in their discretion but subject to sub-rule (3):

(i) Determine whether they communicate the result of their own internal analysis.

(ii) Use the result of any analysis for the purpose of investigations, enquiries and intelligence or prosecuting a breach of the rules.

(3) The provision of sub-rule (1) shall not apply to samples taken in accordance with sub-rule (2).

(4) If an internal analysis is used to prosecute a breach of the rules the Stewards or the Controlling Body must communicate the results of that analysis to the person(s) the subject of the prosecution.

Presentation free of prohibited substances

190. (1) A horse shall be presented for a race free of prohibited substances.

(2) If a horse is presented for a race otherwise than in accordance with sub-rule (1) the trainer of the horse is guilty of an offence.

(3) If a person is left in charge of a horse and the horse is presented for a race otherwise than in accordance with sub-rule (1), the trainer of the horse and the person left in charge is each guilty of an offence.

(4) An offence under sub-rule (2) or sub-rule (3) is committed regardless of the circumstances in which the prohibited substance came to be present in or on the horse.

(5) A horse is presented for a race during the period commencing at 8.00 a.m. on the day of the race for which the horse is nominated and ending at the time it is removed from the racecourse after the running of that race.

(6) Where a trainer intends to leave another person in charge of a horse in the trainer's absence, then prior to doing so, the trainer must notify the Chairman of Stewards, and the notification must be in the manner, within the time, and containing the information determined by the Controlling Body or the Chairman of Stewards.

(7) A person can only be left in charge of a horse by a trainer with the approval of the Chairman of Stewards.

(8) A trainer who fails to comply with sub-rule (6) or sub-rule (7) is guilty of an offence.

Out of Competition Testing

190A. (1) When a sample taken at any time from a horse has detected in it any prohibited substance specified in sub-rule (2):-

(a) The trainer and/or any other person who had the care, custody or control of such horse at the relevant time shall be guilty of an offence.

(b) The horse may be disqualified from any race in which it has competed subsequent to the taking of such a sample where, in the opinion of the Stewards, the prohibited substance was likely to have had any direct and/or indirect effect on the horse at the time of the race.

(2) For the purposes of sub-rule (1), the following substances are specified as prohibited substances:-

(a) haematopoiesis – stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycolepoetin beta (*Mircera*);

(b) insulins;

(c) growth hormones and their releasing factors;

(d) insulin–like growth factor–1;

(e) 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*;

(f) selective androgen receptor modulators (SARMS);

(g) selective estrogen receptor modulators (SERMS);

(h) selective opiate receptor modulators (SORMS);

(i) peroxisome proliferator activated receptor 8 (PPAR8) agonists, including but not limited to GW 1516;

(j) AMPK activators, including but not limited to AICAR (5–amino–1–β–D–ribofuranosyl–imidazole–4–carboxamide);

(k) other agents that directly or indirectly affect or manipulate gene expression;

(l) hypoxia inducible factor (HIF)–1 stabilisers, including but not limited to ITPP (myoinositol trispyrophosphate); and hypoxia inducible factor (HIF) – 1 activators, including but not limited to Xenon and Argon;

(m) agents modifying myostatin function, including but not limited to myostatin inhibitors;

(n) oxygen carriers including but not limited to perfluorochemicals, efaproxiral and modified haemoglobin products;

(o) thymosin beta;

(p) venoms of any species or derivatives thereof;

(q) synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use;

(r) anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in Rule 188A(2));

(s) unregistered bisphosphonates;

(t) zoledronic acid;

(u) cannabinoids;

(v) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (u).

(3) The substances bufotenine, butorphanol, 3–(2–dimethylaminoethyl)–4–hydroxyindole, N.N–dimethyltryptamine, Ketamine, methadone, morphine, pethidine and quinalbarbitone, and their metabolites, artifacts and isomers are excepted from the provisions of this rule.

(4) Any person who is in possession of a substance specified in sub-rule (2) or a metabolite, artifact or isomer of such substance is guilty of an offence.

(5) It shall be a defence to a charge under sub-rule (4) for the person in possession of such substance or preparation to prove that the substance or preparation was prescribed to him, for use by him, by a qualified medical practitioner.

(6) Any person who attempts to obtain possession of a substance specified in sub-rule (2) or a metabolite, artifact or isomer of such substance, is guilty of an offence.

Anabolic Steroids

190AA.(1) A horse must not, in any manner, at any time, be administered an anabolic androgenic steroid and/or selective androgen receptor modulator.

(2) Any person who:

(a) administers an anabolic androgenic steroid and/or selective androgen receptor modulator;

(b) attempts to administer an anabolic androgenic steroid and/or selective androgen receptor modulator;

(c) causes an anabolic androgenic steroid and/or selective androgen receptor modulator to be administered; and/or

(d) is a party to the administration of, or an attempt to administer, an anabolic androgenic steroid and/or selective androgen receptor modulator,

to a horse is guilty of an offence.

(3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered any anabolic androgenic steroid and/or selective androgen receptor modulator contrary to this rule, the Stewards may prevent the horse from starting in any relevant race.

(4) When a sample taken at any time from a horse has detected in it an anabolic androgenic steroid and/or selective androgen receptor modulator the horse is not permitted to start in any race or be used for the purposes of breeding:

(a) for a minimum period of 12 months from the date of the collection of the sample in which an anabolic androgenic steroid and/or selective androgen receptor modulator was detected; and

(b) only after an Anabolic Androgenic Steroid And/or Selective Androgen Receptor Modulator Clearing Certificate is provided in respect of a sample

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

(5) Where a sample taken at any time from a horse has detected in it an anabolic androgenic steroid and/or selective androgen receptor the horse shall be disqualified from any race in which it has competed subsequent to the taking of such a sample and prior to the completion of the penalty specified in sub-rule 4(a) and the requirement in sub-rule 4(b).

(6) Any owner, lessee, nominator, trainer and/or person in charge of a horse registered under these Rules must, when directed by the Stewards or other person authorised by the Controlling Body, produce, or otherwise give full access to, the horse so that the Stewards or other person authorised by the Controlling Body may take or cause a sample to be taken and analysed to determine whether any anabolic androgenic steroid and/or selective androgen receptor modulator is present in the system of the horse.

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

(a) under the care or control of another person; and/or

(b) located at the property of another person.

(8) Any person who fails to produce, or give full access to, a horse to provide a sample as required by sub-rule (6) is guilty of an offence.

(9) In respect of a horse registered under these Rules, where an owner, lessee, nominator, trainer and/or person in charge of a horse is in breach of sub-rule (6), the relevant horse will not be permitted to start in any race:

(a) for a period of not less than 12 months following the day on which the horse is in fact produced to the Stewards, or full access to the horse is otherwise given to the Stewards, so that a sample may be taken and analysed for anabolic androgenic steroids and/or selective androgen receptor modulator; and

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

Bisphosphonates

190AB.(1) A horse must not at any time be administered an unregistered bisphosphonate or zoledronic acid.

(2) Any person who:-

(a) Administers an unregistered bisphosphonate or zoledronic acid

(b) Attempts to administer an unregistered bisphosphonate or zoledronic acid

(c) Causes an unregistered bisphosphonate or zoledronic acid to be administered and/or

(d) Is a party to the administration of or an attempt to administer any unregistered bisphosphonate or zoledronic acid

to a horse is guilty of an offence.

(3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered an unregistered bisphosphonate or zoledronic acid contrary to this rule, the Stewards may prevent the horse from starting in any relevant race.

(4) When a sample taken from a horse aged less than four years has detected in it a bisphosphonate the horse is not permitted to start in any race for a minimum period of twelve months from the date of the collection of the sample in which the bisphosphonate was detected.

(5) When a sample taken from a horse aged four years or older has detected in it:

(a) A registered bisphosphonate other than zoledronic acid the horse is not permitted to start in any race for a minimum period of thirty days from the date of the collection of the sample in which the bisphosphonate was detected.

(b) An unregistered bisphosphonate or zoledronic acid the horse is not permitted to start in any race for a minimum period of twelve months from the date of the collection of the sample in which the bisphosphonate was detected.

(6) For the purposes of this rule and rule 190A an unregistered bisphosphonate means a bisphosphonate that is not registered for veterinary use in Australia.

(7) For the purposes of this rule a registered bisphosphonate means a bisphosphonate that is registered for veterinary use in Australia.

(8) When a sample taken from a horse has detected in it a bisphosphonate in breach of this rule the trainer and any other person who is in charge of such horse at the relevant time shall be guilty of an offence.

Transfer Restrictions

190AC. (1) When a trainer is notified by the Stewards that the presence of a substance prohibited by Rules 188A, 190A or 190AB has been certified to be present in a horse trained by that trainer at the time the sample is taken, the trainer is not permitted without the prior approval of the Stewards to:-

(a) transfer the ownership of any horse they own to any other person;

(b) transfer any training responsibilities for any horse they train to any other person.

(2) For the purposes of sub-rule (1) “certified” means the issuance of an evidentiary certificate pursuant to Rule 191(1).

(3) A trainer who fails to comply with sub-rule (1) is guilty of an offence.

Log Book

190B. (1) A trainer shall at all times keep and maintain a log book in the form specified by the Stewards:-

(a) listing all therapeutic substances in his or her possession;

(b) recording all details of treatment administered to any horse in his or her care and including as a minimum requirement:

(i) the name of the horse

(ii) the date and time of administration of the treatment

(iii) the name of the treatment (brand name of active constituent)

(iv) the route of administration

(v) the amount given

(vi) the name and signature of the person or persons administering and/or authorising treatment.

(2) For the purposes of this rule treatment includes:

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

(ii) all Prescription Animal Remedies (Schedule 4)

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

(iv) all injectable veterinary medicines (intravenous, intramuscular, subcutaneous, intra-articular) not already included above

(v) all Pharmacist only (Schedule 3) and Pharmacy Only (Schedule 2) medicines

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

(vii) all alkalinising agents

(viii) all herbal preparations

(ix) shockwave therapy

(x) acupuncture (including laser treatment)

(xi) chiropractic treatment

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

(xiii) magnetic field therapy

(xiv) ultrasound

(xv) any form of oxygen therapy including hyperbaric oxygen therapy

(xvi) the taking of a blood sample

(xvii) all veterinary examinations including but not limited to endoscopic or radiographic examinations

(xviii) cryotherapy.

(3) Details of the treatment administered to any horse must be entered into the log book on the day of the administration.

(4) A trainer shall upon request produce such log book or register for inspection by the Stewards.

(5) A trainer shall retain possession of a log book for a period of two years.

(6) A trainer who fails to comply with the provisions of sub-rule (1), (3), (4) or (5) is guilty of an offence.

Evidentiary certificates

191. (1) A certificate from a person or drug testing laboratory approved by the Controlling Body which certifies the presence of a prohibited substance in or on a horse at, or approximately at, a particular time, or in blood, urine, saliva, or other matter or sample or specimen tested, or that a prohibited substance had at some time been administered to a horse is prima facie evidence of the matters certified.

(2) If another person or drug testing laboratory approved by the Controlling Body analyses a portion of the sample or specimen referred to in sub-rule (1) and certifies the presence of a prohibited substance in the sample or specimen that certification together with the certification referred to in sub-rule (1) is conclusive evidence of the presence of a prohibited substance.

(3) A certificate furnished under this rule which relates to blood, urine, saliva, or other matter or sample or specimen taken from a horse at a meeting shall be prima facie evidence if sub-rule (1) only applies, and conclusive evidence if both sub-rules (1) and (2) apply, that the horse was presented for a race not free of prohibited substances.

(4) A certificate furnished under this rule which relates to blood, urine, saliva, or other matter or sample or specimen taken from a horse shall be prima facie evidence if sub-rule (1) only applies, and conclusive evidence if both sub-rules (1) and (2) apply, that the prohibited substance was present in or on the horse at the time the blood, urine, saliva, or other matter or sample or specimen was taken from the horse.

(5) Sub-rules (1) and (2) do not preclude the presence of a prohibited substance in or on a horse, or in blood, urine, saliva, or other matter or sample or specimen, or the fact that a prohibited substance had at some time been administered to a horse, being established in other ways.

(6) Sub-rule (3) does not preclude the fact that a horse was presented for a race not free of prohibited substances being established in other ways.

(7) Notwithstanding the provisions of this rule, certificates do not possess evidentiary value nor establish an offence, where it is proved that the certification procedure or any act or omission forming part of or relevant to the process resulting in the issue of a certificate, was materially flawed.

191A. (*Rule 191A repealed, HRA approved 01.06.2022*)

Possession on course

192. (1) No person, unless he has first obtained the permission of the Stewards**,** shall have in his possession either on a racecourse or in any motor vehicle or trailer being used for the purpose of travelling to or from a racecourse any prohibited substance or a syringe, needle or other instrument which could be used –

(a) to administer a prohibited substance to a horse; or

(b) to produce a prohibited substance in a horse.

(c) to administer any medication or substance to a horse.

(2) The Stewards may impose terms and conditions when giving permission under sub-rule (1).

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

(4) For the purposes of sub-rule (1) possession includes control of and right of access to the prohibited substance or syringe, needle or other instrument.

Stomach tubing, atomisers and other devices

193. (1) A person shall not attempt to stomach tube or stomach tube a horse nominated for a race or event within one clear day of the commencement of the race or event.

(2) A person shall not attempt to use or use an atomiser, face mask or other device on a horse nominated for a race or event within one clear day of the commencement of the race or event.

(3) A person shall not administer or allow or cause to be administered any medication to a horse on race day prior to such horse running in a race.

(4) Notwithstanding the provisions of sub-rule (3), a person, with the permission of the Stewards may administer or allow or cause to be administered any medication to a horse on race day prior to such horse running in a race.

(5) The Stewards shall order the withdrawal or disqualification of a horse that has been either treated or attempted to have been treated in breach of sub-rules (1), (2) and (3).

(6) A person shall not without the prior approval of the Stewards administer or allow or cause to be administered any medication to a horse on a racecourse after such horse has run in a race.

(7) For the purposes of this rule, medication means any treatment with drugs or other substances.

(8) A person shall not allow or permit another person to attempt to perform or perform any of the actions prohibited by sub-rules (1), (2), (3) or (6).

(9) A person who fails to comply with sub-rules (1), (2), (3), (6) or (8) is guilty of an offence.

Unregistered Substances

194. A person who:

(a) Procures or attempts to procure;

(b) Has in his possession or on his premises or under his control;

(c) Administers or attempts to administer;

any substance or preparation that is not registered, labelled, prescribed or obtained in compliance with relevant State and Commonwealth legislation is guilty of an offence.

194A. A person who:

(a) Sells or attempts to sell;

(b) Supplies or attempts to supply;

(c) Distributes or attempts to distribute;

any substance or preparation that is not registered, labelled, prescribed or obtained in compliance with relevant State and Commonwealth legislation is guilty of an offence.

Injectable product containing cobalt salts

194B. (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) Cobalt salts means any inorganic or organic compound containing cobalt in a chemically combined form, including but not limited to cobalt gluconate, cobalt chloride, cobalt sulphate, cobalt nitrate and cobalt acetate, whether administered alone or in combination with any other substance, and includes any preparation capable of releasing cobalt ions into the body of a horse.

(3) A person who fails to comply with sub-rule (1) is guilty of an offence.

Disqualification

195. A horse which has been presented for a race shall be disqualified from it if blood, urine, saliva, or other matter or sample or specimen taken from the horse is found to contain a prohibited substance.

195A. (1) This rule is to apply to any race or series of races which the Controlling Body stipulates in the Conditions of Entry that it shall apply to; such a race or races being a qualifying race for some other race.

(2) If in relation to a race to which this rule applies a blood, urine, saliva or other sample or specimen is taken from a horse when it is presented for such race and a certificate from a person or drug testing laboratory approved by the Controlling Body certifies the presence of a prohibited substance in such specimen or sample then the horse shall be immediately disqualified from participating in any other race for which the race in question provides or provided a qualification for participation.

(3) This rule is to have effect and to be conclusive irrespective of whether further testing procedures or other circumstances establish that the horse was presented for the race free of any prohibited substances.

Administering substances

196. (1) The Controlling Body may make determinations concerning the feeding, injecting, inserting or otherwise administering substances or prohibited substances to a horse.

(2) A person who fails to comply with a determination made under sub-rule (1) is guilty of an offence.

196A. (1) A person shall not administer or cause to be administered to a horse any prohibited substance

(i) for the purpose of affecting the performance or behaviour of a horse in a race or of preventing its starting in a race; or

(ii) which is detected in any sample taken from such horse prior to or following the running of any race.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

196B. (1) A person shall not without the permission of the Stewards within one (1) clear day of the commencement of a race administer, attempt to administer or cause to be administered an injection to a horse nominated for that race.

(2) For the purposes of this rule -

(a) Administering an injection to a horse means the use of a hypodermic needle or other instrument to introduce or extract any substance from the horse;

(b) It is not necessary to establish whether any substance was injected or the nature of the substance injected.

(3) The Stewards shall order the withdrawal or disqualification of a horse that has been either administered or attempted to have been administered an injection in breach of sub-rule (1).

(4) A person who fails to comply with sub-rule (1) is guilty of an offence.

196C. (1) A person must not administer an alkalinising agent in any manner to a horse which is engaged to run in a race:

(a) at any time on the day of the scheduled race and prior to the start of the race;

(b) at any time within one (1) clear day of the commencement of the race.

(2) Any person who:-

(a) administers an alkalinising agent;

(b) attempts to administer an alkalinising agent;

(c) causes an alkalinising agent to be administered; and/or

(d) is a party to the administration of, or an attempt to administer, an alkalinising agent

contrary to sub-rule (1) is guilty of an offence.

(3) Where the Stewards are satisfied that a horse has or is likely to have been administered any alkalinising agent contrary to sub-rule (1) the horse shall either be withdrawn or disqualified from the race.

(4) Alkalinising agent:-

(a) Means any substance that may elevate the plasma total carbon dioxide (TCO2) of a horse when administered by any route.

(b) Includes but is not limited to substances that are bicarbonates, citrates, succinates, acetates, propionates, maleates, lactates and trometamol (THAM, Tris Buffer or Trometamine) and also include products marked as urinary alkalinises and hind gut buffers.

(c) Does not subject to sub-rule (d) hereof include substances that are alkalinising agents which are contained in commercial feeds and/or balanced commercial electrolytes 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 TCO2.

(d) 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 a drug testing laboratory approved by the Controlling Body of a TCO2 concentration in a horse in excess of the threshold described by Rule 188.

(5) (Rule 196C(5) repealed, HRA approved 09.12.2021)

196D. (1) A person shall not within eight (8) clear days of the commencement of a race administer, attempt to administer or cause to be administered an intra-articular injection to a horse nominated for that race.

(2) A Steward shall order the withdrawal or disqualification of a horse that has been either the subject of an administration or an attempted administration of an injection in breach of sub-rule (1).

(3) A person who fails to comply with sub-rule (1) is guilty of an offence.

(4) (Rule 196D(4) repealed, HRA approved 09.12.2021)

196E. (1) The trainer and any other person in charge of a horse 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 by injection.

(2) Where the Stewards are satisfied that a horse has or may have been administered a product containing cobalt salts by injection contrary to sub-rule (1) the horse shall either be withdrawn or disqualified from the race.

(3) A person who fails to comply with sub-rule (1) is guilty of an offence.

PART 13

PRIZEMONIES

Percentages

197. Prizemonies shall be paid in the percentages and in any manner determined from time to time by the Controlling Body.

Winner only

198. (1) Where only 1 horse takes part in a race it must complete the course at the specified gait unless the Stewards otherwise direct.

(2) Where a horse takes part in a race in accordance with sub-rule (1), only one half of the winner's prizemonies shall be paid.

(3) Where 2 or more horses take part in a race but no horse is placed except the winner, prizemonies for the second or lower placed horse shall be retained by the club or other body conducting the meeting.

Dead heats

199. (1) Subject to sub-rule (2), in the case of a dead heat for any place by 2 or more horses, the owners thereof shall divide equally all the money or other prize which any of them would have received if there had not been a dead heat.

(2) Where the owners of horses running a dead heat cannot agree who is to have a cup or other indivisible prize the matter shall be determined by the Stewards by lot.

Refund of prizemoney

200. (1) Any prizemoney or trophy won by a horse which has been disqualified under these rules shall, if paid out or presented, be refunded or returned immediately by the connections to the club which conducted the race or to the Controlling Body.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Objections

201. (1) Prizemoney which might be affected by -

(a) an objection;

(b) the carrying out of any test;

(c) the analysis of any blood, urine, saliva, or other matter or sample or specimen;

(d) an inquiry or investigation;

(e) an appeal to the Controlling Body or an Appeals Tribunal -

shall be withheld.

(2) If prizemoney is paid out before the determination of an objection lodged in accordance with Rule 177 and that objection is upheld then such prizemoney shall be refunded or returned immediately by the connections to the Club which conducted the race or to the Controlling Body.

(3) A person who fails to comply with sub-rule (2) is guilty of an offence.

(4) For the purposes of this rule prizemoney includes float rebates, time incentives conditional and unconditional bonuses (including cash and the retail value of vouchers, credit, goods and/or services).

PART 14

GENERAL OFFENCES

Racecourses

202. A person shall not drive a horse unless that person holds a driving licence, training licence or a stablehand licence or other licence authorising that activity.

203. A person shall not train a horse unless that person holds a training licence.

204. A person shall not carry out the duties of a stablehand unless that person holds a trainer's, driver's or stablehand's licence.

The track

205. A person not being a steward, a driver engaged in a race, a club official or someone authorised by the Stewards, shall not be on the track during a meeting.

Information

206. A person shall not inform the Controlling Body or Stewards, a club or other body conducting a meeting, a drivers' check clerk, or some other official or representative, that a driver shall drive at a meeting if that driver is unavailable to do so.

207. A person shall not seek or obtain improperly information from anyone employed, engaged or participating in the harness racing industry.

208. A person employed, engaged or participating in the harness racing industry shall not divulge information to anyone improperly.

209. A person employed, engaged or participating in the harness racing industry shall not knowingly or recklessly furnish false information to the Controlling Body, the Stewards or anyone else.

Notifications

210. Notification of a driver properly engaged for a horse taking part in a race shall be given by the nominator, trainer, owner or other authorised person to the Controlling Body at a time designated by the Controlling Body.

Horses

211. A trainer or other licensed person for the time being in charge of a horse shall not leave the horse unattended at a racecourse whether in a stable or elsewhere.

212. A person shall not whether alone or in association with others nominate or start a horse in a race for which the horse is disqualified or otherwise ineligible.

213. A person shall not:-

(a) by use of harness, gear, equipment, device, substance or any other thing inflict suffering on a horse;

(b) have in his possession any harness, gear, equipment, device, substance or any other thing capable of inflicting suffering on a horse.

213A. A person other than a registered veterinarian, shall not use or have in his possession or control any electric or electronic apparatus or device capable of administering an electric shock to a horse.

213B. (1) A person other than a registered veterinarian shall not:

(a) have in his possession or control any device capable of administering shockwave therapy to a horse;

(b) perform shockwave therapy on a horse.

(2) A horse that has been subjected to any form of shockwave therapy shall be ineligible to race for seven (7) clear days following the therapy.

(3) A shockwave therapy device means any device which is capable of delivering a pneumatically generated high energy pressure wave.

213C. (1) A person shall not use or have in their possession at a racecourse at which a meeting is being conducted any electrical, mechanical or galvanic device, equipment, appliance or apparatus which can be used to treat a horse.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence and any horse that has either been treated or been the subject of an attempted treatment shall be withdrawn or disqualified from the race.

214. A person shall not do anything which prevents or impedes a horse from doing its best in a race.

215. A person shall not alter or manipulate gear or other equipment so as improperly to advantage or disadvantage a horse in a race.

216. A person whether alone or in association with others shall not fraudulently or improperly nominate or start a horse in a race.

217. A person whether alone or in association with others shall not conceal or attempt to conceal the identity of a horse.

218. A person having responsibility for the welfare of a horse shall not fail to care for it properly.

218A. (1) A person having responsibility for the welfare of a horse shall:-

(a) Exercise reasonable care, control or supervision of the horse so as to prevent:-

(i) An act of cruelty to the horse; or

(ii) The horse's body condition from declining to, in the opinion of the Stewards based on veterinary advice, an unacceptable level.

(b) Take such reasonable steps to alleviate any pain inflicted upon or being suffered by the horse.

(c) Promptly obtain veterinary advice and provide treatment immediately when necessary in accordance with that advice.

(d) Provide and ensure that the horse is ingesting proper and sufficient nutrition.

(2) For the purposes of sub-rule (1)(c) veterinary advice must include, but is not limited to, a diagnosis and/or advice and/or opinion from a veterinarian.

(3) A person who fails to comply with any provision of this Rule is guilty of an offence.

218B. (1) A person shall not mistreat a horse.

(2) For the purposes of this rule "mistreat" means to abuse or treat a horse badly, cruelly or unfairly.

218C. (1) A person in charge of a horse presented to race which on the racecourse has been found to be suffering a condition or has received veterinary treatment shall not be removed from the racecourse without the express permission of the Stewards.

(2) A trainer or the person in charge who removes a horse from the racecourse in contravention of sub-rule (1) is guilty of an offence.

219. A person shall not do or fail to do anything which results in the inconsistent running of a horse.

220. A person shall not lead a horse at a racecourse other than by way of a lead rope attached to a properly fitted restraining device.

221. A person whether alone or in association with others shall not threaten, coerce or improperly influence anyone to refrain from nominating or starting a horse in a race.

222. A person whether alone or in association with others shall not threaten, coerce or improperly influence anyone to withdraw a horse from a race.

Protective gear

223. A person when engaged in any activity relating to the care, control, training or management of a horse shall wear adequate footwear, clothing and other protective bodily coverings.

224. (*Rule 224 repealed, HRA approved 11.12.2015)*

Trainers

225. A trainer shall adequately condition, prepare and supervise horses trained by that trainer.

226. A trainer shall not permit a person to drive, train or carry out duties in breach of rules 202, 203 or 204.

Money or other inducements

227. A person shall not give or offer any money or other inducement improperly to anyone employed, engaged or participating in the harness racing industry.

228. A person employed, engaged or participating in the harness racing industry shall not accept or agree to accept any money or other inducement improperly.

229. A person employed, engaged or participating in the harness racing industry who is offered or given any money or other inducement improperly shall immediately inform the Chairman of Stewards or Chief Steward.

Association with disqualified persons

230. Except with the consent of the Controlling Body or Stewards a person shall not associate or communicate for purposes relating to the harness racing industry with a disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority.

Assault and interference

231. (1) A person shall not:-

(a) threaten

(b) harass

(c) intimidate

(d) abuse

(e) assault

(f) otherwise interfere improperly with

(g) bully

anyone employed, engaged or participating in the harness racing industry or otherwise having a connection with it.

(2) A person shall not misconduct himself in any way.

Weapons and related matters

232. A person while on a racecourse shall not, except with the approval of the Stewards, have in his or her possession or control a firearm or other weapon.

Conversing with driver

233. A person shall not converse with a driver after the driver is checked out for a race and is on the track.

Illegal betting

234. A person shall not lay or accept an illegal bet.

235. A person who believes that another person is likely to participate in or be connected with illegal betting shall not communicate with that other person in connection with such betting.

235A. (1) A trainer must not lay any horse that is either under his care, control or supervision or has been in the preceding 21 days.

(2) Any person employed by a trainer in connection with the training or care of horses must not lay a horse under the control of the trainer for whom he is or was employed, while so employed and for a period of 21 days thereafter.

(3) An agent or manager must not lay any horse to be driven by a driver for whom he is agent or manager.

(4) The connections must not lay any horse that is or may be entered by them or on their behalf, save that a bookmaker may lay a horse in accordance with his licence.

(5) Where under sub-rules (1), (2), (3) and (4) it is an offence for a person to lay a horse, it shall also be an offence for that person to:

(a) have a horse laid on his behalf;

(b) receive any monies or other valuable consideration in any way connected with the laying of the horse by another person.

(6) For the purposes of this rule “lay” means the offering or the placing of a bet on a horse:

(a) to lose a race;

(b) to be beaten by any other runner or runners;

(c) to be beaten by any margin or range of margins;

(d) that a horse will not be placed in a race in accordance with the provisions of Rule 49.

235B. (1) A trainer shall not place a bet on another horse in a race in which he has a starter.

(2) A trainer shall not place a bet on a horse in a race to finish ahead of a horse trained by that trainer in the race.

Employment

236. Except with the approval of the Controlling Body or Stewards, a person shall not employ or use a disqualified person in connection with the care, training, management, supervision or racing of horses.

Registration

237. A person shall not fail to register anything which these rules or the Stud Book Regulations require to be registered.

Orders and related matters

238. A person shall not fail to comply with any order, direction or requirement of HRA, the Controlling Body or the Stewards relating to harness racing or to the harness racing industry.

239. A person shall not do anything which can only be done at the order, direction or requirement of HRA, the Controlling Body or the Stewards in the absence of or contrary to, such order, direction or requirement.

239A. A person whose conduct or negligence has led or could lead to a breach of the rules is guilty of an offence.

Corruption and related matters

240. A person shall not, whether alone or in an association with others, do, permit or suffer anything before, during or after a race which in the opinion of the Stewards or Controlling Body:-

(a) may cause someone to be:-

(i) unlawfully advantaged, or

(ii) unlawfully disadvantaged, or

(iii) penalised.

(b) is corrupt.

(c) is improper.

241. A person shall not in connection with any part of the harness racing industry do anything which is fraudulent or corrupt.

242. A person shall not furnish the Controlling Body with a document purporting to describe the ownership of a horse which is false or fails to mention a person with ownership rights or interests.

243. A person employed, engaged or participating in the harness racing industry shall not behave in a way which is prejudicial or detrimental to the industry.

244. A person whether alone or in association with others shall not communicate improperly with the Controlling Body, its members or employees about anything which is or is likely to be the subject of an inquiry by or appeal to the Controlling Body.

245. A person shall not direct, persuade, encourage or assist anyone to breach these rules, the Stud Book Regulations or otherwise engage in an improper practice.

246. A person who has reasonable grounds for believing that someone is behaving or may behave or has behaved in a way causing, likely to cause or which has caused a

breach of these rules or the Stud Book Regulations shall promptly bring the matter to the notice of HRA, the Controlling Body or the Stewards.

247. A person attending before the Controlling Body its members or employees, the Stewards, officials, or at any proceeding under these rules,shall not speak or behave in a malicious, intimidatory or otherwise improper manner.

Publications and related matters

248. A person shall not say, publish or write or cause to be said, published or written anything malicious, intimidatory, obscene, offensive, defamatory, racist, threatening, harassing, discriminatory, abusive or otherwise improper about HRA, the Controlling Body, their members and employees or the Stewards or anyone else associated with the Harness Racing Industry.

249. A person whether alone or in association with others shall not say, publish or write or cause to be said, published or written anything intended improperly to influence a decision of HRA, the Controlling Body, their members or employees, or the Stewards, on any matter.

Alcohol and related matters

250. (1) A driver commits an offence if:-

(a) A sample taken from him is found upon analysis to contain a substance banned by Rule 251, or

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

(2) A driver may be prevented by the Stewards from driving if in their opinion, based on any information, their own observations or on medical or other competent advice, his faculties may be impaired by any substance banned by Rule 251 or by any other cause.

(3) In the event of an analysis of a sample taken from a driver indicating the presence of a substance banned by Rule 251, or if a driver refuses or fails to deliver a sample when directed to do so, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample, or attempts to do any of those things, the Stewards may forthwith, pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down such person from driving.

(4) In the event of a driver incurring a penalty or being prevented from driving under this rule he shall not resume driving until he delivers a sample, as directed by the Stewards, that is free of any substance banned by Rule 251.

(5) *(Rule 250(5) repealed, HRA approved 11.12.2015)*

250A. (1) A person carrying on or purporting to carry on an activity regulated by licence at any time or carrying on official duties at a meeting commits an offence if:

(a) a sample taken from him or her is found upon analysis to contain a substance banned by Rule 251A, or

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

(2) A person carrying on or purporting to carry on a licensed activity at any time or carrying on official duties at a meeting may be prevented by the Stewards from conducting such activity or duties if in their opinion, based on any information, their own observations or on medical or other competent advice, his or her faculties may be impaired by any substance banned by Rule 251A or by any other cause.

(3) In the event of an analysis of a sample taken from a person carrying on or purporting to carry on a licensed activity at any time or carrying on official duties at a meeting indicating the presence of a substance banned by Rule 251A, or if such person refuses or fails to deliver a sample when directed to do so, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things, the Stewards may forthwith, pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down such person from conducting licensed activities or official duties.

(4) In the event of a person under this rule incurring a penalty or being prevented from conducting licensed activities or official duties, the person shall not resume such activities or duties until they deliver a sample, as directed by the Stewards, that is free of any substance banned by Rule 251A.

(5) For the purpose of this rule and Rule 251A, a person carrying on official duties includes veterinarians, farriers, track attendants, swabbing assistants, clerks of course, judges, starters and stewards.

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

(a) Lysergic acid diethylamide (LSD) (0µg/L).

(b) All barbiturates (0µg/L); All Cannabinoids - substances in this group include, but are not restricted to, 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid (15µg/L): Synthetic cannabinoid analogues and/or their metabolites, such as JWH-018, JWH-073 and HU-210.

(c) All diuretics (0µg/L): Probenecid: (0µg/L): Alcohol (at a concentration in excess of 0.02% on a breath analyser).

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

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

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

(f) All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by Rule 252: Codeine (0µg/L, save as specified in Rule 252): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L):Buprenorphine (0µg/L).

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

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

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

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

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

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

251A. The following substances and/or their metabolites, artifacts, and isomers are declared as banned substances when present in a sample (unless otherwise stated) at a concentration above the applicable cut-off level in persons carrying on or purporting to carry on an activity regulated by licence at any time or carrying on official duties at a race meeting:-

(a) Lysergic acid diethylamide (LSD) (0µg/L).

(b) All barbiturates (0µg/L); All Cannabinoids - substances in this group include, but are not restricted to, 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid (15µg/L): Synthetic cannabinoid analogues and/or their metabolites, such as JWH-018, JWH-073 and HU-210.

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

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

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

(e) All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by Rule 252: Codeine (0µg/L, save as specified in Rule 252): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L):Buprenorphine (0µg/L).
Substances in this group excluded are: Dihydrocodeine: Dextromethorphan: Pholcodine: Propoxyphene: Tramadol.

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

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

252. Notwithstanding the provisions of Rule 251, when Codeine and/or Morphine are detected in a sample taken from a driver then the sample shall be deemed not to contain Codeine and Morphine if:-

(a) The total Codeine and Morphine concentration is less than 2,000µg/L; or

(b) The total Codeine and Morphine concentration achieved in confirmatory testing is in the range 2,000 – 15,000µg/L inclusive and at least one of the following applies:-

(i) The Codeine to Morphine ratio contained in the sample is greater than 1.0; or

(ii) The driver satisfies the Stewards that there is no illegal use of opiates or opioids by the driver.

252A. The Stewards may stay in whole or in part, and for such period and under such terms and conditions as they think fit, the operation of any penalty imposed for a breach of Rule 250 or 250A. Provided that, in the event of any failure to comply with any of the terms and conditions of the stay, the Stewards may order that the penalty take effect.

252B. Notwithstanding the provisions of Rule 250, the Stewards may permit a driver to receive a specified banned substance, subject to the following conditions:-

(a) The medication must be essential treatment for a substantial illness, condition or ailment suffered by the driver.

(b) The medication must be prescribed by a medical practitioner.

(c) The medical practitioner must certify:-

(i) The nature of the illness, condition or ailment being suffered by the driver.

(ii) That no alternative, non-banned substance would serve the same purpose for the illness, condition or ailment concerned.

(iii) That the medication would not affect the driver in a race or track-work to the extent that it could in any way constitute a danger to the driver or other drivers.

(d) The driver must if requested submit to medical examination by a medical practitioner appointed by a Controlling Body or Stewards to advise it or them on the matters raised in sub-paragraphs (i), (ii) and (iii) of paragraph (c) of this rule.

(e) The driver must:-

(i) Before driving make application to the Controlling Body or Stewards for permission to drive with a specifically prescribed banned substance in his system.

(ii) Adhere strictly to his prescribed medication and must report to the Stewards immediately he forms the intention to discontinue or in any way vary his prescribed medication.

(iii) Report to the Stewards immediately he believes that either his illness, condition or ailment or his medication may have some influence on his ability to drive effectively and/or safely.

(iv) Renew his application for exemption on each occasion on which he applies for the renewal of his licence.

(f) Under no circumstances shall a person be granted retrospective exemption under this rule.

252BB. Notwithstanding the provisions of Rule 250A, the Stewards may permit a person referred to in Rule 250A to receive a specified banned substance, subject to the following conditions:-

(a) The medication must be essential treatment for a substantial illness, condition or ailment suffered by that person.

(b) The medication must be prescribed by a medical practitioner.

(c) The medical practitioner must certify:-

(i) The nature of the illness, condition or ailment being suffered by such person.

(ii) That no alternative, non-banned substance would serve the same purpose for the illness, condition or ailment concerned.

(iii) That the medication would not affect the person carrying on or purporting to carry on licensed activities or official duties to the extent that it could in any way constitute a danger to that person or others.

(d) The person carrying on or purporting to carry on licensed activities or official duties must if requested submit to medical examination by a medical practitioner appointed by a Controlling Body or Stewards to advise it or them on the matters raised in sub-paragraphs (i), (ii), and (iii) of paragraph (c) of this rule.

(e) The person carrying on or purporting to carry on licensed activities or official duties must:-

(i) Before engaging in the relevant activity make application to the Controlling Body or Stewards for permission to conduct the activity with a specifically prescribed banned substance in his system.

(ii) Adhere strictly to his prescribed medication and must report to the Stewards immediately he forms the intention to discontinue or in any way vary his prescribed medication.

(iii) Report to the Stewards immediately he believes that either his illness, condition or ailment or his medication may have some influence on his ability to conduct the activity effectively and/or safely.

(iv) Renew his application for exemption on each occasion on which he applies for the renewal of his license.

(f) Under no circumstances shall a person be granted retrospective exemption under this rule.

252C. A licensed person or official, when carrying on or purporting to carry on a licensed activity or duties related to the care and control of horses or the conduct of a race shall not be, in the opinion of the Stewards, under the influence of alcohol or other drugs.

252D. For the purposes of Rules 250, 250A and 252C:

(a) The Stewards may administer any test or use any equipment as they consider appropriate;

(b) A urine sample provided by a person to whom those rules apply shall only be declared free of any banned substance if the sample contains a creatinine concentration of 200mg/L or greater. In the event that the urine sample does not contain this concentration, the person shall be required to deliver a further urine sample or samples as directed by the Stewards.

252E. (1) A certificate from a person or drug testing laboratory approved by the Controlling Body which certifies the presence of a banned substance in or on a person at, or approximately at a particular time or in blood, urine, saliva or other matter or sample or specimen tested is prima-facie evidence of the presence of a banned substance.

(2) If another person or drug testing laboratory approved by the Controlling Body analyses a portion of the sample or specimen referred to in sub-rule (1) and certifies the presence of a banned substance in the sample or specimen that certification together with the certification referred to in sub-rule (1) is conclusive evidence of the presence of a prohibited substance.

(3) A certificate furnished under this rule which relates to blood, urine, saliva, or other matter or sample or specimen taken from a person shall be prima facie evidence

if sub-rule (1) only applies, and conclusive evidence if both sub-rules (1) and (2) apply, that the sample taken from the person was not free of a banned substance.

(4) A certificate furnished under this rule which relates to blood, urine, saliva, or other matter or sample or specimen taken from a person shall be prima facie evidence if sub-rule (1) only applies, and conclusive evidence if both sub-rules (1) and (2) apply, that the banned substance was present in or on the person at the time the blood, urine, saliva or sample or specimen was taken from the person.

(5) Sub-rules (1) and (2) do not preclude the presence of a banned substance in or on a person, or in blood, urine, saliva, or other matter or sample or specimen being established in other ways.

(6) Sub-rule (3) does not preclude the fact that a person provided a sample not free of a banned substance being established in other ways.

(7) Notwithstanding the provisions of this rule, certificates do not possess evidentiary value nor establish an offence, where it is proved that the certification procedure or any act or omission forming part of or relevant to the process resulting in the issue of a certificate, was materially flawed.

Rule 252F. *(Rule 252F repealed, HRA approved 11.12.2015)*

Illegal communications

253. A person on a racecourse shall not use a telephone or other communication device for an illegal or otherwise improper purpose or contrary to a restriction on such use imposed by the Stewards.

Assumed Names

254. Unless the Controlling Body otherwise approves a person shall not use an assumed name or alias.

Children's Access to Stabling Areas On-Course

254A. (1) *(Rule 254A(1) repealed, HRA approved 07.12.2017)*

(2) *(Rule 254A(2) repealed, HRA approved 07.12.2017)*

(3) *(Rule 254A(3) repealed, HRA approved 07.12.2017)*

Blood Doping

254A. (1) Subject to sub-rule (2) a person shall not either directly or indirectly withdraw from a horse, manipulate and reinfuse into a horse homologous, heterologous or autologous blood products or blood cells.

(2) A registered veterinary surgeon may for lifesaving purposes or through use of veterinary regenerative therapies for the treatment of musculoskeletal injury or disease, or for diagnostic/laboratory testing procedures, withdraw from a horse, manipulate and reinfuse into a horse, homologous, heterologous or autologous blood products or blood cells.

(3) A horse that is treated in accordance with sub-rule (2) shall not be permitted to start in any race for a period of eight clear days from the date of the treatment.

(4) A person who fails to comply with sub-rules (1), (2) or (3) is guilty of an offence.

Creation of offences

255. (1) A person who fails to comply with any provision of a rule contained in Part 14 is guilty of an offence.

(2) A person who infringes an offence provision in these rules or the SBR is guilty of an offence.

Possession

255A. (1) For the purpose of the Rules:-

(a) A person shall be deemed to have in their possession any animal or item of property which is found in or on their registered training establishment, artificial breeding station, stud, stable, motor vehicle, float or their place of residence.

(b) A person shall ensure that they do not have in their possession any animal or item of property which may give rise to a breach of the Rules.

(2) It is not a defence to a charge under this rule (or any other rule) that the person:-

(a) Did not have any knowledge of the existence or presence of the animal or item of property which is the subject of the charge.

(b) Had an honest and reasonable mistake of fact as to the existence or presence of the animal or item of property which is the subject of the charge.

(3) A person who fails to comply with sub-rule (1) is guilty of an offence.

PART 15

PENALTIES

256. (1) One or more of the penalties set out in sub-rule (2) may be imposed on a person, club or body guilty of an offence under these rules.

(2) (a) A fine within the limits fixed by legislation or by the Controlling Body,

(b) conditional or unconditional suspension for a period;

(c) disqualification, either for a period or permanently;

(d) warning off, either for a period or permanently;

(e) exclusion from a racecourse, either for a period or permanently;

(f) a bar, either for a period or permanently, from training or driving a horse on a racecourse, track or training ground;

(g) conditional or unconditional suspension of registration for a period or cancellation of registration;

(h) conditional or unconditional suspension of a licence for a period or cancellation of a licence;

(i) a severe reprimand;

(j) a reprimand or caution.

(3) Should a rule of its own terms impose a penalty in respect of an offence created by that rule then, subject to any contrary intention expressed or otherwise apparent in that rule, that penalty is the only one which can be imposed in respect of that offence.

(4) Penalties, whether under this or any other rule, attach from the time they are imposed, except that the Controlling Body or the Stewards may postpone such attachment.

(5) (a) Penalties other than a period of disqualification or a warning off under this or any other rule may be suspended for a period not exceeding two years upon such terms and conditions as the Controlling Body or Stewards see fit;

(b) If the offender does not breach any term or condition imposed during the period of suspension, the penalty shall be waived;

(c) If the offender breaches any term or condition imposed during the period of suspension then, unless the Controlling Body or Stewards otherwise order, the suspended penalty thereupon comes into force and penalties may also be imposed in respect of any offence constituted by the breach.

(6) Although an offence is found proven a conviction need not necessarily be entered or a penalty imposed.

(7) Before an offence is found proven, the following conditions shall be satisfied:-

(a) the offender shall be afforded reasonable opportunity to cross examine witnesses, make submissions, present evidence to the Controlling Body or the Stewards as the case may be;

(b) those submissions or evidence shall be taken into account;

(c) evidence relied upon in establishing the offence shall be identified;

(d) in a matter before the Stewards, those Stewards who finally determine that an offence has been committed shall be present during the whole of the proceedings.

Cumulative penalties

257. Unless the Controlling Body or the Stewards direct otherwise, a penalty by way of suspension or disqualification shall be served cumulatively to any other penalty of suspension or disqualification being served or ordered to be served.

Horse connected with offence

258. (1) Where the commission of an offence under these rules involves a horse, the Stewards may make such orders and give such directions concerning the horse as they think fit.

(2) Without limiting the scope of sub-rule (1) a horse may be barred or disqualified from a race or for a period or permanently, be placed behind other runners in a race, removed from one place to another, directed to be trained at a particular place or by a particular person, or be placed under the care, control and management of some person, club or other body.

PART 16

DISQUALIFIED PERSONS

Restrictions

259. (1) A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following -

(a) associate or communicate with persons connected with the harness racing industry for purposes relating to that industry;

(b) be a member or employee of the Controlling Body;

(c) be an office holder, official, member or employee of a club;

(d) enter a racecourse or any place under the control of a club or Controlling Body;

(e) race, lease, train, drive or nominate a horse;

(f) conduct breeding activities;

(g) enter any premises used for the purposes of the harness racing industry;

(h) participate in any manner in the harness racing industry;

(i) permit or authorise any person to conduct any activity associated with the harness racing industry at his/her registered training establishment;

(j) place, or have placed on their behalf, or have any other interest in, a bet on any Australian harness racing race.

(k) associate with licensed persons connected with the thoroughbred or greyhound racing industry including but not limited to entering any premises owned or occupied by such licensed persons.

(2) A licence or other authority held by a disqualified person to do any of the things mentioned in sub-rule (1) automatically lapses upon disqualification.

(3) The prohibitions mentioned in sub-rule (1) come into effect immediately upon disqualification, subject to any contrary directions which might be given by the Stewards.

(4) If during a period of disqualification the Stewards form the opinion that the circumstances relating to the disqualified person have materially changed, they may remove one or more of the prohibitions set out in sub-rule (1) either permanently or for a time.

(5) The power conferred by sub-rule (4) does not empower the Stewards to remove the prohibition on an activity which can only lawfully be carried on under licence.

(6) Notwithstanding the foregoing provisions of this rule the Controlling Body may make determinations waiving, varying or qualifying the prohibitions set out in the rule.

(7) A disqualified person who fails to comply with this rule is guilty of an offence and is liable to a penalty.

259A. In addition to any penalty imposed pursuant to Rule 259(7) the original period of disqualification shall unless otherwise ordered by the Stewards automatically recommence in full.

Making payments

260. A disqualified person may during the period of disqualification make payments in respect of a horse entered before the commencement of that period for a race to be run after it expires.

Ineligibility of horse

261. (1) A horse is ineligible to be nominated for or start in a race if it is owned wholly or in part by a disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority.

(2) The same ineligibility attaches to a horse which is established to the satisfaction of the Controlling Body or Stewards to be wholly or in part under the care, training, management or supervision of a person mentioned in sub-rule (1).

Leases

262. (1) The lease of a disqualified lessee becomes void at disqualification and a horse subject to the lease must be returned to the owner within 14 days thereof unless otherwise determined by the Controlling Body.

(2) A person who fails to return a horse as required by sub-rule (1) is guilty of an offence.

263. (1) If a disqualified lessee is not sole lessee that person's interest in the lease becomes void at disqualification and the persons with continuing legal interests in the matter shall submit a proposal to the Controlling Body for the regulation of those interests.

(2) Pending the Controlling Body's approval of a proposal, it may make such determination concerning the nomination and start in a race of a horse affected, or likely to be affected, by the proposal as it sees fit.

264. If the lessor of a horse is disqualified such lessor unless the Controlling Body otherwise determines shall not receive or be paid or be entitled to recover from any club or Controlling Body any stake and the lessee shall pay to the Controlling Body any part of the stake to which such lessor would have been entitled by virtue of any agreement between the lessor and the lessee of the horse.

Sale of horses

265. (1) Unless the Controlling Body or the Stewards otherwise approve(s), a disqualified person must within 28 days from the date of disqualification or such further period as the Controlling Body or the Stewards may allow, sell by public auction or any other way approved by the Controlling Body or the Stewards, any horse of which that person is the owner.

(2) A sale must be advertised to the satisfaction of the Controlling Body.

(3) Where the sale occurs other than in the jurisdiction of the Controlling Body the recognised harness racing authority in the place of sale must be given reasonable notice of sale and it must be advertised to that authority's satisfaction.

(4) If the Controlling Body or the Stewards are not satisfied that a sale was effected in good faith it/they may refuse to approve a transfer or lease of a horse subject to the sale whether from the disqualified owner or anyone else.

(5) If the Controlling Body or the Stewards are satisfied that horses owned by a disqualified person are not being used and will not be used for any purpose connected with the harness racing industry, it/they may permit the disqualified person not to sell them.

(6) A person in breach of any provision of this rule or who is guilty of lack of good faith in effecting a sale is guilty of an offence.

266. (1) If a disqualified person is part owner of a horse the owners instead of proceeding to sale may submit a proposal to the Controlling Body for the transfer of the disqualified person's interest.

(2) Where the owners act under sub-rule (1), then pending the Controlling Body's approval of the proposal it may make such determination concerning the nomination and start in a race of a horse affected by the proposal as it sees fit.

(3) Where the owners proceed to sale, the provisions of rule 265 apply.

Disqualification by conviction

267. (1) Subject to sub-rule (2) the Stewards may for such period and on such conditions as they think fit, disqualify a person who is found guilty of a crime or offence in any State or Territory of Australia or in any country which is punishable by a term of imprisonment.

(2) Where a person is found guilty of a crime or offence in any State or Territory of Australia or in any country and sentenced to a period of imprisonment Stewards shall disqualify that person for a period that is at least equivalent to the actual sentence imposed.

(3) Sub-rule (2) shall apply where either part or whole of the period of imprisonment is suspended.

PART 17

EQUIPMENT AND COLOURS

Gear

268. Gear used in connection with racing shall be approved by the Controlling Body.

268A. (1) Applications concerning gear shall be made in such form as the Controlling Body or Stewards may determine and be lodged with the Controlling Body or Stewards no later than forty eight (48) hours before the nomination of a horse for a race.

(2) In the event of a change to any of the particulars notified in accordance with sub-rule (1), such change shall immediately be lodged with the Controlling Body or Stewards in such form as the Controlling Body or Stewards may determine.

(3) (Rule 268A(3) repealed, HRA approved 09.12.2021)

Application to change gear

269. In the case of a horse to compete in a race, application to change any gear must be made to the Controlling Body or Stewards by the connections at a time to be determined by the Controlling Body or Stewards.

269A. An application to change any gear shall be made to the Controlling Body in such form as the Controlling Body may determine.

Hopples

270. *(Rule 270 repealed, HRA approved 21.10.2016)*

Sulkies

271. Only sulkies of the type, dimensions and materials approved by the Controlling Body may be used.

271A. A sulky shall conform to the standards set out in the document adopted by Harness Racing Australia entitled "Standard For Safety and Performance of Sulkies" and sub titled "The Sulky Standard."

Colours

272. (1) The connections of a horse may make application to the Controlling Body for the registration of colours.

(2) The application is to be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) The application may be refused by the Controlling Body without assigning any reason.

(4) Subject to sub-rule (6) registration shall remain in force for such time as is determined by the Controlling Body.

(5) Registration may be granted subject to terms and conditions and these may be varied by the Controlling Body during the currency of the registration.

(6) Registration shall lapse forthwith if a term or condition of registration is not complied with.

(7) A person shall not start a horse in a race at a meeting unless the driver is dressed in the colours that have been registered with the Controlling Body.

(8) If for some reason the colours described in the race book are unavailable, club colours or designated colours approved by the Stewards or Controlling Body shall be worn.

(9) Each club shall keep and maintain in good condition not less than 2 sets of approved club colours.

(10) Colours registered in the name of a person who has been disqualified shall not be used in a race during the period of disqualification.

(11) Notwithstanding sub-rule (7) and sub-rule (8) the Stewards may give such directions as they think fit about the colours to be worn or the advertising to be displayed in a race.

(12) A person who fails to comply with sub-rule (7) or with a direction given under sub-rule (11) or who is responsible, whether wholly or in part, for a breach of sub-rule (8) or (10) is guilty of an offence.

272A. An application for registration of colours shall be made to the Controlling Body on form R272-A.

272B. (1) Notification of the colours to be worn by a driver on a horse engaged to race shall be given to the Controlling Body by the nominator, trainer, owner or other authorised person at a time designated by the Controlling Body.

(2) A person shall not present to start or start a horse in a race where the driver is not wearing the colours notified to the Controlling Body for that race by the designated time.

(3) A person who fails to comply with any provision of this rule is guilty of an offence.

Offences

273. (1) (a) A person shall not use or permit the use of any gear or equipment that is not listed on the HRA Approved Gear List, except with the permission of the Chairman of Stewards.

(b) A person shall not have in their possession any gear or equipment that is listed on the HRA Banned List, except with the permission of the Chairman of Stewards.

(2) A person shall not present to start or start a horse in a race in gear which in the opinion of the Stewards is:-

(a) Incorrectly fitted.

(b) Insecure.

(c) Of inadequate quality.

(d) In poor condition.

(e) Of insufficient strength and quality to cope with the stresses likely to be imposed on it in a race.

(3) A person shall not without the permission of the Stewards start a horse in a race unless the horse is fitted with:

(a) A false belly band.

(b) Retaining straps.

(c) A throat lash.

(d) A breast plate.

(e) A cavesson or noseband.

(4) A person shall not start a horse in a race fitted with any equipment or gear that covers and/or protrudes past the nostrils of the horse.

(5) A person shall not present to start or start in a race a horse that is:-

(a) not wearing the correct number;

(b) not wearing the gear that has been registered for that horse.

(6) A person shall not modify or permit the modification of any gear or equipment except with the permission of the Chairman of Stewards.

(7) A person who fails to comply with any provision of this rule is guilty of an offence.

PART 18

STUDS, SIRES and STUD BOOK

Registration

See Stud Book Regulations 9 and 10

274. (1) *(Rule 274(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 274(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 274(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 274(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 274(5) repealed, HRA approved 31.08.2022)*

(6) *(Rule 274(6) repealed, HRA approved 31.08.2022)*

(7) *(Rule 274(7) repealed, HRA approved 31.08.2022)*

274A. (1) *(Rule 274A(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 274A(2) repealed, HRA approved 31.08.2022)*

(3) (a) *(Rule 274A(3)(a) repealed, HRA approved 31.08.2022)*

(b) *(Rule 274A(3)(b) repealed, HRA approved 31.08.2022).*

(4) *(Rule 274A(4) repealed, HRA approved 31.08.2022)*

(5) (a) *(Rule 274A(5)(a)(i), (ii) repealed, HRA approved 31.08.2022)*

(b) *(Rule 274A(5)(b) repealed, HRA approved 31.08.2022)*

(6) *(Rule 274A(6) repealed, HRA approved 31.08.2022)*

(7) *(Rule 274A(7) repealed, HRA approved 31.08.2022)*

(8) *(Rule 274A(8) repealed, HRA approved 31.08.2022)*

(9) *(Rule 274A(9) repealed, HRA approved 31.08.2022)*

Sire summary sheet and related matters

See Stud Book Regulations 13 and 14

275. (1) *(Rule 275(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 275(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 275(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 275(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 275(5) repealed, HRA approved 31.08.2022)*

(6) (a) *(Rule 275(6)(a) repealed, HRA approved 31.08.2022)*

(b) *(Rule 275(6)(b)(i), (ii), (iii) repealed, HRA approved 31.08.2022)*

(7) *(Rule 275(7) repealed, HRA approved 31.08.2022)*

(8) *(Rule 275(8) repealed, HRA approved 31.08.2022)*

(9) *(Rule 275(9) repealed, HRA approved 31.08.2022)*

275A. (1) *(Rule 275A(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 275A(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 275A(3) repealed, HRA approved 31.08.2022)*

Identity verification

See Stud Book Regulations 15

276. (1) *(Rule 276(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 276(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 276(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 276(4) repealed, HRA approved 31.08.2022)*

Notification of foaling

See Stud Book Regulations 16 and 17

277. (1) *(Rule 277(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 277(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 277(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 277(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 277(5) repealed, HRA approved 31.08.2022)*

(6) *(Rule 277(6) repealed, HRA approved 31.08.2022)*

277A. (1) *(Rule 277A(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 277A(2) repealed, HRA approved 31.08.2022)*

Bodily samples

278. (1) If so directed by HRA or the Controlling Body, the connections of any Standardbred horse shall furnish HRA or the Controlling Body with any bodily specimen or sample from the horse.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Ineligibility to race

279. Except where the Controlling Body otherwise determines a horse shall be ineligible to race unless the provisions of the Stud Book Regulations applicable to or in respect of that horse have been complied with.

Offences

See Stud Book Regulations 12

280. (1) *(Rule 280(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 280(2) repealed, HRA approved 31.08.2022)*

Australian Trotting Stud Book

See Stud Book Regulations 2

280A. (1) *(Rule 280A(1) repealed, HRA approved 31.08.2022)*

(2) *(Rule 280A(2) repealed, HRA approved 31.08.2022)*

(3) *(Rule 280A(3) repealed, HRA approved 31.08.2022)*

(4) *(Rule 280A(4) repealed, HRA approved 31.08.2022)*

(5) *(Rule 280A(5) repealed, HRA approved 31.08.2022)*

(6) *(Rule 280A(6) repealed, HRA approved 31.08.2022)*

(7) *(Rule 280A(7) repealed, HRA approved 31.08.2022)*

PART 19

ARTIFICIAL BREEDING

Techniques and Procedures

281. (1) Subject to sub-rule (2) artificial breeding consists of all techniques and procedures **-**

(a) whereby semen can be obtained from a stallion and introduced into a mare;

(b) relating to the collection, storage, chilling, freezing, transportation and use of semen;

(c) relating to the extraction of an embryo from a mare, and the placement of an embryo into a mare, and the transfer of an embryo from one mare to another;

(d) which are determined by HRA or the Controlling Body to be techniques or procedures relating to artificial breeding.

(2) The genetic practices of In Vitro Fertilisation (IVF), Ovum Pick-Up (OPU) and Intracytoplasmic Sperm Injection (ICSI) are prohibited techniques and procedures.

Licences

282. (1) The owner or lessee of a place who desires to use it as an artificial breeding station may make application to the Controlling Body for a licence.

(2) A person who desires to practise as an artificial breeding technician may make application to the Controlling Body for a licence.

(3) An application under sub-rule (1) or sub-rule (2) shall be made within the time, in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(4) The Controlling Body may grant a licence for such period and upon such terms and conditions as it thinks fit, or it may refuse to grant a licence.

(5) The Controlling Body may suspend or cancel a licence for breach of a term or condition.

282A. (1) Application to license a place as an artificial breeding station shall be made on form R274-A.

(2) Sub-rules (2), (3), (4), (5), (7), (8) and (9) of rule 274A apply equally to an applicant to license a place as an artificial breeding station, to supporting certificates or documentation, to the holder of such a licence, and to the subject premises, as the case may be.

Note
Applicants for an artificial breeding technician's licence are referred to sub-rules (4.1), (4.2), (4.3), (4.4), (4.5), (4.6) and (4.7) of rule 90A.

Importation of Semen

283. (1) A person who desires to import semen from a source outside Australia must comply with the requirements in that regard imposed by Harness Racing Australia and the SBR.

(2) A person holding or dealing with semen collected from a stallion not standing in Australia at any time that semen is held or dealt with must comply with the requirements in that regard imposed by Harness Racing Australia and the SBR.

(3) The Controlling Body may make determinations governing the importation into its jurisdiction of semen from any source or place or the holding or dealing with semen collected from a stallion standing anywhere in Australia or overseas.

(4) A person who fails to comply with sub-rule (1) or sub-rule (2) or with a determination made under sub-rule (3) is guilty of an offence.

Semen Controller

284. (1) A person may make application to the Controlling Body for registration as a semen controller.

(2) An application under sub-rule (1) shall be made within the time, in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.

(3) The Controlling Body may grant registration for such period and upon such terms and conditions as it thinks fit or may refuse to grant registration.

(4) The Controlling Body may cancel registration for breach of a term or condition.

(5) The Controlling Body may make determinations as to the matters or things which a semen controller shall or may do or not do.

(6) A semen controller who fails to comply with a determination made under sub-rule (5) is guilty of an offence.

(7) A person not registered under this rule who acts or purports to act as a semen controller or who without the Controlling Body's permission does things which the Controlling Body has determined that semen controllers shall or may do, is guilty of an offence.

284A. (1) Application for registration as a semen controller shall be made on form R284-A.

(2) A semen controller may hold and deal with semen collected from a stallion not standing in Australia during the breeding season.

(3) Sub-rule (1.6) of rule 90A and sub-rules (2), (3), (4), (5), (7) and (8) of rule 274A apply equally to an applicant for registration as a semen controller, to supporting certificates or documentation required in respect of the applicant or the semen storage facility, to the state and condition of such facility and to a registered semen controller as the case may be.

(4) A semen controller shall keep a record of all incoming semen and its dispersal and shall make such records available to the Controlling Body on request.

Artificial Breeding Requirements

285. (1) The Controlling Body may impose requirements relating to artificial breeding.

(2) The requirements in force from time to time under this rule and Rule 283 so far as they are applicable, form part of the terms and conditions attaching to licences granted under Rule 282.

(3) If requirements under this rule or Rule 283 are infringed then, in addition to any other penalty or consequence, HRA or the Controlling Body may refuse to register any progeny from mares however served or from mares which have been the subject of a technique or procedure of artificial breeding, owned by the persons responsible for, or who could or should have prevented the infringement.

Transported Semen

285A.(1) (a) Semen from an Australian registered sire which has died or disappeared or been gelded shall, subject to sub-paragraph (b) only be used in the breeding season in which the sire has died or disappeared or been gelded or the next breeding season.

(b) If a broodmare has been inseminated by the sire which has died or disappeared or been gelded and that insemination did not produce a live foal then the progeny of a subsequent insemination of the same broodmare by the same sire shall be eligible for registration in the second breeding season following the death or disappearance or gelding of the sire.

(2) The provisions of sub-rule (1) do not apply to a registered standardbred which has prior to 1 September 2020 died, disappeared or been gelded.

(3) Transported semen may be used for artificial breeding only if:

(a) the collection, storage and transportation of semen from the stallion complies with these rules and any requirements imposed under Rules 283 and 285;

(b) (*Sub-Rule 285A (3)(b) repealed, HRA approved 26.07.2002)*

(c) (*Sub-Rule 285A (3)(c) repealed, HRA approved 26.07.2002)*

(d) the semen is transported in an approved sealed container;

(e) the sealed container clearly labelled with the stallion's name is forwarded to the person carrying out the insemination.

(f) (*Sub-Rule 285A (3)(f) repealed, HRA approved 26.07.2002)*

(g) (*Sub-Rule 285A (3 (g) repealed, HRA approved 26.07.2002)*

(h) the horse foaled as a result of insemination by transported semen and the dam thereof are DNA genotyped for parentage verification at the cost of the broodmare owner and the result lodged with HRA and the Controlling Body.

(4) Transported semen shall be securely stored at a veterinary surgeon's clinic or at an artificial breeding station or such other premises as may be approved by the Controlling Body for that purpose.

(5) Any transported semen found to be diseased or defective in any way or found to be fraudulently certified shall be destroyed immediately.

Artificial Breeding Station

(6) The licensee of an artificial breeding station, an artificial breeding technician and a studmaster operating an artificial breeding station shall -

(a) comply with requirements relating to artificial breeding imposed by departments of the Commonwealth and State Governments;

(b) conduct artificial breeding wholly within the licensed premises;

(c) have such facilities and equipment as are deemed by the Controlling Body to be necessary for the conduct of artificial breeding;

(d) maintain the facilities of and equipment in or used at the licensed premises to the satisfaction of the Controlling Body;

(e) for each stallion whose semen is collected for artificial breeding within the licensed premises:

(i) possess and use separate semen handling and collecting equipment and without limiting the generality of the foregoing this shall include a separate liner, reservoir and semen processing vessels;

(ii) clearly mark each item of semen handling and collecting equipment with the name or identification of the stallion for which it is used;

(f) clean and sterilise every item of semen handling and collecting equipment before each occasion on which it is used for any purpose;

(g) store in a separate locker marked with the name or identification of the stallion for which it is used all semen handling and collection equipment when not being used for artificial breeding;

(h) only permit semen handling and collecting equipment of 1 stallion to be within the licensed premises at any one time save for that equipment which is securely stored in lockers;

(i) ensure that no stallion enter the artificial breeding station if semen of any other stallion or semen handling and collecting equipment used for any other stallion is within the artificial breeding station save for that equipment which is securely stored in lockers;

(j) ensure that the semen of only 1 stallion shall be used within the artificial breeding station at any one time;

(k) ensure the semen from 1 stallion shall not be mixed with semen from any other stallion;

(l) perform the artificial breeding operation in respect of each mare with gloves, syringes, pipettes which are stored and maintained in a clean, hygienic state and are disposed of after each insemination operation.

Semen Generally

(7) Semen imported into Australia cannot be used unless a copy of the import permit is first lodged with Harness Racing Australia.

(8) Semen with the exception of that approved for transportation or freezing shall be used immediately upon its collection.

(9) (*Rule 285a (9)(A) And (B) repealed, HRA approved 30.04.2001)*

Embryo Transfer

(10) (a) Application for approval to perform an embryo transfer procedure is to be made in such manner or form as may be determined by the Controlling Body.

(b) Notification of a completed embryo transfer procedure is to be given within seven (7) days of completion and made in such manner or form as may be determined by the Controlling Body.

(11) A mare who has not attained the age of 2 years or is not registered in Australia cannot be used as a donor or recipient for an embryo transfer procedure,

(12) A donor mare which has been used in a breeding season for an embryo transfer procedure in respect of which there has been official notification of a 42 day positive test result to such transfer shall not be used in the same breeding season for any method of breeding.

(13) In a breeding season only 1 fertilised ovum may be transferred from the donor mare to a recipient mare at each breeding cycle until a successful pregnancy results.

(14) A recipient mare must be of a breed type which in the opinion of the veterinary surgeon is compatible.

(15) In a breeding season if more than one foal is born of a donor mare then only the first born foal is eligible for registration.

(16) A person who fails to comply with any provision of this rule is guilty of an offence.

Sperm Sorting

286. (1) A foal that is the product of sperm sorting shall not be eligible for registration.

(2) A person who fails to comply with sub-rule (1) is guilty of an offence.

Notification

286. *(Rule 286 (1) and (2) repealed, HRA approved 09.05.2002 & 26.07.2002)*

286A. (*Rule 286A repealed, HRA approved 26.07.2002)*

Verification procedures

287. (1) Any stallion whose semen is used for transportation and any stallion and donor mare used for embryo transfer shall be blood typed or DNA genotyped before the commencement of the procedure by the owner of such animal and the result thereof lodged with the Controlling Body where the stallion is registered.

(2) A foal resulting from embryo transfer or the use of transported semen shall be blood typed or DNA genotyped and the result thereof shall be lodged with HRA and the Controlling Body where the foal is to be registered.

(3) The Controlling Body may direct the owner, lessee, studmaster, authorised agent or person in charge of an artificial breeding station on which artificial breeding is being conducted to DNA genotype or otherwise test stock for parentage verification.

(4) A person who fails to comply with any provisions of this rule or with a direction given under sub-rule (3) is guilty of an offence.

Refusal to register stock

288. Stock produced by artificial breeding in breach of any provision of a rule in Part 19 or the SBR may be refused registration by HRA or the Controlling Body.

Offences

289. (1) A person who performs a technique or procedure of artificial breeding other than the receipt of semen and the introduction of that semen into a broodmare at a place not licensed for use under these rules as an artificial breeding station is guilty of an offence

(2) A person who permits or connives at a technique or procedure of artificial breeding other than the receipt of semen and the introduction of that semen into a broodmare being performed at a place not licensed for use under these rules as an artificial breeding station is guilty of an offence

(3) A person other than a licensed artificial breeding technician who performs a technique or procedure of artificial breeding is guilty of an offence.

(4) A person who performs a technique or procedure of artificial breeding in breach of a term or condition of a licence is guilty of an offence.

(5) If a technique or procedure of artificial breeding other than the receipt of semen and the introduction of that semen into a broodmare is performed at a place not licensed for use under these rules as an artificial breeding station, the owner, lessee, studmaster, authorised agent, or person in charge of that place is guilty of an offence.

(6) If a technique or procedure of artificial breeding is performed by someone other than a licensed artificial breeding technician, the owner, lessee, studmaster, authorised agent or person in charge of the place where the technique or procedure is performed, is guilty of an offence.

(7) A person who holds or deals in frozen semen without a licence, registration or other authorisation under these rules relating to such holding or dealing is guilty of an offence.

(8) A horse involved in the commission by a person of an offence under this rule may be disqualified and/or its registration refused or cancelled.

(9) A person who knowingly permits or allows the transfer of a fertilized ovum from a donor mare to more than one recipient mare in a breeding season is guilty of an offence.

Legal use of unlicensed premises

290. (1) A procedure of artificial breeding that is required to be performed at an artificial breeding station may be performed at a place not licensed for use under these rules if the Controlling Body so determines,

(2) Provided a determination made under sub-rule (1) is complied with, the owner, lessee, studmaster, authorised agent or person in charge of the place at which the technique of artificial breeding is performed, and the person performing that technique or procedure, is not guilty of an offence.

PART 20

UNPAID FORFEIT LIST

The list

291. The Controlling Body shall keep a list known as the "Unpaid Forfeit List".

Notifications

292. (1) Clubs, and other persons or bodies determined by the Controlling Body, may notify it of arrears owed to them.

(2) Notification under this rule shall be made in the manner and form and with such information and other particulars as the Controlling Body determines.

(3) The Controlling Body may require the notifier to give security including security for the costs and expenses incurred by the Controlling Body.

(4) The Controlling Body shall not make an entry in the list without giving notification to the person or body by whom such arrears are owed specifying the amount and particulars and affording such person or body an opportunity to be heard.

(5) Upon being satisfied of the accuracy and completeness of a notification and upon the giving of security, if any, as may be required, the Controlling Body may make an appropriate entry in the list.

(6) The Controlling Body may make entries in the list of arrears owed to it.

(7) An entry may be removed from the list at the discretion of the Controlling Body.

Payments

293. (1) All arrears shall be paid to the Controlling Body.

(2) If arrears are paid to a club, person or body, the receiver must promptly inform the Controlling Body and pay to it 10% thereof.

(3) The Controlling Body may keep for its own use out of any amounts received a sum not exceeding 10% of the amount paid.

Mode of payment

294. Unless the Controlling Body otherwise determines payment of all arrears, fees, charges or other amounts under Part 20 shall be made in cash or by bank cheque.

Restrictions

295. (1) The provisions of this rule apply to or with reference to a person named in the list, or in the equivalent list of a recognised harness racing authority as someone owing arrears, fees, charges or other amounts.

(2) The person named in the list shall be subject to the same disabilities and penalties as are declared by Rule 259 to apply to persons who are disqualified.

(3) Where the person is a part owner of the horse, the other owners may submit a proposal to the Controlling Body concerning the training, management, control or superintendence of the horse or its nomination for or start in a race.

(4) The Controlling Body may waive or vary the restrictions imposed by provisions of this rule subject to such conditions as the Controlling Body sees fit.

(5) Pending the Controlling Body's approval of a proposal, the Stewards may make such determinations concerning the matters mentioned in sub-rule (3) as they see fit.

Transfer of horse

296. (1) Rule 295 does not apply to a horse otherwise within its scope, where a transfer of the horse has been approved by the Controlling Body.

(2) The transfer may be subject to such conditions as the Controlling Body thinks fit.

PART 21

GENERAL MATTERS

Matters related to recognised harness racing authorities

297. (1) A person possessing a right, privilege or thing granted by a recognised harness racing authority may, as far as practicable, exercise that right, privilege or thing in accordance with its terms and conditions within the jurisdiction of the Controlling Body.

(2) A person suspended or placed under disability by a recognised harness racing authority shall, during its currency and as far as practicable, observe within the jurisdiction of the Controlling Body the terms and conditions of the suspension or disability.

(3) A person intending to participate in a harness racing activity shall give reasonable notice to the Controlling Body or the Stewards of any current suspension or disability imposed on the person by a recognised harness racing authority.

(4) The Stewards may direct a person to do or not to do something which, in the opinion of the Stewards, is consistent with a right, privilege or thing granted, or suspension or disability imposed, by a recognised harness racing authority.

(5) A person who has been penalised by suspension, disqualification or warning off or placed under a disability by a recognised harness racing authority shall not, during the currency of the penalty, be eligible to apply for any form of licence to any other recognised harness racing authority.

(6) The Controlling Body may make determinations, and the Stewards may exercise the powers granted to them by these rules, to ensure or facilitate within the jurisdiction of the Controlling Body -

(a) the exercise of a right, privilege or thing; or

(b) the observation of the terms and conditions of a suspension or disability granted to or imposed on a person by a recognised harness racing authority.

(7) A person who fails to comply with sub-rule (2) or sub-rule (3) or with a direction given under sub-rule (4) is guilty of an offence.

(8) Notwithstanding the foregoing provisions of this rule, the Controlling Body may determine that one or more of sub-rules (1), (2), (3) and (4) do not apply in certain circumstances or to a particular person.

(9) The Controlling Body may exchange information with a recognized harness racing authority.

(10) In this rule a recognised harness racing authority includes members of the International Trotting Association and the officials, officers and Stewards of the authority.

Matter related to other racing codes

298. (1) A person subject to disqualification, suspension or some other disability imposed by an approved body shall during its currency and as far as practicable, observe

within the jurisdiction of the Controlling Body the terms and conditions of the disqualification, suspension or other disability as if they applied to the person's harness racing activities.

(2) A person intending to participate in a harness racing activity shall give reasonable notice to the Controlling Body or the Stewards of any current disqualification, suspension or other disability imposed on the person by an approved body.

(3) The Stewards may direct a person to do or not to do something which in the opinion of the Stewards is consistent with a disqualification, suspension or other disability imposed by an approved body.

(4) The Controlling Body may make determinations, and the Stewards may exercise the powers granted to them by these rules, to ensure or facilitate within the jurisdiction of the Controlling Body the observation of the terms and conditions of a disqualification, suspension or other disability imposed on a person by an approved body as if those terms and conditions applied to the person's harness racing activities.

(5) A person who fails to comply with sub-rule (1) or sub-rule (2) or with a direction given under sub-rule (3) is guilty of an offence.

(6) Notwithstanding the foregoing provisions of this rule the Controlling Body may determine that one or more of sub-rules (1), (2) and (3) do not apply in certain circumstances or to a particular person.

(7) In this rule an approved body means an organisation accepted by the Controlling Body as controlling thoroughbred or greyhound racing in a State or Territory of Australia or in part of or the whole of a country and the officials, officers and Stewards of such an organisation.

Scope of rules and related matters

299. All persons

(a) licensed under these rules;

(b) carrying on or purporting to carry on activities related to the harness racing industry; or

(c) who in some other way are affected by the rules,

are deemed to have knowledge of and be bound by them and of all things done under them.

Stewards' powers exerciseable by controlling body

300. The Controlling Body or a person authorised by the Controlling Body may exercise the powers conferred on the Stewards or upon the Chairman of Stewards or Deputy Chairman of Stewards, by these rules.

Betting

300A. For the period of one (1) hour before the advertised starting time for the first race until the conclusion of the meeting a bookmaker operating or intending to operate at a meeting his agent or any of his employees shall not enter the areas known or referred to as the birdcage, horse stalls, parade ring or any area reserved by the Club for the use of drivers at the meeting.

Indemnity Against Claims

301. (1) A claim at law or in equity shall not be maintainable by a person to whom these rules apply against any steward, authorised person or official in respect of any action performed by such steward, authorised person or official for the purpose of giving effect to all powers and duties under the rules.

(2) Any steward, authorised person or official performing or exercising powers or duties under the rules shall stand indemnified by the respective Controlling Body against any such claim.

Overcoming wrongs and correcting errors

302. The Controlling Body may take whatever measure it considers appropriate -

(a) to prevent or overcome what it considers to be a corrupt, wrong or unfair practice affecting or likely to affect, any meeting, race or event or any other aspect of the harness racing industry;

(b) to rectify an error which has occurred because of some mistake or mishap in the administration of these rules whether by itself, the Stewards, a club or any person.

Instruments and forms

303. (1) The Controlling Body may create, use and issue any instrument, form or document which it considers necessary or convenient to give effect to these rules.

(2) The Controlling Body may maintain registers and records for the purposes of these rules in such manner and form as it thinks fit.

(3) The Controlling Body may determine procedures and impose requirements which it considers necessary or convenient for the administration of these rules.

Powers exerciseable at discretion

304. The powers conferred on the Controlling Body by these rules may be exercised from time to time at the Controlling Body's discretion.

Appointments, suspension and termination

305. Where power is conferred on the Controlling Body by these rules to make appointments that power includes the right to suspend someone so appointed, whether with or without remuneration or compensation, and the right to terminate the appointment.

Time at which rights cease

306. Unless a rule or form provides otherwise licences, registrations, rights and privileges granted under these rules cease at the end of the racing year.

307. (1) Where the Controlling Body or the Stewards impose, make or give an order, direction, decision, determination or the like under these rules which is of general application or of general interest to participants in the harness racing industry, it or they may give notice thereof -

(a) by publishing it in a recognised harness racing publication;

(b) by publishing it in the racing calendar;

(c) by publishing it in a newspaper; or

(d) by publishing it on a Controlling Body website; or

(e) by publishing it in some other format of general distribution.

(2) A person is deemed to have notice of anything published pursuant to sub-rule (1).

Service of notices

308. (1) Service of a notice or any document on a person under these rules may be effected -

(a) personally;

(b) by registered, certified or similarly secured letter posted to the person's last known or usual place of abode or business;

(c) by leaving the notice or document with someone apparently of or above the age of 16 years at such place of abode or business; or

(d) by such electronic or other means of communication or substituted service as the Controlling Body may determine.

(2) Service on a person who is a partner under a trainer's licence is deemed service on each of the partners.

(3) After service has been effected the Controlling Body or Stewards, as the case may be, may proceed to deal with the matter including in the absence of the person served.

Regard to be had to purpose

309. In the interpretation of a rule a construction that would promote the purpose or object underlying it, whether expressly stated or not or which would facilitate or extend its application, is to be preferred to a construction that would not promote that purpose or object or which would impede or restrict its application.

Fees

310. (1) The Controlling Body may impose and recover fees in respect of anything done under these rules.

(2) Without limiting the scope of sub-rule (1) fees may be imposed and recovered in respect of any application, grant, approval, notification, report, publication, nomination, registration, inspection, test, examination, inquiry, authority, transfer, licence, lease or permit.

(3) Information about fees may be given in such manner as the Controlling Body considers appropriate.

Advice and other matter

311. The Controlling Body may-

(a) act on such advice, information and documentary material as it sees fit and regardless of whether rules, determinations or forms made under rules, have been complied with or properly completed;

(b) disregard the rights or privileges of anyone who has failed to comply with or complete rules, determinations or forms made under rules.

Dictionary and notes

312. (1) Expressions used in these rules which are defined in the dictionary have or include as indicated the meanings given to them in the dictionary.

(2) Notes in the dictionary are explanatory and do not form part of the rules.

Singular and plural form

313. (1) Words or expressions in the singular form in these rules include the plural form and words or expressions in the plural form include the singular form.

(2) Sub-rule (1) does not apply where it is obvious from the context that either the singular form or the plural form solely applies.

(3) Words or expressions importing the masculine gender shall be deemed and taken to include the female gender unless the contrary is expressly provided for.

Date rules take effect and related matters

314. (1) These rules take effect on 1st September 1999.

(2) The previous rules are repealed on that date.

(3) The repeal does not affect any then existing right, privilege, obligation, disability, disqualification, suspension or other penalty.

(4) All inquiries, investigations and similar proceedings on foot at the date of repeal or which subsequently commence in respect of circumstances or events occurring before that date shall be governed by the repealed rules and may continue on or be instituted and proceed as the case may be and decisions may be made and enforced and penalties imposed as if the repealed rules were still in force.

PART 22

MONTÉ RACING

315. The Rules in this Part are to be read together with all other Rules and in the event of a conflict, the Rules in this Part shall prevail.

316. In this Part:-

(1) "*Rider*" means a person who rides a horse in a race approved by the Controlling Body as a Monté race and for the purposes of these Rules including the imposition of penalties for breaches of the Rules, rider shall where applicable include "*driver*" as defined in these Rules.

(2) "*Monté Race*" means a race in which the competing horses are ridden by a licensed rider.

(3) "*Horse*" means a Standardbred horse that has:-

(a) attained the age of 3 years;

(b) qualified as a trotter;

(c) started in no less than three trotting races and a Monté trial.

Gear

317. Gear used in connection with Monté racing shall be approved by the Controlling Body.

318. (1) Applications concerning gear shall be made in such form as the Controlling Body or Stewards may determine and be lodged with the Controlling Body or Stewards no later than forty eight (48) hours before the nomination of a horse for a race.

(2) In the event of a change to any of the particulars notified in accordance with sub-rule (1), such change shall immediately be lodged with the Controlling Body or Stewards in such form as the Controlling Body or Stewards may determine.

(3) *(Rule 318(3) repealed, HRA approved 09.12.2021)*

319. In the case of a horse to compete in a race, application to change any gear must be made to the Controlling Body by the connections at a time to be determined by the Controlling Body.

320. An application to change any gear shall be made to the Controlling Body on form R25-M.

Whips

321. (1) A rider shall only use a non-modified whip of a design and specification approved by the Controlling Body.

(2) A rider shall only use a whip forward of the saddle.

(3) A rider shall at all times when using a whip keep hold of the reins.

Reins

322. (1) A rider shall only use reins of a design and specification approved by the Controlling Body.

(2) Approved reins cannot be attached with a carabineer or snap-hook.

(3) A rider shall when mounted on a horse hold the reins in both hands.

Helmets

323. A rider shall when mounted on a horse wear a properly affixed helmet which has been entered in the Helmet Register approved by Harness Racing Australia.

Vests

324. A rider shall when mounted on a horse wear a properly fastened safety vest which has been approved by Harness Racing Australia.

Footwear

325. (1) A rider shall when mounted on a horse wear riding boots approved by the Controlling Body.

(2) Riding boots shall have a heel and not have spurs attached.

Saddle

326. (1) A rider shall when mounted on a horse use a saddle which has been approved by the Controlling Body.

(2) An extra girth strap or surcingles shall be used to tighten the girth if there is only one strap fitted to each side of the saddle.

(3) If a head-check is used on a horse then:-

(a) The head-check must be attached to the saddle.

(b) The saddle must be used in conjunction with a crupper.

Stirrups

327. A rider shall when mounted on a horse use stirrups approved by the Controlling Body.

Breast Plate

328. A breast plate shall be fitted to a horse competing in a race.

Weight

329. (1) The minimum weight to be carried by a horse including the rider and all gear except the bridle and reins shall be 65 kg.

(2) The maximum weight to be carried by a horse including the rider and all gear except the bridle and reins shall be 105 kg.

(3) Subject to sub-rule (4), when a race has been run every rider shall immediately after pulling up ride his horse to the place of weighing and when told by the Stewards so to do and not before, there dismount and the riders of the placed horses and such other riders as directed by the Stewards shall be weighed to the satisfaction of the Stewards.

(4) If a rider be prevented by accident, illness or other cause deemed sufficient by the Stewards from riding to the place of weighing he may walk or be carried to the scales. If, in the opinion of the Stewards, it is impracticable to weigh in a rider, his horse shall not be disqualified if the Stewards are of the opinion that he carried his correct weight.

Weighing In

330. If a horse carries less than 65 kg it shall be disqualified from the race and the rider and/or any other person may be penalised.

Horses

331. A horse that in the opinion of the Stewards breaks gait clear of interference in the final 200 metres of a race shall be disqualified from the race.

Riders

332. (1) A rider shall at all times during the course of a race ensure that all other horses have a clear passage.

(2) A rider who fails to comply with sub-rule (1) is guilty of an offence.

Mobile Starts

333. Unless otherwise approved by a Controlling Body, in a race conducted with a mobile start:

(a) A horse shall wear a head-check.

(b) There shall not be more than one row of horses.

Licences

334. (1) A person who holds a driver's licence or trainer's licence pursuant to Part 4 of these Rules shall complete at least one Monté trial to the satisfaction of the Stewards.

(2) An unlicensed person or a person who holds a stable hand licence pursuant to Part 4 of these Rules and who is not younger than 16 years must complete at least three (3) Monte trials to the satisfaction of the Stewards.

(3) A person who is licensed as a jockey by a Principal Racing Authority is exempt from completing a Monté trial.

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