AMENDMENTS TO RWWA RULES OF RACING

In accordance with Section 45 (1) (a) of the Racing and Wagering Western Australia Act 2003, notice is hereby given that the Board of Racing and Wagering WA has resolved that the RWWA Rules of Thoroughbred be amended as follows;

Amendments of National (Australian) Rules applicable 1 January 2020

Racing Australia (RA) has advised of amendments to the Australian Rules which are applicable from 1 January 2020 as follows;

Add;

qualified veterinary surgeon means a veterinarian who is:

(a) registered with the Veterinary Practitioners Board (or equivalent regulatory body) in a State or Territory of Australia; and
(b) approved by the relevant PRA (including by way of permit, approval or licence) if required by a Local Rule of that PRA.

Rationale;
The term “qualified veterinary surgeon” is currently used in AR 34(3) (regarding horse registration) and AR 225 (regarding euthanasia).

From 1 January 2020 the term will also be used in new/amended rules which provide that:
- only a qualified veterinary surgeon can perform shockwave therapy on a horse – AR 86(4);
- only a qualified veterinary surgeon can perform endoscopy of the respiratory tract on a horse – AR 231(6); and
- a defence to blood doping offences exists where certain therapy is provided by a qualified veterinary surgeon – AR 257A.

The term is being defined in the Rules to provide clarity as to what constitutes a qualified veterinary surgeon.

In addition to having the relevant qualifications, the definition includes an additional requirement that the veterinarian be approved by the relevant PRA if required, given such a requirement applies under the Racing NSW Local Rules.

Add AR 86(4)

(4) A person must not perform shockwave therapy on a horse unless he or she is a qualified veterinary surgeon.

Rationale;

Nationally there is increasing evidence of the use of shockwave therapy by lay people and that this treatment is not being reported as required under the Rules of Racing; and

There are increased risks of tissue injury in horses that are subject to shockwave therapy performed by untrained lay people.

Amendment is made to restrict the performance of shockwave therapy to qualified veterinarians only.

Amend AR 87 Horses that have had an intra-articular injection
(1) If a horse has been subjected to an intra-articular injection:
    (a) the horse is ineligible for; and
    (b) a trainer must not enter or start the horse in,
        any race, official trial, or jump-out for 8 clear days following midnight on the day of the administration.

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

(3) If a horse has been nominated and/or entered for a race, official trial, or jump-out, a person must not:
    (a) administer;
    (b) cause to be administered;
    (c) attempt to administer; or
    (d) be party to the administration of,
        an intra-articular injection to the horse at any time within 8 clear days of the race, official trial, or jump-out.

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

Rationale:

AR 87 is expanded to prohibit the intra-articular administration of any substance at any time during the 8 clear days prior to a race, official trial or jump-out.

Add AR 143(12)(c)

   (c) An apprentice jockey must provide his or her winning rides book to a Steward before weighing-out in any race.

Accords with the current practice of apprentice jockeys being required to provide their winning rides book to a Steward before weighing-out in a race.

Add AR 231(6) Care and welfare of horses

   (6) A person must not perform endoscopy of the respiratory tract on a horse unless he or she is a qualified veterinary surgeon.

Rationale:

Endoscopy of the respiratory tract on a horse can now only be performed by a qualified veterinarian.

Add AR 257A Prohibition on blood doping

(1) A person must not:
    (a) withdraw and re-infuse; or
    (b) withdraw, manipulate and re-infuse,
        homologous, heterologous, or autologous blood, blood products or blood cells into the circulatory system of a horse.
(2) A person must not administer any quantity of homologous, heterologous, or autologous blood, blood products or blood cells of any origin into the circulatory system of a horse.

(3) Notwithstanding subrules (1) and (2), a PRA or the Stewards may find that it is a complete defence to a charge laid under subrule (1) or (2) if in their opinion:
   (a) the relevant conduct was for life-saving purposes; and/or
   (b) the relevant conduct was part of a veterinary regenerative therapy for the treatment of musculoskeletal injury or disease administered by or under the supervision of a qualified veterinary surgeon.

Rationale;
Mitigates the manipulation of normal blood parameters by infusing stored blood or blood products (commonly referred to as ‘blood doping’ in human sports).

Note the rule contains a defence in subrule (3) to any charge where blood doping was conducted for life-saving purposes and/or as part of certain veterinary regenerative treatment.

Add AR 270A Penalty for breach of terms of suspension

(1) Except with the consent of the PRA or the Stewards in whose territory a suspension was imposed, a suspended person must not during the period of the suspension contravene any of the Rules in respect of, or the terms or conditions of, the suspension.

(2) Unless otherwise determined by the PRA or the Stewards in whose territory a suspension was imposed or adopted, if a person breaches subrule (1), the period of suspension imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.

(3) The provisions of subrules (1) and (2) apply to any suspended person, regardless of when the suspension was imposed.

Rationale;
When licensed or registered persons are suspended, they are subject to certain express restrictions under the Rules of Racing and may also be subject to other conditions imposed by the relevant PRA or Stewards.

In contrast to the rules regarding disqualifications (AR 263(4)) – which expressly provide that a breach of any restriction while disqualified results in an automatic recommencement of the disqualification and possible further penalty (subject to PRA discretion) – the rules regarding suspensions do not specify the consequence of a breach of any restriction while suspended.

Rule is introduced for any breaching of suspension restrictions while suspended, which is consistent with the rule in respect of disqualified persons. This will add a further deterrent for suspended persons who may be inclined to contravene the conditions of their suspension.

Amendment to Local Rule applicable 17 December 2019

Amend Local Rule LRSR 14(1)

   (1) A syndicate registered pursuant to these rules shall, unless otherwise cancelled or terminated in accordance with these rules, be taken for the purposes of Syndicate Regulation (k) to be renewed ad infinitum unless the
following activity has not occurred for a period of 5 years at which time the registration will be deemed to have expired;

(a) Have a horse owned by the syndicate or any horses that they are listed as the breeder of start in a race or;
(b) have a horse owned by the syndicate involved in any breeding activity.

Rationale;

Under the previous rule if a Syndicate did not have a horse owned by it start in a race for a period of five years the registration of it was deemed to have expired and the syndicate name would therefore be available to re-used by another group.

There are however other situations other than ownership where a syndicate name may still need to be retained within the system. The syndicate may have bred a horse that is still racing and they therefore may be entitled to breeder’s bonuses. They may have horse that is still be involved in breeding activity for a number of years once it is finished racing. Rule amendment now covers these situations.