



## NOTICE OF AMENDMENTS TO RWAA RULES OF HARNESS RACING

In accordance with Section 45 (1) (b) 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 RWAA Rules of Harness Racing be amended as detailed below. These amendments will take effect from 28 March 2023.

### **Background**

Over many numbers of years for varying reasons some of the National Harness rules were deleted from the RWAA Rules of Harness Racing or varied to be listed as Local Rules.

The rule books in the Thoroughbred and Greyhound codes are designed to include all National Rules as they appear Nationally and incorporate Local Rules as required and most of the below amendments have been made to standardise the format of the Harness Rules to match that of the other two codes of racing.

A number of changes to the National Rules were also approved by Harness Racing Australia (HRA) on 31 August 2022 which indicated that functions still being completed by RWAA were now being completed by HRA which at the present time is not in place. Local Rules have therefore been inserted where deemed necessary to correct this. Some of the functions that the National Rules now indicate are controlled by HRA but in fact are still controlled by RWAA are the registration of foals and naming and registration of horses.

As part of this process the opportunity was also taken to make some grammatical corrections to standardise wording and review some of the Local Rules of racing which relate to Integrity and Racing.

Harness is the only code of racing that currently has both RWAA Regulations and Local Rules and another part of this process was that the RWAA Regulations in relation to the rules have been repealed and, where deemed required, they have been retained and added as Local Rules as indicated below.

Some of the formatting, and the font has also been updated to match that of the National Rules and previous and current references to dates of rule amendments/additions have been deleted, in particular when some of them indicate changes made some years ago.

### **Significant rule changes/amendments are detailed below:**

#### **Add Local Sub-Rule 46 (2)**

- (2) *In addition to the requirements under Rule 46(1) a club conducting a meeting or official trials in Western Australia shall have in attendance a properly equipped ambulance capable of patient transport.*

Section (2) is added to clarify that in Western Australia attendance, by an Ambulance, is required for official trials as well as races.

#### **Add Local Rule 95 Naming and registration**

##### **LR 95 Naming and registration**

- (1) *Notwithstanding the HRA Stud Book Regulations a person desiring to register a horse must make application to the Controlling Body.*
- (2) *A person desiring to name or rename a horse must make application to the Controlling Body.*

- (3) *An application under this rule is to be made in the manner and form and be accompanied by such documentation, information and fees as the Controlling Body may determine.*
- (4) *A person making application to name a horse shall ensure that all proposed names comply with the HRA Stud Book Regulations*
- (5) *Application to name or register a horse shall be made on form R95-A.*
- (6) *The Controlling Body may grant or refuse an application under this rule.*
- (7) *The Controlling Body may cancel the registration of a horse.*
- (8) *A person who fails to comply with sub-rule (4) is guilty of an offence.*

Rule added to confirm that applications must be made to the Controlling Body (RWVA)

**Add Local Rule 197**

**LR. 197.**

*The Controlling Body, except where otherwise advertised, will disburse the advertised prize money in the following manner:*

- (1) *The owner shall receive 87.5% of the advertised prize money for any horse placed first to fifth in any race in Western Australia.*
- (2) *The owner shall receive 100% of the advertised prize money for any horse placed 6<sup>th</sup> to last.*
- (3) *There shall be payable to the licensed trainer of a horse placed first to fifth in any race in Western Australia a fee equal to 7.5% of the value of any prize money.*
- (4) *In addition to a driver's fee, there shall be payable to the licensed driver of a horse first to fifth in any race in Western Australia, a fee equal to 5% of the value of any prize money.*
- (5) *For the purposes of this Rule, the value of the prize money shall not include any trophy awarded under the conditions of a race.*

Rule is added to provide some consistency with the mandated splits for trainers and jockeys/drivers, by introducing a local rule for harness racing similar to the one that applies in thoroughbred racing.

**Add Local Rule 274 Registration of studs and sires**

**LR 274. Registration of studs and sires**

- (1) *A person desiring to use a place as a stud may make application for registration of the place to the Controlling Body.*
- (2) *A place will not be registered as a stud if the owner, studmaster or applicant is younger than 18 years.*
- (3) *Unless the material is already on file with RWVA an applicant for registration of a place as a stud shall furnish with the application -*
  - (a) *certified extracts of the birth of the stud owner and studmaster;*
  - (b) *the police records of the stud owner and studmaster.*
- (4) *RWVA at any time may request a stud owner or studmaster to furnish further copies of the material relating to the owner or studmaster, as the case may be, mentioned in sub-reg. (3).*

- (5) *It is a condition of registration that a stud shall always be maintained in a fit and proper condition.*
- (6) *A person desiring to register a stallion as a sire may make application for registration of the horse to the Controlling Body.*
- (7) *An application under this rule is to 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.*
- (8) *The Controlling Body may grant registration for such period and upon such terms and conditions as it thinks fit or it may refuse registration.*
- (9) *Registration may be cancelled by the Controlling Body.*
- (10) *A person who uses or permits or connives at the use of a place as a stud which is not registered for such use under these rules, or in breach of a term or condition of registration, is guilty of an offence.*
- (11) *A person who uses or permits or connives at the use of a stallion as a sire when the stallion is not registered as a sire under these rules, or in breach of a term or condition of registration, is guilty of an offence.*

The registration of sires is still controlled by RWWA so original National Rule is maintained together with sections of the repealed RWWA Regulations.

#### **Add Local Rule 275 Sires summary sheet and related matters**

##### **LR 275. Sire summary sheet and related matters**

- (1) *The connections of a sire shall keep a written record of all mares served by the sire.*
- (2) *The record shall contain the names of mares served, the dates of first and last service and the method of service.*
- (3) *The connections of the sire shall, no later than the 31st March following such services, lodge the record with the Controlling Body accompanied by such fees as the Controlling Body determines.*
- (4) *If a mare is served after lodgement of the record the connections shall, within 28 days of the last date of service, apply to the Controlling Body to add to the record the particulars required under sub rule (2).*
- (5) *The connections of a sire shall issue to the owner of a served mare a document containing details of the mare and service performed.*
- (6)
  - (a) *Subject to paragraph (b), in a breeding season the total number of mares bred in accordance with Parts 18 and 19 of these Rules to a sire registered in Australia including free returns from a previous breeding season shall not exceed 150.*
  - (b) *In the breeding season commencing 1 September 2020 and ending 31 August 2021 the total number of mares bred to a stallion registered in Australia may exceed 150 to a maximum of 170 provided that:*
    - (i) *each additional foal is the progeny of a free return to that sire; and,*
    - (ii) *the free return must be to the same mare and that sire; and,*
    - (iii) *the studmaster has made written application to HRA to use the free return and the application has been approved.*
- (7) *A horse that is foaled in contravention of sub-rule (6) shall not be eligible for registration.*
- (8) *The Controlling Body may from time to time change the information required to be recorded under this rule, the way in which it is recorded and the manner, form and time in which information is to be supplied, materials or documents lodged or issued, or application made to the Controlling Body or other person.*

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

The registration of matings/services is still controlled by RWWA so the original National Rule is maintained and amended as a Local Rule. Local rule amendments include a requirement that services of mares by a sire must be notified to RWWA no later than the 31<sup>st</sup> March following such services.

### **Add Local Rule 277 Notification of foaling**

#### **LR 277. Notification of foaling**

- (1) *The connections of a standardbred mare shall within 35 days of foaling notify the Controlling Body of the foaling and supply particulars of any prominent markings on the foal and its location.*
- (2) *Notification shall be made on the document provided under Local Rule 275(5) and shall be accompanied by such fees as the Controlling Body may determine.*
- (3) *Except with the prior consent of the Controlling Body, the connections of a foal must ensure that such foal has been microchipped and had samples taken for DNA analysis, by a Veterinary Surgeon contracted by the Controlling Body, within 6 months of foaling and prior to being weaned.*
- (4) *If a mare fails to produce a live foal from a service conducted under these rules the connections shall so notify the Controlling Body within 12 months of the last date of service.*
- (5) *A person who fails to comply with any provision of this rule is guilty of an offence.*
- (6) *The Controlling Body may from time to time change the details, time and form of notification required under this rule.*
- (7) *Unless the Controlling Body otherwise determines, a horse is ineligible for registration if notification of its foaling is made after it attains the age of 2 years.*

The lodgement of Notification of Foaling is still controlled by RWWA so the original National Rule is maintained and amended as a Local Rule. Local Rule amendments include that the notification of a foaling must be lodged with RWWA within 35 days, and that the connections of a foal must ensure that such foal has been microchipped and had samples taken for DNA analysis, by a Veterinary Surgeon contracted by the Controlling Body, within 6 months of foaling and prior to being weaned.

### **Repeal Local Rule 309 Regulations**

Rule is repealed as Regulations have also been repealed and where deemed necessary have been converted to Local Rules.

### **Repeal PART 22 AUSTRALIAN HANDICAPPING RULES**

These rules appeared within the RWWA Rules of Harness Racing but they do not appear within the National Rules and Western Australia now has their own handicapping guidelines. Australian Handicapping Rules are therefore repealed and any need to reference them can be done so by sourcing from within the HRA website.

### **The below National rules have been added as they did not appear within the RWWA Rules of Harness Racing**

2A, 5A Adds a requirement for a surveyor's certificate, 6A, 23A, 85A, Repeal and replace Rule 90A (2.9) and (2.10) with 90A (1.1) to (5.2), 101A, 103A, 114A, 116A, 134A, 271A, 272A, 282A, 284A

### **The below Local Rules have been amended to standardise the reference to "Controlling Body"**

Local definition "Drivers Agent", Renumber 90A to 90B, 96B, 96C, 174A(1), 213B, 297

### **The below rules are repealed as they have now been replaced within the HRA Stud Book Regulations**

95, 95A, 95AB, 96(1), 96(2), 96A, 274, 275, 276, 277, 278, 280

**The below Local Rules were formerly RWWA Regulations**

85, 90A, 90AB, 90C – 90G, 107

**Further amendments are as follows:**

**Add Local Rule 2A**

Reserves the right of “the Controlling Body” (RWWA) to set conditions and requirements in relation to clubs.

**Amend Local rule 15A Powers of Investigator**

Amend reference of “Controlling Authority” to “Controlling Body”. Add references to Rule 15A and 15B

**Add Local Rule 23A**

Clarifies that RWWA can decide the form that written nominations may be accepted

**Amend Local Rule 46 Medical Matters**

Small changes to wording within the rule

**Amend Sub-Rule 75A (2) and add Sub-Rule 75A (3)**

Amended to match wording of national Sub-Rule

**Repeal and replace Rules 93 and 94**

Parts of rule amended so as to be replaced by HRA Stud Book Regulations

**Add Local Rule 95 Naming and registration**

Rule added to confirm that applications must be made to the Controlling Body (RWWA)

**Add Local Rule 96**

Retains the original 96 (1) & (2) as a Local Rule as RWWA still issues Registration Certificates

**Add Local Rules 101A, 103A and 134A**

RWWA Stewards do not issue an official notice and the accepted practice is that connections are advised verbally

**Renumber Local rule 111 to 112 Owners and managers registered**

**Add Local Rule 114A**

Rule added to clarify that RWWA registers syndicates and upon expiry a new application is to be lodged

**Amend Local Rule 116 Syndicate changes**

Add wording “membership” and change the wording “the” to “a”

**Amend Local Sub-Rule 159A (4), 188AB, 256 and 256A**

Add the words “Rule/s” to maintain consistency of wording within rule book

**Repeal Local Rule 188A**

Substances mentioned now appear in the National Rule 188A

**Amend Local Sub-Rules 194(1) and 194A(1)**

Adds reference to Rules 15A and 15B

**Repeal Local Rule 271A**

Now will appear as Rule 271A

**Add Local Rule 276 Identity verification, Local Rule 280 Incorrect information concerning sire**

These processes are still controlled by RWWA so original National Rules are maintained as a Local Rules

**Add Local Rule 282A Application to licence artificial breeding station**

Rule added to replace previous regulation and maintains that registration of Artificial Breeding Stations is still controlled by RWWA.

**Amend Local Rule 284A Registration of semen controller**

Amended as some sections appear within the National Rules

**Repeal and replace Rule 285A**

In order that it matches current National rule

**Repeal Sub-Rules (6) to (14) of Local Rule 285A**

Sub-Rules repealed as now will be National rules