



RACING AND WAGERING WESTERN AUSTRALIA

**RWWA**

**RULES OF**

**THOROUGHBRED RACING**

**1 March 2019**

## Table of Contents

<b>PART 1 – INTERPRETATION, DICTIONARY &amp; APPLICATION OF THESE AUSTRALIAN AND LOCAL RULES</b>
<b>Division 1 – Interpretation</b>
AR 1 Interpretation principles
<b>Division 2 – Dictionary</b>
AR 2 Dictionary
<b>Division 3 – Application of these Australian Rules</b>
AR 3 Application of these Australian Rules
<b>LR 3</b>
AR 4 Races and race meetings subject to these Australian Rules
<b>LR4, 4A &amp; 4B</b>
AR 5 Breaches of these Australian Rules and their consequences
AR 6 Exercise of rights, powers or authorities to be final and conclusive
AR 7 Calculation of time periods
AR 8 Commencement of these Australian Rules
<b>LR 8 Transition</b>
<b>Division 4 – New rules</b>
AR 9 Only Racing Australia to make new rules
<b>Division 5 – Notices and communications</b>
AR 10 Service of notices
<b>Division 6 – Racing Australia</b>
AR 11 Role of Racing Australia
<b>PART 2 – POWERS OF PRAS &amp; REGISTRATION OF CLUBS</b>
<b>Division 1 – Powers of PRAs</b>
AR 12 General powers
<b>LR 12</b>
AR 13 Licensing and registration
<b>LR 13 &amp; LR13A</b>
AR 14 Functioning of race meetings and Clubs
AR 15 Investigations, inquiries and hearings
AR 16 Disciplinary action
AR 17 Taking samples at horse sales
<b>Division 2 – Applications to hold race meetings</b>
AR 18 Applications to hold race meetings
<b>PART 3 – ROLE &amp; POWERS OF STEWARDS</b>
<b>Division 1 – Source of Stewards’ powers</b>
AR 19 Source of Stewards’ powers
<b>LR 19 &amp; 19A</b>
<b>Division 2 – Stewards’ powers</b>

AR 20 General powers
AR 21 Race days, official trials and jump-outs
AR 22 Investigations and inquiries
<b>LR 22 &amp; 22A</b>
AR 23 Suspension pending the hearing and determination of a charge
AR 24 Disciplinary action
AR 25 Panel decisions
<b>PART 4 – HORSE REGISTRATION, OWNERSHIP, LEASING &amp; TRACEABILITY</b>
<b>Division 1 – Horse registration</b>
AR 26 Registration of a horse
AR 27 Stud Book requirement for horse registration
AR 28 Biological constitution requirement for horse registration
AR 29 Branding and microchip requirement for horse registration
AR 30 Information to be provided with horse registration application
AR 31 Provision of incorrect information
AR 32 Endorsement of certificates of registration for overseas horses
AR 33 Registration of a horse foaled outside of Australia
<b>Division 2 – Horse ownership</b>
AR 34 Registration as an owner
AR 35 Limitation on the number of persons who can own or race a horse
AR 36 Age restriction on persons who can own or race a horse
AR 37 Applications for transfer of ownership of a horse
AR 38 Registration of a new owner of a transferred horse
AR 39 Replacement of horse identification documents
AR 40 Use by owners of intellectual property associated with a horse
AR 41 Refusal to register certain horse names
AR 42 Use of names previously used by horses
AR 43 Applications to change horse names
AR 44 Naming of hacks/ponies
<b>Division 3 – Leasing of horses</b>
AR 45 Formal documentation required for racing leased horses
<b>LR 45</b>
AR 46 Obligation to inform a PRA of the termination of a lease
AR 47 PRA may impose conditions in respect of leases
<b>Division 4 – Sale or gifting of a horse</b>
AR 48 Prohibition on secret commissions in connection with the sale of a horse
AR 49 Horses sold, leased or gifted to retain engagements
<b>Division 5 – Traceability of horses</b>
AR 50 Manager to disclose the location of an unnamed horse

AR 51 Manager to notify Racing Australia of the retirement of a horse
AR 52 Deaths of named and unnamed horses to be reported
<b>PART 5 – ELIGIBILITY OF HORSES TO RACE</b>
<b>Division 1 – Entry and participation of horses in races</b>
AR 53 Horses can only run in races they are qualified to run in
LR 53
AR 54 Process of nominating a horse for a race
LR 54
AR 55 Nominations for races subject to approval
LR55
AR 56 Timing for making declarations in relation to races
LR 56
AR 57 Entry of horses in multiple races
LR 57 Limit on Acceptances
AR 58 Emergency acceptors
AR 59 PRA's discretion in relation to nominations for races
AR 60 Requirements of nominations, entry forms and Stable Returns
LR 60 Colours
AR 61 Only horses trained by a licensed trainer to race, official trial, or jump-out
LR 61
LR 61A Pre-training
AR 62 Failure to provide information etc in relation to interests in a horse
AR 63 Removal of manager of a horse
AR 64 Provision of details in relation to changes in ownership interests
AR 65 Production of horse identification documents on request
AR 66 Requirements on licensed persons in relation to interstate racing
LR 66
AR 67 Provision of information in relation to overseas racing
AR 68 Alteration and rejection of nominations
AR 69 Scratching of horses for Group or Listed races
AR 70 Disqualified horses can be struck from engagements
AR 71 Limits on ability to withdraw from a stake
AR 72 A race with only one entry is void
AR 73 Name of nominator to be used
AR 74 Entry of horses in races for improper purposes is prohibited
<b>Division 2 – Restrictions/exclusions in relation to participation of horses in races etc</b>
AR 75 Stewards may prevent/ban horses from participating in races etc
LR 75
AR 76 Yearlings
AR 77 2 year old horses

<b>LR 77</b>
AR 78 12+ year old horses
AR 79 Horses with bleeding
AR 80 Horses with impaired vision
AR 81 Horses with injury to limbs
AR 82 Horses with a tracheostomy
AR 83 Horses with fitness concerns
AR 84 Pregnant horses
AR 85 Horses that have had a firing procedure
AR 86 Horses that have had shockwave therapy
AR 87 Horses that have had an intra-articular corticosteroid treatment
AR 88 Horses that have had a vaccination
AR 88A & AR 88AA Bisphosphonates
<b>Division 3 – Notifiable diseases</b>
AR 89 Diseases or conditions which must be notified to a PRA
AR 90 Horses with an infectious disease not to be brought to racecourse etc
<b>Division 4 – Death of a nominator</b>
AR 91 Effect of death of a nominator
<b>Division 5 – Stakes and forfeits</b>
AR 92 Liability for stakes or forfeits
<b>LR 92</b>
AR 93 Horses may be scratched by Stewards if monies due and payable
<b>LR 93</b>
AR 94 Responsibility of a Club for stakes or forfeits
AR 95 Forfeit List to be kept by PRAs
AR 96 Consequences of being on the Forfeit List
<b>PART 6 – TRAINERS</b>
<b>Division 1 – Licensing of trainers by PRAs</b>
AR 97 Only licensed trainers to train horses
<b>LR 97 &amp; 97A - H</b>
AR 98 Training partnerships
<b>LR 98</b>
<b>LR 98A – F - Dual Licences</b>
<b>Division 2 – Rights and obligations of trainers</b>
AR 99 Obligation to ensure an identified horse is presented and races
AR 100 Notifications in relation to changed riding instructions
AR 101 Stabling of horses at trainer's registered stable address
AR 102 Notification to Stewards of gelding or spaying of a horse
AR 103 Stable Returns required for race entries
AR 104 Trainers must keep treatment records

AR 105 Matters that may affect the running of a horse in a race
AR 106 Saddling a horse
AR 107 Plates and tips
LR 107 & 107A
AR 108 Horse's clothing before sunrise
AR 109 Training in non-resident States or Territories
<b>PART 7 – RIDERS &amp; HORSE HANDLERS</b>
<b>Division 1 – Licensing of riders</b>
AR 110 Only licensed riders to ride in races
LR 110 & 110A - I
<b>Division 2 – Rights and obligations of riders</b>
AR 111 Physical fitness to ride
AR 112 Limitations on pregnant riders being able to ride
AR 113 Electronic devices not permitted while riding
AR 114 Reporting occurrences or incidents
AR 115 Jockey and apprentice jockey misconduct
AR 116 Jockeys and apprentice jockeys not to have an interest in horses
AR 117 Ineligibility of horses that a jockey or apprentice jockey has an interest in
AR 118 Jockeys and apprentice jockeys not to have an interest in horse transactions
AR 119 Engagements for apprentice jockeys to be approved by master
AR 120 Rider's agents
<b>Division 3 – Safety equipment of riders</b>
AR 121 Clothes, footwear and equipment
AR 122 Helmets
AR 123 Safety vests
LR 123
AR 124 Proper bridle and saddle for horses
AR 125 Riders permitted to use blunt and approved spurs
<b>Division 4 – Requirements of riders in relation to riding in races</b>
AR 126 Fees for jockeys and riders to be determined by PRAs
LR 126 & 126 A - C
AR 127 Failing to fulfil a riding engagement
AR 128 Riders to be present in jockeys' room at race meetings
AR 129 Running and handling
AR 130 Consequences if a horse and/or jockey causes interference
AR 131 Riding offences
AR 132 Limits on the use of a whip by a rider
AR 133 Possession of stockwhip
AR 134 Excessive, unnecessary or improper use of spurs

AR 135 Races around markers
<b>Division 5 – Substances banned for use by riders and horse handlers</b>
AR 136 Banned substances in relation to riders
AR 137 Banned substances in relation to horse handlers
<b>Division 6 – Banned substance offences for riders and horse handlers</b>
AR 138 Penalty for breach
AR 139 Offences where riders use banned substances
AR 140 Offences where horse handlers use banned substances
AR 141 Stewards may impose a stay on a banned substance offence penalty
AR 142 Banned substances exemption
<b>Division 7 – Apprentice jockey allowances</b>
AR 143 Weight allowances for apprentice jockeys
LR 143 & LR 143A
<b>Division 8 – Riding Skills Panel</b>
AR 144 Riding Skills Panel
<b>Division 9 – Other provisions relating to workers in the thoroughbred racing industry</b>
AR 145 Employment in the thoroughbred racing industry
LR 145 & 145A –F - Apprentices
AR 146 Leaving employment without consent of master
AR 147 Retainers with riders
<b>Division 10 – Approved riders</b>
AR 148 Prohibition on betting activity of approved riders
AR 149 Approved riders owning horses
<b>PART 8 – RACE MEETINGS</b>
<b>Division 1 – Race meetings</b>
AR 150 Discretion of a PRA to exempt a race meeting or race from the Rules
AR 151 PRA approval of races, race names and conditions
AR 152 Change of venue not to affect status of race meeting
AR 153 No changes to weight of horses after acceptances
AR 154 Non-monetary prizes
AR 155 Abandonment or cancellation of race meetings
AR 156 Prohibition on officials with a pecuniary interest in a race result
LR 156 Appointment of Officials
AR 157 Clubs to provide reports of race meetings to PRAs
AR 158 Stewards' reports following race meetings
AR 159 Races can be divided into divisions
LR 159
AR 160 Minimum distance for all races
AR 161 Method of reckoning the age of a horse

AR 162 Nature of Group and Listed races
AR 163 Official results of races are those recorded by Racing Australia
AR 164 Immaterial defect in registration or entry
AR 165 Horses in the saddling paddock
LR 165 Time for horses to be brought on course
AR 166 Horses must be attended to at all times while on course
LR 166 Restricted areas
<b>Division 2 – Weights, penalties and allowances</b>
AR 167 Maximum and minimum weights for handicap races
LR 167
AR 168 Table of standard weight-for-age measures
AR 169 Allowances for fillies and mares
AR 170 Allowances for weight-for-age races
AR 171 Limitation on allowances
AR 172 Additional weight not to be required for running 2 <sup>nd</sup> or lower
AR 173 Allowances/extra weights not affected by matches/sweepstakes
AR 174 Penalties not to be cumulative
AR 175 No penalties for winners of jumping races or flat races
AR 176 Handicapper to identify time of declaration of weights
AR 177 Stewards may permit handicapper to amend weights
AR 178 Consequence for weights of a dead-heat race
AR 179 Calculating equivalent prize money earned in other countries
AR 180 Eligibility or weight not affected by subsequent disqualification
<b>Division 3 – Scratchings</b>
AR 181 Notice of scratching of a horse from a race
LR 181 & 181A
AR 182 Scratchings void if a race or race meeting postponed to another day
AR 183 Horses may be scratched 15 minutes before a re-run race
<b>Division 4 – Weighing-out</b>
AR 184 Method of weighing-out and weighing-in
LR 184
AR 185 No equipment change after weighing-out
LR 185
AR 186 Securing lead or other weights
LR 186
AR 187 1kg adjustment to rider's actual weight
AR 188 Riders' obligations in relation to safety vests
LR 188
AR 189 Riders may be substituted in particular circumstances



<b>LR 189</b>
AR 190 Riders riding overweight
AR 191 Responsibilities in relation to weight and penalties
AR 192 Departure from jockeys' room and mounting enclosure prior to race
AR 193 Limits on a rider in relation to race communications
<b>LR 193</b>
<b>Division 5 – Starting</b>
AR 194 Horse to be in mounting yard 15 minutes before start time
<b>LR 194 Displaying advertising</b>
AR 195 Parading and proceeding to the start of a race
AR 196 Races to be started by the Starter
AR 197 Discretion of the Starter in relation to starting races
AR 198 Requirement of starting at allotted barrier
AR 199 Open barrier and flag starts
AR 200 Discretion for Stewards to scratch a horse if it does not enter stall
AR 201 Discretion of Stewards if race started from incorrect starting position
AR 202 Discretion of the Starter to signal false start
AR 203 Decision of Stewards about starts of races to be final
AR 204 Riderless and disadvantaged horses at the start of a race
<b>Division 6 – Running of a race</b>
AR 205 Stewards may declare a race void and require it to be re-run
AR 206 Horses must only race in approved gear
<b>LR 206 &amp; 206A</b>
AR 207 Horses must carry saddlecloths identifying their number
<b>Division 7 – Weighing-in</b>
AR 208 Requirement to weigh-in
AR 209 Consequence of a horse carrying less weight than it should
AR 210 Consequence if a rider does not weigh-in properly
AR 211 Horse overweight by more than 0.5kg
AR 212 Declaration of correct weight by Stewards
<b>Division 8 – Dead-heats</b>
AR 213 Dead-heats
<b>Division 9 – Judge's determination</b>
AR 214 Placings in a race to be determined by the Judge
<b>Division 10 – Walk-over</b>
AR 215 A walk-over and its consequences
AR 216 Allocation of prize money if no 2 <sup>nd</sup> or other place
<b>Division 11 – Restrictions on course telecasts</b>
AR 217 No course telecast without approval

<b>Division 12 – Restrictions on the use of communication devices</b>
AR 218 No transmission of certain information in certain areas at racecourses
<b>Division 13 – Protests</b>
AR 219 Making protests
AR 220 Certain protests can be made up to 30 days after a race
AR 221 Consequence of a protest being upheld
AR 222 Protest to the qualification of a horse
AR 223 Withholding of prizes pending consideration of a protest or inquiry
AR 224 Prizes to be repaid/returned following disqualification
LR 224
<b>Division 14 – Humane euthanasia of a horse</b>
AR 225 Circumstances in which a horse may be humanely euthanised
LR 225 Euthanasia of Horses
<b>PART 9 – MISCONDUCT &amp; OTHER OFFENCES</b>
<b>Division 1 – Penalty for breach</b>
AR 226 Penalty for breach
<b>Division 2 – Powers in relation to misconduct and other offences</b>
AR 227 Breaches of the Rules
<b>Division 3 – Conduct detrimental to the interests of racing</b>
AR 228 Conduct detrimental to the interests of racing
<b>Division 4 – Corruption, dishonesty and misleading behaviour</b>
AR 229 Corruption, dishonesty and misleading behaviour
AR 230 Duty to provide information in relation to corrupt etc conduct
<b>Division 5 – Misconduct in relation to the care and welfare of horses</b>
AR 231 Care and welfare of horses
<b>Division 6 – Misconduct by failure to observe official processes and directions</b>
AR 232 Failure to observe processes and directions of PRAs or Stewards
<b>Division 7 – Other misconduct offences</b>
AR 233 Other misconduct offences
LR 233 & 233A Disqualification by Conviction
AR 234 Disqualification where certain misconduct has occurred
<b>PART 10 – BETTING &amp; LAYING PROHIBITIONS FOR CERTAIN PERSONS</b>
<b>Division 1 – Penalty for breach</b>
AR 235 Penalty for breach
<b>Division 2 – Prohibition on betting with or for jockeys</b>
AR 236 Betting with or for a jockey
<b>Division 3 – Prohibition in relation to laying horses</b>
AR 237 Prohibition on persons laying horses
<b>Division 4 – Prohibition on betting with non-approved wagering operators</b>
AR 238 Prohibition on betting with non-approved wagering operators

<b>PART 11 – PROHIBITED SUBSTANCES &amp; PROHIBITED METHODS OFFENCES</b>
<b>Division 1 – Penalty for breach</b>
AR 239 Penalty for breach
<b>Division 2 – Prohibited substance in a sample taken from a horse</b>
AR 240 Prohibited substance in sample taken from horse at race meeting
AR 241 Prohibited substance in sample taken from horse at trial etc
<b>LR 241</b>
AR 242 Prohibited substance in sample taken from horse at any time
<b>Division 3 – Administration offences</b>
AR 243 Administration of prohibited substance (general administration provision)
AR 244 Administration of prohibited substance to affect race performance
AR 245 Administration of prohibited substance in sample taken from horse before/after running in race
AR 246 Administration of prohibited substance after running of race
AR 247 Administration of alkalinising agents
AR 248 Administration of anabolic androgenic steroids
AR 249 Administration of medication on race day
<b>Division 4 – Possession offences</b>
AR 250 Possession of prohibited substance
<b>LR 250</b>
AR 251 Possession of a prohibited substance/equipment at race meeting
AR 252 Possession of medication/substance/preparation in breach of legislation
<b>Division 5 – Testing for anabolic androgenic steroids before registration</b>
AR 253 Testing for anabolic androgenic steroids before registration
<b>Division 6 – Injections</b>
AR 254 Injections prohibited at certain times
<b>Division 7 – Stomach-tubing</b>
AR 255 Stomach-tubing prohibited at certain times
<b>Division 8 – Supply and procurement offences</b>
AR 256 Prohibition on supply and procurement of certain substances
<b>Division 9 – Therapeutic substances</b>
AR 257 Therapeutic substances
AR257A Prohibition on blood doping
<b>PART 12 – SAMPLE ANALYSIS &amp; FACILITATION OF PROOF</b>
<b>Division 1 – General rules</b>
AR 258 General rules
<b>Division 2 – Sample analysis and facilitation of proof</b>
AR 259 Sample analysis and facilitation of proof
<b>PART 13 – DISCIPLINARY PROCESSES, PENALTIES &amp; RESTRICTIONS</b>
<b>Division 1 – Evidentiary and procedural provisions in relation to disciplinary matters</b>
AR 260 Publication of penalties

AR 261 Recognition of penalties imposed overseas
AR 262 Records of disqualifications, suspensions, and warning offs
<b>Division 2 – Effects of penalties and restrictions imposed on persons and horses</b>
AR 263 Prohibitions on persons and their conduct while disqualified
LR 263 & 263A - C
AR 264 No betting by a bookmaker with disqualified persons
AR 265 Restrictions that apply to those warned off the same as those disqualified
AR 266 Prohibitions on conduct of riders during suspension
AR 267 Prohibitions on conduct of trainers during suspension
AR 268 Prohibitions on conduct of bookmakers during suspension
AR 269 Prohibitions on conduct of stablehands during suspension
AR 270 Orders that can be made in relation to a suspended person
AR270A Breach of suspension restrictions
AR 271 Effect of court proceeding on disqualifications or suspensions
AR 272 Effect of bonus payable to a disqualified person
AR 273 A horse cannot participate while disqualified
LR 273
AR 274 Effect of prize otherwise awarded if a horse is disqualified
AR 275 Effect on a horse of disqualification of a person associated with the horse
AR 276 Effect of disqualified or suspended trainer on horses
AR 277 Discretion in relation to suspensions
AR 278 Disqualified person bound by the Rules during disqualification
AR 279 No damages for decisions made under the Rules
<b>Division 3 – Stewards’ hearings and appeal rights</b>
AR 280 Appeals to a PRA
AR 281 Legal representation at Stewards’ inquiries or hearings
AR 282 Consequences of findings can be suspended pending an appeal
LR 282
<b>Division 4 – Penalties</b>
AR 283 Penalties
LR 283 & 283A
AR 284 Defaulters in bets
LR 284 Restrictions on Bookmakers
<b>SCHEDULE 1 – PROHIBITED SUBSTANCE LISTS</b>
<b>PART 1 – SUBSTANCES PROHIBITED AT ALL TIMES</b>
Division 1 – Prohibited List A
Division 2 – Prohibited List A exemptions
Division 3 – Prohibited List A thresholds (anabolic androgenic steroids)
<b>PART 2 – SUBSTANCES PROHIBITED ON RACE DAYS, CERTAIN TRIALS ETC</b>
Division 1– Prohibited List B
Division 2 – Prohibited List B exemptions

Division 3 – Prohibited List B thresholds
<b>SCHEDULE 2 – TRAINER &amp; REFORM OWNER RULES</b>
TOR Rule 1 Commencement and operation of the TOR
TOR Rule 2 Powers of PRAs in relation to the TOR
TOR Rule 3 Requirement for trainers to issue a Fees Notice
TOR Rule 4 Circumstances in which the presumption of a training debt arises
TOR Rule 5 Requirements in relation to, and the effect of, a Dispute Notice
TOR Rule 6 Consequences if the presumption of a training debt arises
TOR Rule 7 Further trainer rights (when the presumption of a training debt has not arisen)
TOR Rule 8 Training Disputes Tribunal
TOR Rule 9 Facilitating payment after a TDT decision
<b>SCHEDULE 3 – SYNDICATE RULES</b>
SR 1 Members of Syndicates
SR 2 Requirement of manager of a Syndicate
SR 3 PRAs may make rules or regulations in relation to Syndicates
SR 4 Syndicate members bound by these Australian Rules
SR 5 No responsibility of a PRA for the actions of a Syndicate or its members
SR 6 Limits on the registration or continued operation of a Syndicate
SR 7 Penalties for breach of Syndicate Rules
SR 8 Additional horses to be owned or leased by a Syndicate
SR 9 Promoter Syndicates
SR 10 Applications for Syndicates
SR 11 Requirements for Syndicate agreements and their registration
SR 12 Applications for companies to race horses as a Syndicate
SR 13 PRA's powers to approve and register a Syndicate
SR 14 Renewal of the registration of a Syndicate
<b>SCHEDULE 4 – LIST OF RESTRICTED RACES</b>
1. Maiden and Trophy Races
2. Class A and Class B Races
3. Class 1 to Class 6 Races
<b>SCHEDULE 5 – TABLE OF COMPARATIVE PROVISIONS</b>
1. Comparison between Australian and <b>Local</b> Rules of Racing as at 1 August 2004 (old rules) and 1 March 2019 (new rules)
2. Comparison between Australian and <b>Local</b> Rules of Racing as at 1 March 2019 (new rules) and 1 August 2004 (old rules)

## **PART 1 – INTERPRETATION, DICTIONARY & APPLICATION OF THESE AUSTRALIAN AND **LOCAL** RULES**

### **Division 1 – Interpretation**

#### **AR 1 Interpretation principles**

- (1) If there is any conflict or inconsistency between a rule contained in these Australian Rules and a Local Rule, to the extent of the conflict or inconsistency the provision in these Australian Rules will prevail.
- (2) References in these Australian Rules to Racing Australia should be read as a reference to the ARB or RISA (as applicable) up until 13 April 2015, and to Racing Australia thereafter.
- (3) Where they appear, headings are for reference purposes only and are not to be regarded as operative parts of these Australian Rules.
- (4) Words importing the singular include the plural and vice versa, unless the context requires otherwise.
- (5) Words importing the male sex include the female sex and vice versa, unless the context requires otherwise.

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

*(a) In Australian Rules of Racing such meanings as are herein printed in black type.*

*(b) In Western Australian Local Rules of Racing such meanings as are herein printed in red type.*

### **Division 2 – Dictionary**

#### **AR 2 Dictionary**

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

***Added Money** means money actually contributed towards the stakes by the Club or from other sources as distinct from money contributed by owners of horses engaged.*

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

***Affiliated or Associated Clubs** means and includes all Principal Racing Authorities, and the Premier Racing Club, of any State or Country which the Principal Racing Authority has by resolution published in the Racing Calendar declared to be an Affiliated or Associated Club. Where the word "affiliated" occurs in the Rules, the same shall mean either affiliated or associated as the case may be.*

***Allocated Weight*** means the weights allotted by the handicapper after taking into account the true weight that horse would have been allotted in the absence of a declared minimum weight.

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

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

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

***AR*** means an Australian Rule of Racing

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

**arrears** includes:

- (a) any sum due and payable including subscriptions, fines, fees, stakes or forfeits in respect of any race or race meeting conducted under the Rules; and
- (b) any sum in respect of which a person has been declared a defaulter or placed on the Forfeit List.

**ASIC** means the Australian Securities and Investment Commission.

***Australian Rules of Racing*** means the Rules made by Racing Australia herein printed and include all modifications thereof and all new Australian Rules of Racing as therein provided.

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

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

**authorised agent** means a person who has been validly authorised by his or her principal to act on behalf of the principal. *(amended 1/5/21)*

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

**beneficial interest** means a person who by agreement or other legal arrangement has the right to some profit, distribution or other like benefit from ownership of a horse even though title to the horse may be in another's name, or any individual or group of individuals that either directly or indirectly has the power to vote or participate in business decisions in respect of the horse.

**breeder** means the person responsible for a broodmare in whose name the relevant Mare Return is lodged or is intended to be lodged. *(added 1/5/21)*

**breeding horse** means a broodmare or a stallion which was an unnamed horse or a named horse but which has subsequently been registered for breeding under these Australian Rules. *(added 1/5/21)*

**broodmare** means a female horse used to produce foals. *(added 1/5/21)*

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

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

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

**Certificate of Registration (Breeding)** means the official registration document of that name in relation to the ownership or leasing of a horse for breeding purposes. *(added 1/5/21)*

**Certificate of Registration (Racing)** means the official registration document of that name in relation to the ownership or leasing of a horse for racing purposes. *(added 1/5/21)*

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

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

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

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

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

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

**company** means:

- (a) a company incorporated or registered under the Corporations Act or any statute or ordinance of any State and/or Territory of the Commonwealth of Australia;
- (b) a 'foreign company' within the meaning of the Corporations Act.

**Controlling Body** means a relevant body or entity (including RWWA), provided for by legislation, that has the control and general supervision of Thoroughbred, Harness or Greyhound Racing within a State, Territory or Country. *(added GG 29/7/22)*

**co-owner** means a person who owns a horse together with at least one other person and is registered or is intended to be registered with Racing Australia as an owner.

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

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

**Country Area A** means race meetings conducted by Albany Racing Club, Coolgardie Racing Club, Geraldton Turf Club, Kalgoorlie Boulder Racing Club, Narrogin Race and Pace, Mount Barker Turf Club, Toodyay Race Club, York Racing. *(added GG 20/9/19)*

**Country Area B** means race meetings not defined as Metropolitan, Provincial or Country Area A. *(added GG 20/9/19)*

**Course** includes any racecourse, training ground or land over which the Principal Racing Authority or any Club has the control or management for racing or training purposes

**covering season** means the 9 month period from 1 September to 31 May. *(added 1/5/21)*



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

**Declaration of Service** means the form required to be lodged with the Australian Stud Book for each stallion declaring (among other things) the broodmares covered by the stallion, or the decision not to cover any broodmares, in the previous month. *(added 1/5/21)*

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

**direct payment disbursements** means costs or expenses in relation to the training and/or care of a horse which are to be directly invoiced to an owner of a horse by service providers other than the trainer (including veterinary fees, breaking in fees, agistment fees and transport costs).

**Dispute Notice** means the Racing Australia form of that name referred to in the TOR Rules, and in the STA, both as amended from time to time.

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

**eligible horse** *(deleted 1/5/21)*

**Enforcement Action Application (EAA)** means the Racing Australia form of that name referred to in the TOR Rules and in the STA, both as amended from time to time, which a trainer is entitled to submit to Racing Australia under TOR Rule 6 once the presumption of a training debt arises.

**exempt owner** means an owner who is not required to comply with the STA, being an owner:

- (a) who themselves trains a horse pursuant to an owner/trainer licence and does not also train the horse for any other owner; or
- (b) who employs (as an employee pursuant to a written contract of employment), or otherwise engages (pursuant to a written contract for services) a trainer to train a horse/s exclusively for that owner so that the trainer does not train a horse for anyone else.

**exempt trainer** means a trainer who is not required to comply with the STA, being a trainer:

- (a) with an owner/trainer licence who does not also train the horse for any other owner; and/or
- (b) who is contracted in writing to provide training services exclusively to an exempt owner.

**external proceedings** means legal proceedings in a court or tribunal (not including a TDT) outside the TOR Rules.

**filing fee** means the fee set and charged by Racing Australia to cover administrative costs of the TDT process, and which is to be remitted by Racing Australia to the relevant PRA which is allocated a TDT proceeding by Racing Australia.

**Fees Notice** means the written fee disclosure notice a trainer must provide to an owner of a horse under TOR Rule 3, and pursuant to the STA.

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

**Foal Ownership Declaration** means the form required to be lodged with Racing Australia for each foal declaring (among other things) the name of each person with a beneficial interest in that foal from its birth to the date of the declaration. *(amended 1/5/21)*

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

- (a) due from or imposed upon any person;
- (b) due in respect of or imposed upon any horse; or
- (c) published by a PRA as so due or imposed.

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

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

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

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

***Handicap** means a race in which the weights the horses are to carry are to be adjusted, after the time limited for entering or naming, according to the judgement of the person appointed to frame the handicaps upon the merits of the horses, for the purpose of equalising their chances of winning.*

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

**horse ownership venture** means a venture conducted by co-owners of a horse, and can include racing a horse together, selling all or part of a horse, and/or breeding of a horse.

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

**interest** in respect of a horse includes:

- (a) the ownership or leasing interest of a natural person in relation to a horse;
- (b) membership of a Syndicate which owns or leases a horse;
- (c) where relevant, membership of a company, unincorporated organisation or Syndicate which owns or leases a horse, or has any direct or indirect interest in a horse, or has any direct or indirect interest in a company, unincorporated organisation or Syndicate which owns or leases a horse.

**jockey** is a person licensed by a PRA to ride for hire.

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

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

**lay** means the offering or placing of a bet on a horse:

- (a) to lose a race; or
- (b) to be beaten by any other runner or runners; or
- (c) to be beaten by any margin or range of margins; or
- (d) to not be placed in a race in accordance with the provisions of AR 214(3).

**lease** includes any agreement by which the owner of a horse permits another person to race the horse or to use the horse for breeding. *(amended 1/5/21)*

**licence** includes any approval or permit.

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

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

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

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

**Local Rules of Racing or LR** means the Rules of Racing made by the Principal Racing Authority herein printed and the expression includes all amendments thereof and all other Local Rules of Racing for the time being.

**Maiden** means a horse which:

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

**manager** means a person registered with Racing Australia as the manager of a horse owned or leased by a natural person, a group of natural persons, or a Syndicate. Unless established otherwise: *(amended 1/5/21)*

- (a) the first named person appearing in the Foal Ownership Declaration, Certificate of Registration (Racing), Certificate of Registration (Breeding), or other official ownership or leasing record held by Racing Australia will be deemed to be the manager (subject to AR 63(1)); and
- (b) if a horse is owned or leased by more than one Syndicate, the first named person appearing in the Foal Ownership Declaration, Certificate of Registration (Racing), Certificate of Registration (Breeding), or other official ownership or leasing record held by Racing Australia will be deemed to be the manager.

**Mare Return** means the form required to be lodged with the Australian Stud Book for each broodmare declaring (among other things) the outcome of the broodmare's covering by a stallion or the decision not to have the mare covered. *(amended 1/5/21)*

**medication** means any drugs or other substances.

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

**metropolitan area** means any area designated in that way by the Rules.

***Metropolitan Area*** means an area where a Metropolitan Race Meeting is held.

***Metropolitan Course*** means Ascot Racecourse and Belmont Racecourse.

***Metropolitan Race Meeting*** means:

- (a) A race meeting conducted in Western Australia by Perth Racing (The Western Australian Turf Club); and a metropolitan race meeting conducted elsewhere in or outside Australia; and*
- (b) designated as the equivalent of a Western Australian Metropolitan Race Meeting by RWWA*

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

**month** means a calendar month.

**named horse** means a horse which was an unnamed horse but which has subsequently been registered for racing under these Australian Rules. *(amended 1/5/21)*

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

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

- (a) any owner;
- (b) if a horse is leased, any lessee by or on whose behalf the horse is entered;
- (c) any registered manager for a company;
- (d) any Syndicate manager for a Syndicate; and
- (e) any person exercising the rights of a nominator under the Rules by reason of the death of a nominator, the sale of a horse with engagements, the termination of a lease, or otherwise.

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

**Notice of Election of Hearing** means the Racing Australia form of that name referred to in the TOR Rules and in the STA, both as amended from time to time, which Racing Australia

makes available for the purpose of parties electing to take a dispute in relation to training fees and/or training disbursements to a TDT.

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

**official** means any: *(amended 6/4/22)*

- (a) director, board member or committee member of Racing Australia, a PRA or a Club;
- (b) person employed, engaged or appointed by Racing Australia, a PRA, a Club or a government body in relation to the management and/or control of racing, including but not limited to the conduct of race meetings or any other matter regarding its business and affairs.

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

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

*Australian Racing Forensic Laboratory, Sydney*

*Queensland Racing Integrity Commission – Racing Science Centre, Brisbane*

*Racing Analytical Services Limited, Melbourne*

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

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

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

*Sport and Specialised Analytical Services, LGC, Fordham, Ely, Cambridgeshire, United Kingdom*

*Australian Sports Drug Testing Laboratory, Sydney*

*ChemCentre, Western Australia*

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

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

*Laboratory of Racing Chemistry, Tochigi, Japan (reserve portion/B sample analysis) (added 01/06/19)*

**official trial** means a trial:

- (a) that is approved and advertised by a PRA;
- (b) that is conducted in accordance with the conditions set by a PRA;
- (c) that is supervised by the Stewards; and
- (d) for which official entries are taken and results are officially recorded.

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

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

**participant in racing** includes:

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

- (d) a nominator;
- (e) a rider;
- (f) a rider's agent; and
- (g) any person who provides a service/s connected with the keeping, training or racing of a horse.

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

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

**possession** means:

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

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

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

**presumption of a training debt** means the presumption that training fees and/or training disbursements are due and payable from an owner to a trainer which arises in the circumstances identified in TOR Rule 4(4).

**previous Australian Rules** means the Australian Rules of Racing in effect immediately before 1 March 2019. *(added GG 12/3/19)*

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

- (a) Racing New South Wales in New South Wales;
- (b) Racing Victoria Limited in Victoria;
- (c) Racing Queensland Board in Queensland;
- (d) Racing SA Ltd in South Australia; *(amended 1/5/21)*
- (e) Racing and Wagering Western Australia in Western Australia;
- (f) Tasracing Pty Ltd in Tasmania;
- (g) Thoroughbred Racing NT in the Northern Territory; and
- (h) Canberra Racing Club Incorporated in the Australian Capital Territory.

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

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

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

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

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

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

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

**Promoter Syndicate** means a Syndicate where the co-owners own their interest in a horse as a result of acquiring shares in the horse offered by a Promoter approved by a PRA and licensed under the Corporations Act and/or offered pursuant to *ASIC Corporations (Horse Schemes) Instrument 2016/790* or a successor or predecessor instrument to it.

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

**provincial area** means any area designated in that way by the Rules.

**Provincial Area** means race meetings conducted by the Bunbury Turf Club, Northam Race Club, Pinjarra Race Club. (amended GG 20/9/19).

**qualified veterinary surgeon** means a veterinarian who is: (added 1/1/20)

- (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.

**race** includes each division of a divided race.

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

**Racing Australia Co-owner Agreement (COA)** means the agreement of that name, as amended by Racing Australia from time to time, which is part of the TOR and published on the Racing Australia website.

**Racing Australia Standard Training Agreement (STA)** means the agreement of that name, as amended by Racing Australia from time to time, which is part of the TOR and is published on the Racing Australia website.

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

**registered manager** means a person who is appointed to be the registered manager for a company by instrument under the common seal of the company and who has been approved by the PRA by which the company has been registered as a Syndicate.

**registered meeting** includes any race meeting held or overseen by a PRA.

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

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

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

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

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

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

***RWWA** means Racing and Wagering Western Australia whose powers and responsibilities are defined by the Act.*

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

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

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

***"Secretary"** means the Secretary or other executive officer of the Principal Racing Authority or the person for the time being fulfilling the duties of the Secretary.*

***"Secretary of the Club" or "Secretary of any Club"** means and includes the Secretary or other executive officer of any Registered Club or Registered Meeting, or the person for the time being fulfilling the duties of the Secretary.*



**sexual harassment** means:

- (a) subjecting a person to an unsolicited act of physical intimacy; or
  - (b) making an unsolicited demand or request (whether directly or by implication) for sexual favours from a person; or
  - (c) making a remark with sexual connotations relating to a person; or
  - (d) engaging in any other unwelcome conduct of a sexual nature in relation to a person,
- where the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so:

- (i) with the intention of offending, humiliating or intimidating the other person; or
- (ii) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

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

**special circumstance** means a circumstance stipulated to be a “special circumstance” under the Rules.

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

**stallion** means a male horse used to produce foals. *(added 1/5/21)*

**stallion proprietor** means the person responsible for a stallion in whose name the relevant Stallion Return and Declarations of Service are lodged or are intended to be lodged. *(added 1/5/21)*

**Stallion Return** means the form required to be lodged with the Australian Stud Book for each stallion declaring (among other things) the stallion will be used to cover broodmares during that covering season. *(added 1/5/21)*

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

*A “starter” in any race means and includes every horse the rider of which shall have been ordered by the Starter to line up at or beyond the starting point and which has not been subsequently withdrawn by order or permission of the Stewards.*

*State means the State of Western Australia*

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

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

**Stud** means a person, company or unincorporated organisation which breeds horses for racing and which during the period of 12 months immediately prior to any relevant point of time, has returned to and had accepted 5 or more mares by the Australian Stud Book and/or the Australian Register of Non-Stud Book Mares.

**suspension** means the temporary withdrawal (in whole or in part) of any licence, registration, permit, permission, right or privilege granted under the Rules. (**suspend** has a corresponding meaning.)

***Sweepstakes** means a race in which the stakes or any part thereof going to the winner and/or other horses in the race shall be made by the owners of the horses entered, and any such race shall still be a sweepstake although money or any other prize be added, and although the word "plate," "stakes" or other designation be used in the official or ordinary name or description of such race.*

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

- (a) a combination of more than one but no more than 20 persons (or a combination of more than one but no more than 50 in the case of a Promoter Syndicate entitled to exemption under *ASIC Corporations (Horse Schemes) Instrument 2016/790* (or any instrument, regulation or class order that replaces or supersedes that instrument);
- (b) a company;
- (c) an unincorporated organisation (including a partnership or other form of unincorporated organisation, such as an unincorporated sole trader with a business name or a Stud which has been registered as a syndicate in the name of the Stud); or
- (d) a Promoter Syndicate.

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

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

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

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

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

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

**TOR Commencement Date** means 1 August 2017.

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

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

**trainer** means a person licensed or granted a permit by a PRA to train horses, and includes any persons licensed to train as a training partnership.

**training disbursements** means the amounts paid or payable by a trainer to third parties in relation to the provision of training services which are not included in the training fees and for which a trainer invoices an owner (including veterinary fees, farrier fees, dentist fees, race acceptance and nomination fees, interstate racing costs, and race-day expenses such as strapper attendance fees).

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

**Training Disputes Trust Account** means the trust account held and operated by Racing Australia for the purposes of the TOR.

**training fees** means the amounts charged by a trainer to an owner in relation to the provision of training services, which includes the main daily training fee plus any additional daily charges for other items such as track usage fees and administration fees, together with all other costs charged by a trainer to train and/or care for a horse which are not charged as training disbursements.

**training services** means all the services provided by a trainer (or qualified and authorised employees or persons engaged or approved by a trainer) in relation to the care, training and/or racing of a horse including training, pre-training, rehabilitation, maintenance, stabling, feeding, exercising, freighting, agisting, rental of gear, and the provision of veterinary, chiropractic, acupuncture, dental, and farrier services and treatments.

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

*A Trial means an event held for the purpose of testing or training horses for which no prize money, trophy or other reward, gratuity or privilege of more than nominal value is offered and where the context permits, includes barrier tests and jump outs.*

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

**unnamed horse** means a horse which is eligible to be, but has not been, registered for racing under these Australian Rules. *(amended 1/5/21)*

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

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

*A Weight-for-Age Race means a race in which weights are apportioned to horses according to their age or sex, and remains a weight-for-age race even if there are penalties and allowances or the race be confined to horses of the same age.*

**workplace harassment** means behaviour of one person towards another person with whom the person has a workplace connection which:

- (a) is unwelcome to and unsolicited by the person who is the subject of the behaviour;
- (b) the person subject to the behaviour considers to be offensive, intimidating, humiliating or threatening; and
- (c) a reasonable person would consider to be offensive, humiliating, intimidating or threatening.

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

### **Division 3 – Application of these Australian Rules**

### **AR 3 Application of these Australian Rules**

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

#### **LR3**

- (1) The Rules apply to every club, and every member of any club, and every person who takes part in any event or any other proceeding or matter purporting to be conducted under or which is governed by the Rules.*
- (2) A person or club to whom the Rules apply is deemed:*
  - (a) to consent to be bound thereby;*
  - (b) to have agreed that the Rules shall be a defense to any alleged civil liability arising out of the operation of the Rules.*
- (3) No club, official or member of a club or Steward shall be liable to any person for any loss or damage sustained by that person as a result of or in any way (either directly or indirectly) arising out of the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona fide believed to have been conferred or imposed, under the Rules.*

### **AR 4 Races and race meetings subject to these Australian Rules**

- (1) These Australian Rules:
  - (a) apply to all races held under the management or control of a PRA (subject to AR 150); and
  - (b) together with any Local Rules made by a PRA from time to time (provided they are not repugnant to or inconsistent with these Australian Rules) shall be read and construed as the rules of the PRA and apply to all races held under the management or control of the PRA.
- (2) Unless a PRA otherwise determines, if any race or race meeting is not held under these Australian Rules:
  - (a) any horse taking part shall be disqualified;
  - (b) any person taking part in that race or race meeting will be ineligible to enter a horse for any race, or to hold or continue to hold any licence or registration under these Australian Rules; and
  - (c) any person who acts in connection with that race or race meeting as promoter, organiser, president, chairperson, secretary, treasurer, committee member, or in any advisory or official capacity, shall be prohibited from acting in any official capacity at any race meeting, and any horse in which the person has an interest shall be ineligible to race at any registered meeting.
- (3) Subrules 2(b) and (c) do not apply to any race or race meeting in which thoroughbreds do not take part and which is held under the management or regulation of an organisation formally recognised by the government of the State or Territory in which the race meeting is conducted.
- (4) Any question not provided for by these Australian Rules will be determined by the PRA of the State or Territory concerned.

***LR 4** In accordance with **AR 4** the Australian Rules of Racing for the time being and the Local Rules of Racing shall be read, interpreted, and construed together, and as so combined shall be and be known as The RWWA Rules of Thoroughbred Racing, and the meanings of the words unless the context otherwise indicates or requires, interpreted by the Australian Rules of Racing shall apply to the Local Rules.*

**LR 4A** Any person who takes part in any matter coming within The RWWA Rules of Thoroughbred Racing shall be held thereby to consent to be bound by them.

**LR 4B**

- (a) If a horse runs at any race meeting in the State which has not been approved by the Principal Racing Authority, such horse and the owner, nominator, trainer and jockey or rider thereof shall be disqualified.
- (b) Every horse of which any such person is the owner or which shall be proved to the satisfaction of the Stewards to be under his care, training, management, or superintendence shall be disqualified.
- (c) Every horse which has run at any unregistered race meeting in any other State or country shall *ipso facto* be disqualified.
- (d) If any person shall directly or indirectly have any pecuniary or other interest in any race meeting which has not been approved and advertised as aforesaid, or in any racecourse upon which such race meeting shall be held, such person and every horse of which he is the owner, or which is under his care, training, management or control, shall be disqualified.
- (e) Every person who acts in any official capacity at any race meeting which has not been approved and advertised as aforesaid shall be disqualified, and every person licensed by the Principal Racing Authority in any capacity whatsoever who shall attend any such race meeting shall render his licence liable to cancellation at the discretion of the Principal Racing Authority.

**AR 5 Breaches of these Australian Rules and their consequences**

- (1) A person breaches these Australian Rules if:
  - (a) a rule expressly provides as such;
  - (b) the person is required to do something under a rule but does not do it; or
  - (c) the person is prohibited from doing something under a rule but does it.
- (2) If a person breaches any of these Australian Rules the person may be penalised, regardless of whether or not the rule expressly provides that the person may be penalised.

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

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

**AR 7 Calculation of time periods**

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

**AR 8 Commencement of these Australian Rules**

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

- (2) Everything arising, done or suffered under the previous Australian Rules is deemed to have arisen, been done or suffered under these Australian Rules and, without limiting the generality of the foregoing:
- (a) **Appointments:** all appointments of officials and any other persons (including but not limited to the Stewards) made under or pursuant to the previous Australian Rules are deemed to have been made, and to continue in effect, under or pursuant to these Australian Rules.
  - (b) **Decisions made, action taken, etc:** all decisions made, action taken, and discretions and powers exercised under or pursuant to the previous Australian Rules are deemed to continue in force and effect and upon the same terms and conditions as if properly and validly made or taken under or pursuant to these Australian Rules.
  - (c) **Licences, permits, etc:** all licences, permits, registrations, authorisations and any other rights or privileges granted under or pursuant to the previous Australian Rules are deemed to continue in full force and effect and upon the same terms and conditions as if properly and validly made under or pursuant to these Australian Rules.
  - (d) **Obligations and liabilities:** all obligations and liabilities of any kind (including but not limited to pecuniary obligations and liabilities) incurred or arising under or pursuant to the previous Australian Rules are deemed to have been incurred or to have arisen under or pursuant to these Australian Rules.
  - (e) **Offences:** any offence committed under or breach of the previous Australian Rules is deemed to be an offence committed under or breach of these Australian Rules.
  - (f) **Penalties, restrictions, etc:** all penalties, restrictions, disabilities, warnings-off, disqualifications, suspensions and obligations of any kind (including fines and other pecuniary obligations) imposed, incurred or arising under or pursuant to the previous Australian Rules are deemed to have been imposed, incurred or to have arisen under or pursuant to these Australian Rules.
  - (g) **Inquiries, investigations and proceedings:** all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the previous Australian Rules are deemed to have been initiated or conducted under or pursuant to these Australian Rules. *(AR 8 amended GG 12/3/19)*

### **LR 8 Transition**

- (1) *In this Rule, unless the contrary intention appears "old Rules" means the RWWA Rules of Thoroughbred Racing 1 August 2004 in force immediately prior to the coming into effect of these Rules.*
- (2) *The rescindment of the old Rules and the commencement of these new Rules does not, unless the contrary intention appears-*
  - (a) revive anything not in force or existing at the time at which the rescinding took effect;*
  - (b) affect the previous operation of the old Rules repealed or anything duly done or suffered pursuant to the old Rules;*
  - (c) affect any right, interest, title power or privilege created, acquired, accrued, established or exercisable or any status or capacity existing prior to the rescinding;*
  - (d) affect any duty, obligation liability or burden of proof imposed, created or incurred prior to the rescinding;*
  - (e) affect any penalty or forfeiture incurred or liable to be incurred in respect of any offence committed against the old Rules;*

*(f) affect any investigation, legal proceeding, inquiry or remedy in respect of any such right, interest, title, power, privilege, status, capacity, duty, obligation, liability, burden of proof, penalty or forfeiture; and any such investigation, legal proceeding, inquiry or remedy may be instituted, continued, or enforced, and any such penalty or forfeiture may be imposed and enforced as if the rescinding had not occurred.*

#### **Division 4 – New rules**

##### **AR 9 Only Racing Australia to make new rules**

- (1) Racing Australia and only Racing Australia may make new rules forming part of these Australian Rules, or rescind, vary or amend any provision of these Australian Rules.
- (2) Without limiting subrule (1), Racing Australia may, at any time, rescind, vary or amend any list of prohibited substances (or exemptions or thresholds) set out in these Australian Rules.
- (3) A PRA may not make new rules (other than Local Rules) or rescind or alter these Australian Rules, and a PRA which does not comply with this requirement shall *ipso facto* cease to be a PRA.

#### **Division 5 – Notices and communications**

##### **AR 10 Service of notices**

- (1) Any notice to be given under these Australian Rules in writing (including an entry, scratching, or other notice required) may be provided to a person in any of the following ways:
  - (a) personal service;
  - (b) by post in a prepaid envelope addressed to the recipient at the person's last known address or residence, in which case it is deemed to have been received on the fourth business day after the document was posted;
  - (c) by email sent to the recipient at the person's last known email address, in which case it is deemed to have been received on the day and at the time it appears from the record of email communication that the sending of the email concluded;
  - (d) by facsimile, in which case it is deemed to have been received when the facsimile is received by the addressee; or
  - (e) if appropriate with reference to the nature of the notice, by advertising in one daily newspaper published in the capital city of the State or Territory in which the PRA or the Club giving the notice is located, in which case it is deemed to have been served on the day the advertisement appears.
- (2) In proving service it is sufficient to prove that a letter containing the notice was properly addressed, stamped, and posted.
- (3) A signature on any notice may be written, printed or typed.
- (4) Where a given number of days' notice, or notice extending over any period, is required to be given, the day of service must be included, but the day upon which the notice will expire is not to be included in the calculation of the number of days or other period.

**Division 6 – Racing Australia****AR 11 Role of Racing Australia**

- (1) Racing Australia is a limited liability company incorporated under the Corporations Act established to:
  - (a) make and amend these Australian Rules;
  - (b) together with the PRAs, administer these Australian Rules;
  - (c) employ or engage a person to act in the position of the Registrar of Racehorses;
  - (d) operate the Australian Stud Book;
  - (e) make, amend and administer the Australian Stud Book Rules; and
  - (f) otherwise do all things that it considers to be conducive to developing, encouraging, promoting or managing the Australian thoroughbred racing industry.
- (2) Racing Australia may, from time to time, publish Codes of Practice.



## **PART 2 – POWERS OF PRAS & REGISTRATION OF CLUBS**

### **Division 1 – Powers of PRAs**

#### **AR 12 General powers**

PRAs have the following powers:

- (a) to control and supervise racing within its State or Territory;
- (b) at any time to exercise any power conferred on Stewards or another person employed, contracted or approved by a PRA, under the Rules;
- (c) to prescribe the forms to be used under the Rules;
- (d) to make Local Rules; and
- (e) to appoint subcommittees and to delegate to any such subcommittee any of the PRA's powers under these Australian Rules.

***LR 12** Without derogating from the provisions or generality of the Australian Rules and in addition to those Rules the Principal Racing Authority may;*

- (a) disqualify, either permanently or temporarily any owner, trainer, jockey or any other person associated with racing*
- (b) prohibit any person from participating in or associating with racing in any specified capacity*
- (c) prohibit any horse from participating in a race or trial*
- (d) prohibit any person from attending or taking part in a race meeting or entering upon and remaining on a racecourse at which racing is conducted or any licensed racecourse*
- (e) impose fines in accordance with the Act for breaches of the Rules other than breaches by persons who are only bound to the Rules through their attendance at a race meeting or trial or who are only bound to the Rules through wagering at a race meeting*
- (f) suspend, for such term as the Principal Racing Authority thinks fit, any right or privilege conferred on any owner, trainer, jockey or other person associated with racing*
- (g) impose non-pecuniary penalties for breaches of the Rules*

#### **AR 13 Licensing and registration**

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

- (a) to license riders, trainers and other persons on terms and conditions as it thinks fit;
- (b) to register Clubs, race meetings, owners, companies, bookmakers, horses, riders, trainers and their employees or contractors and other persons on terms and conditions as it thinks fit; and
- (c) at any time to suspend, vary or revoke any licence or registration (or the terms of any licence or registration) without giving any reason.

#### ***LR 13***

- (a) Subject to the provisions of subsection LR13(c) where an initial application for a Licence is not granted by the Principal Racing Authority or a licence is cancelled. No further application shall be considered for a period of 6 months from the date the first application is not granted or the licence is cancelled. The provisions of this sub-rule shall not apply*

*where the applicant is specifically invited by the Principal Racing Authority to apply for a Licence.*

- (b) Subject to the provisions of subsection LR13(c) a person who has had a second application for a Licence not granted by the Principal Racing Authority within 12 months of the initial application shall have no further application considered for a period of 12 months from the date the second application is not granted. Should that or any subsequent application not be granted any further application shall not be considered for 12 months thereafter. The provisions of this sub-rule shall not apply where the applicant is specifically invited by the Principal Racing Authority to apply for a Licence.*
- (c) The Principal Racing Authority may refuse to consider any application for a Licence until it is satisfied that any direction or condition that it may require as a prerequisite to the granting of such licence has been satisfied.*

### **LR 13A**

*No person may hold any form of licence if they are under the age of 15 years. (added GG 29/3/19)*

### **LR13B Covid Vaccination**

*(Repealed GG 24/6/22)*

## **AR 14 Functioning of race meetings and Clubs**

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

- (a) to appoint or approve the appointment by any Club of any official, deputy, or assistant official;
- (b) to decide on the dates on which race meetings may be held within the State or Territory of the PRA and to make directions in respect of the order and number of races at a race meeting;
- (c) to cancel or abandon any race or race meeting, or postpone any race or race meeting to a day approved by the PRA, either before or after the race meeting has commenced; and
- (d) to recognise any registered Club or race meeting, or other racing body approved by it, and approve its rules, articles or constitution.

## **AR 15 Investigations, inquiries and hearings**

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

- (a) to investigate, inquire into and deal with any matter relating to racing or the running of any horse on any course, and to refer and/or delegate any such matter to the Stewards or others for investigation, inquiry, report and/or for hearing and determination;
- (b) to investigate alleged breaches of any Code of Practice;
- (c) to appoint persons to undertake investigations at the direction of the PRA and those investigators will have and may exercise the powers, perform the functions and carry out the duties conferred on Stewards by AR 20(f), AR 22(1)(d), (h), (i), (k) and (l) and AR 22(2);
- (d) to appoint persons as the PRA thinks fit to hear and adjudicate upon any matter or charge brought by a PRA or the Stewards relating to a breach of the Rules, and to delegate to any appointee so much of its powers as would enable the appointee to discharge the responsibilities of the appointment;

- (e) to hear and decide appeals as provided for in the Rules or by law; and
- (f) to appoint persons as the PRA thinks fit to hear and adjudicate upon any matter, charge, application or appeal arising under the Rules, and to delegate to any appointee so much of its powers as would enable the appointee to discharge the responsibilities of the appointment.

#### **AR 16 Disciplinary action**

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

- (a) to warn off any person whose presence on a racecourse or involvement in racing is, in the opinion of the PRA, not desirable;
- (b) to penalise:
  - (i) any person who breaches the Rules;
  - (ii) any person who disobeys any reasonable direction of any official;
  - (iii) any licensed person or official whose conduct or negligence in the performance of his or her duties has led, or could have led, to a breach of the Rules;
  - (iv) any person who breaches a Code of Practice.
- (c) in respect of any person who has been:
  - (i) warned off;
  - (ii) subject to any suspension, disqualification, or restriction imposed by a PRA, the Stewards or a Club; or
  - (iii) subject to any suspension, disqualification, or restriction imposed by any harness racing or greyhound racing club, authority, stewards or appeals tribunal (or authorised delegate of any of them) in Australia or in any other country,
 to:
  - (A) refuse to grant any licence or permit to, or to register that person under these Australian Rules; or
  - (B) warn off, suspend or disqualify, or place a restriction on that person under these Australian Rules.
- (d) to confirm, adopt or enforce in accordance with AR 261 any penalty or restriction imposed upon any person by the Stewards of any PRA, or any Overseas Racing Authority;
- (e) to annul or alter any penalty incurred within its State or Territory; and
- (f) to publish any penalty or restriction imposed or any decision made by it or the Stewards within its State or Territory.

#### **AR 17 Taking samples at horse sales**

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

- (a) if, in the opinion of a PRA, a thoroughbred horse selling agent or organisation has in place satisfactory arrangements (including as between a buyer and seller of a horse) for taking samples from horses at horse sales for the purpose of testing for anabolic androgenic steroids, to officially approve as a "PRA-approved vet" (which approval can be withdrawn at the discretion of a PRA) a veterinary surgeon employed, engaged or authorised by the selling agent or organisation, to take a sample from a horse for that purpose; and

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

## **Division 2 – Applications to hold race meetings**

### **AR 18 Applications to hold race meetings**

- (1) A Club may apply to a PRA to hold a race meeting in the State or Territory in which the Club is located.
- (2) An application for a Club to conduct a race meeting must contain information required by a PRA and be provided in a form required by a PRA.
- (3) A PRA can make whatever decision and orders it thinks fit in relation to an application by a Club to conduct a race meeting, including to accept or refuse it, or having granted it at any time revoke it or make it subject to specified terms.

## PART 3 – ROLE & POWERS OF STEWARDS

### Division 1 – Source of Stewards' powers

#### **AR 19 Source of Stewards' powers**

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

- (a) in New South Wales: Stewards' powers and functions are conferred on them solely through delegation by the PRA in New South Wales;
- (b) in Victoria: Stewards' powers and functions are conferred on them by the Rules and/or through the Racing Act 1958 (Vic);
- (c) in Queensland: Stewards' powers and functions are conferred on them by the Rules read with the Queensland Racing Integrity Commission (QRIC) "Standard – Powers under the Rules of Racing" dated 1 July 2017, made pursuant to section 58(1)(b) of the Racing Integrity Act 2016 (Qld);
- (d) in Western Australia: Stewards' powers and functions are conferred on them by the Rules and/or through any valid government statute or legislative instrument which confers powers or functions on Stewards;
- (e) in South Australia: Stewards' powers and functions are conferred on them by the Rules and through delegation by the PRA in South Australia;
- (f) in Tasmania: Stewards' powers and functions are conferred on them solely by the Rules;
- (g) in the Australian Capital Territory: Stewards' powers and functions are conferred on them solely through delegation by the PRA in New South Wales; and
- (h) in the Northern Territory: Stewards' powers and functions are conferred on them through delegation by the PRA in the Northern Territory, and/or through any valid government statute or legislative instrument which confers powers or functions on Stewards.

#### **LR 19** (amended to mirror original LR8 GG 26/3/21)

- (a) *The Principal Racing Authority may from time to time appoint Stewards of such categories as it shall think fit.*
- (b) *The Chairman of any panel of Stewards shall have a casting as well as a deliberative vote in any case of equality of voting. Assistant Stewards and Cadet Stewards shall not be entitled to a vote.*
- (c) *The Principal Racing Authority may upon request by the Stewards, appoint persons to act as Deputy Stewards.*
- (d) *Stewards and Deputy Stewards appointed under this Rule shall have and may exercise all the powers, duties and authorities conferred upon the Stewards by the Rules.*
- (e) *A sole Steward or Deputy Steward at a meeting or organised trial shall have and may exercise all the powers vested in the Stewards under the Rules.*

**LR 19A** *Any investigator or investigators appointed by the Principal Racing Authority shall have the powers mutatis mutandis as are given to the Stewards under AR20(c),(f) and (j) and AR22(1)(a),(d),(e),(f),(g),(h),(i),(j),(k) and (l) and AR22(2) and (3).*

## **Division 2 – Stewards’ powers**

### **AR 20 General powers**

The Stewards have the following powers:

- (a) to regulate and control, investigate, inquire into, hear and determine matters relating to the conduct of all officials, licensed persons or registered persons, persons connected with a horse, persons attending a racecourse, and any other person connected with racing;
- (b) to make or vary any of the arrangements for the conduct of a race meeting under their control;
- (c) to take (or cause the taking of) a sample from a horse and to make (or cause to be made) any testing or analysis to determine whether any prohibited substance is present in the system of the horse;
- (d) to prohibit any horse from starting in a race;
- (e) to refuse or reject the nomination of any horse at any time for any period and/or until that horse has satisfactorily participated in an official trial or a jump-out, or passed any required veterinary examination;
- (f) to enter upon and control all lands, buildings and other structures or places used for the purposes of a race meeting, and to expel or exclude any person from the same;
- (g) to order the removal of any shoes, racing plates, equipment or gear from a horse which are not approved or are in their opinion unsuitable, unsafe or ineffective;
- (h) to inquire at any time into the running of any horse within the jurisdiction of the same PRA;
- (i) to hear and determine any claim by a rider that a nominator or trainer of a horse refused to honour a riding engagement, and to make an order regarding that, including in relation to any compensation they think fit in the circumstances; and
- (j) to exercise any powers or perform any functions conferred on them by the relevant PRA and/or through any valid government statute or legislative instrument which confers powers or functions on them (as applicable).

### **AR 21 Race days, official trials and jump-outs**

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

- (a) to determine all questions and/or protests in relation to racing;
- (b) to disqualify any horse entered for a race which, contrary to the orders of the Stewards, is removed from the course at the race meeting, or not produced on request;
- (c) to require any nominator to satisfy the Stewards that the nominator and/or any horse nominated by that person is not subject to any penalty or restriction under the Rules;
- (d) to order down from riding any rider without giving any reason, and to order the substitution of one rider with another if they think fit;
- (e) to order any rider to alter the length of the rider’s stirrups;
- (f) for any reason related to conditions on a race day, including with reference to safety:

- (i) to postpone any race/s, whether before or after the commencement of the race meeting, either to later that day or another day (subject to the approval of the relevant PRA); and/or
- (ii) to alter the distance of any race;
- (g) in exceptional circumstances, to extend the time allowed for weighing-out, declaring weight, starting, or for any other thing required by the Rules or related to the conditions of a race;
- (h) at any time during the hours of racing, to remove and/or replace the Judge, Starter, Clerk of the Scales, Clerk of the Course, timekeeper, or other official;
- (i) to engage any official or assistant necessary for the conduct of a race meeting; and
- (j) to order the scratching of a horse from a race at any time before the start of a race if, in the opinion of the Stewards, it is either unfit to run or unable to start without unreasonable delay.

## **AR 22 Investigations and inquiries**

- (1) Without limiting any other Stewards' powers, the Stewards have the following powers in relation to investigations and inquiries:
  - (a) to investigate and/or inquire into any matter in connection with racing, including without limitation:
    - (i) any matter in connection with any race meeting; and
    - (ii) any incident or occurrence in connection with any official trial, jump-out, trackwork, or training facility.
  - (b) to hear and make a determination in relation to any matter in connection with racing, including without limitation:
    - (i) any matter in connection with any race meeting; and
    - (ii) any incident or occurrence in connection with any official trial, jump-out, trackwork, or training facility;
  - (c) to take any action the Stewards deem necessary in respect of any horse involved in any investigation or inquiry conducted under subrule (1)(a) or (b);
  - (d) to require production and take possession of and examine (by any means) any mobile phones, computers, tablets, other electronic devices, books, documents and records (including telephone or financial records) in relation to any race meeting and/or any investigation, inquiry, hearing or proceeding;
  - (e) to order the examination of any horse, including to determine its age or identity;
  - (f) to take possession of any horse, whether dead or alive, in order to conduct whatever tests and/or examinations the Stewards consider necessary;
  - (g) to take (or cause to be taken) any sample from any horse and perform (or require to be performed) any testing or analysis of that sample to determine whether any prohibited substance is in the system of the horse;
  - (h) to take (or cause to be taken) any sample from any rider before or after any race, official trial, jump-out or trackwork;
  - (i) to take (or cause to be taken) any sample from any horse handler before or after handling any horse at any race meeting, official trial, jump-out or trackwork, where a Steward reasonably suspects that the horse handler is affected by a banned substance under AR 137(1).

- (j) to arrange or facilitate any test to determine whether any prohibited substance or banned substance is in a sample;
- (k) to search any licensed person or any gear or equipment and to take possession of anything the Stewards believe could provide evidence of a breach of the Rules;
- (l) at any time to enter the premises occupied by or under the control of a licensed person and used in any manner relating to any licence to:
  - (i) inspect and search the premises;
  - (ii) search any licensed person or registered person on the premises;
  - (iii) examine any horse, take possession of it and cause that horse to be:
    - (A) removed from the premises and be detained; or
    - (B) detained at or within the premises,
 for a period and on terms the Stewards consider necessary; and
  - (iv) examine and/or take possession of anything located on or in the premises and retain it for a period the Stewards consider necessary.
- (2) Stewards who enter premises under powers in these Australian Rules may bring with them persons or items they consider necessary to assist in the exercise of their powers, performance of their functions or carrying out of their duties.
- (3) In relation to the powers of entry of premises under these Australian Rules, the onus of proving that the premises are not being used in any manner relating to any licence is on the licensed person who has the occupation or control of the premises, and the use of them.

*LR 22 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 or compete in an event*
- (b) that the horses of certain connections shall not be nominated for or start in an event*
- (c) that a jockey shall not ride or otherwise take part in a race*
- (d) that a licence or any other type of authority or permission be suspended*
- (e) that no transfers effecting ownership and/or training, involving that person be effected*

*LR 22A A Steward in the exercise of his powers referred to in AR22(l) shall not thereby commit a trespass thereon and no action shall be brought or maintained against the Stewards or the Principal Racing Authority for any damages or relief in respect of such entry or remainder.*

### **AR 23 Suspension pending the hearing and determination of a charge**

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

- (a) suspend any licence, registration, right or privilege, granted to that person under these Australian Rules;
- (b) prevent any horse owned (or part-owned) or leased by that person from participating in any race or official trial;
- (c) order that any registration of the transfer of ownership and/or training of a horse related to that person be prevented or suspended;
- (d) make any other direction or order the Stewards think fit in the interests of racing.



**AR 24 Disciplinary action**

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

- (a) to penalise any person who breaches the Rules; and
- (b) to publish any penalty or restriction imposed or any decision made in the exercise of their powers, performance of their functions or carrying out of their duties.

**AR 25 Panel decisions**

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

**PART 4 – HORSE REGISTRATION, OWNERSHIP, LEASING & TRACEABILITY****Division 1 – Horse registration****AR 26 Registration of a horse**

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

**AR 27 Stud Book requirement for horse registration**

A horse cannot be registered unless it has been:

- (a) accepted for inclusion as a foal in the Australian Stud Book or the stud book of an Overseas Racing Authority; or
- (b) accepted for inclusion in the Australian Non-Thoroughbred Register or non-thoroughbred register of an Overseas Racing Authority.

**AR 28 Biological constitution requirement for horse registration**

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

**AR 29 Branding and microchip requirement for horse registration**

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

- (a) it is branded with an identifying brand and, subject to any State or Territory legislation, that brand consists of a distinguishing foaling numeral over the last figure of the foaling year in accordance with the provisions of AR 161; and
- (b) it has been implanted with a microchip in accordance with the requirements of Racing Australia and the Australian Stud Book Rules.

**AR 30** *(deleted 1/5/21 replaced and amended by AR 294)*

**AR 31 Provision of incorrect information**

- (1) A person must not provide incorrect information in an application to register a horse with Racing Australia.
- (2) If a person breaches subrule (1), the Stewards may suspend the horse from racing pending a decision by Racing Australia as to whether or not the registration of the horse should be cancelled.

**AR 32 Endorsement of certificates of registration for overseas horses**

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

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

**AR 33 Registration of a horse foaled outside of Australia**

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

- (a) a certificate of pedigree recording the following information about the horse:
  - (i) where it was foaled;
  - (ii) its name (if any);
  - (iii) its age, sex, colour, pedigree, and microchip number (if any);
  - (iv) any brands and markings by which it may be distinguished, as certified by the official stud book authority of the country in which it was foaled; and
  - (v) any other evidence required by Racing Australia; and
- (b) a certificate of identification stating the horse's age, sex, colour, microchip number (if any) and any brands and markings by which the horse may be identified, as certified by a veterinary surgeon approved by a PRA or the Stewards.

**Division 2 – Horse ownership**

**AR 34** *(deleted 1/5/21 replaced and amended by AR 285 – AR 288)*

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

A horse can only be entered or raced by:

- (a) a natural person or a combination of up to 20 natural persons;
- (b) a Syndicate; and
- (c) a combination of one or more registered Syndicates and/or natural persons totaling not more than 20,

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

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

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

- (2) A person must not enter or cause to be entered a horse in a race, official trial or jump-out where a person under the age of 18 years purports to have an ownership or lease interest in the horse.
- (3) If a horse starts in a race or official trial in breach of subrule (2), then it may be disqualified from that race or official trial.

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

- (1) Racing Australia, a PRA or the Stewards (as applicable) may restrict any person from holding an ownership or lease interest in a horse if, in their opinion, the person is not a fit and proper person to own or lease a horse.
- (2) Without limiting subrule (1), except where otherwise permitted by Racing Australia, a PRA or the Stewards (as applicable), a person is not permitted to hold an ownership or lease interest in a horse if the person:
  - (a) has been convicted of an indictable criminal offence or a criminal offence involving violence against a person or dishonest activity in the previous 10 years;
  - (b) has been convicted of an offence under any animal welfare or prevention of cruelty to animals legislation in the previous 10 years; or
  - (c) is an undischarged bankrupt or is taking advantage of the laws in force for the time being relating to bankruptcy.
- (3) Subject to subrule (4), a person must not enter or cause to be entered a horse in a race, official trial or jump-out where a person who is not permitted to hold an ownership or lease interest in the horse pursuant to subrule (1) or (2) purports to hold such an interest in the horse.
- (4) Notwithstanding Racing Australia, a PRA or the Stewards assessing a person as fit and proper or not, any other PRA/s may conduct its own assessment as to that person's fitness and propriety before permitting him or her to own, lease or race a horse in that PRA's jurisdiction.
- (5) For the sake of clarity and without limiting any other provisions of the Rules, an ownership or lease interest includes an interest held by a person (from 0% to 100% inclusive) as a:
  - (a) director or shareholder of a company;
  - (b) partner of a partnership or firm;
  - (c) trustee of a trust;
  - (d) manager or member of a syndicate,

and any other interest or position where the person is able to exercise any control or influence in respect of a horse, or either directly or indirectly has the power to vote or participate in decisions in respect of the horse. *(AR 36A added GG 29/7/22)*

#### **AR 36B Ownership via certain trusts prohibited**

Without limiting any other provisions of the Rules and except where permitted by a PRA, an ownership or lease interest in a horse is not permitted to be held in a trust where the persons having an interest in the horse, beneficial or otherwise, are not readily and accurately identifiable (for example, where the trust is a discretionary trust with broad and potentially unlimited beneficiaries). *(AR 36B added GG 29//7/22)*

**AR 37** *(deleted 1/5/21 replaced and amended by AR 295)*

**AR 38** *(deleted 1/5/21 replaced and amended by AR 295)*

### **AR 39 Replacement of horse identification documents**

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

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

- (1) As a condition of, and in consideration for, the registration of a horse or an interest in a horse, each owner (including future owners):
  - (a) acknowledges that Racing Australia, the PRAs and Clubs use the names, images, jockey silks and other indicia of horses for the purposes of administering, promoting and reporting on thoroughbred racing;
  - (b) agrees that Racing Australia owns all right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks and any other indicia associated with a horse, whether existing before or after the horse is registered;
  - (c) assigns to Racing Australia – to the extent the owner owns, by force of law, any right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks and any other indicia associated with the horse, whether existing before or after the horse is registered – any and all such intellectual property rights;
  - (d) undertakes not to apply, or authorise any other person to apply, to register the name, image, jockey silks or any other indicia associated with the horse as a trademark; and
  - (e) undertakes not to assert or bring, or to authorise any other person to assert or bring, any claim of ownership of any intellectual property rights in the name, image, jockey silks or any other indicia associated with the horse.
- (2) In consideration for the assignment and undertakings in subrule (1), Racing Australia grants to all registered owners of the horse a non-exclusive, royalty-free and non-transferable licence to:
  - (a) use the name, image, jockey silks and other indicia associated with the horse for any purpose related to racing, training, promoting, merchandising, and otherwise in connection with the horse; and
  - (b) sub-license that licence to any other person.

### **AR 41 Refusal to register certain horse names**

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

**AR 42 Use of names previously used by horses**

- (1) Unless approved by Racing Australia, a horse cannot be registered with the same name as any other horse previously registered in Australia until the latter of:
  - (a) 17 years after the year of birth of the horse with the same name; or
  - (b) 20 years after the year of birth of the youngest produce of the horse with the same name.
- (2) At the discretion of Racing Australia, a horse imported to Australia from another country may be registered using its existing name together with a number or letters indicating the name of the country in which it was bred (and if that is done the number or letters are deemed to form part of its name).

**AR 43 Applications to change horse names**

- (1) An owner may apply in writing to Racing Australia for permission to change the name of a registered horse.
- (2) If permission under subrule (1) is granted, the horse must not be run under the new name until a Thoroughbred Identification Card or other official identification document in the new name has been issued.
- (3) Each application for a change in name of a horse is required to be accompanied by a fee determined by and paid to Racing Australia (except that no fee is required to be paid if a change is made pursuant to a direction of Racing Australia).
- (4) If there is a change to the name of a horse, the old name as well as the new name must be provided in every entry of the horse in a race until the horse has run in 6 races in the State or Territory of one PRA, or 2 races within its metropolitan area.

**AR 44 Naming of hacks/ponies**

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

**Division 3 – Leasing of horses****AR 45 Formal documentation required for leased horses** *(amended 1/5/21)*

- (1) A person who leases a horse registered for racing must, as soon as practicable after agreeing to a lease and before entering the horse for any race, lodge a copy (or an original if required by the PRA) of the relevant lease or other documents recording the lease arrangement with the PRA of the State or Territory in which the horse is to race.
- (2) A person who leases a horse registered for breeding must, as soon as practicable after agreeing to a lease and before lodging a Mare Return or a Stallion Return or Declaration of Service (whichever is earlier), lodge a copy (or an original if required by the Australian Stud Book) of the relevant lease or other documents recording the lease arrangement with the Australian Stud Book.
- (3) A lease must either be:
  - (a) signed by a natural person if that person is the lessee;
  - (b) lawfully executed on behalf of a company; or
  - (c) signed by the Syndicate manager or person authorised by the Syndicate manager in the case of a Syndicate.

***L.R 45***

*(a) No lease of a horse shall be approved :*

*(1) unless such horse has been named.*

*(2) until the lessee has satisfied the Principal Racing Authority, if required to do so, as to his character and financial position and has lodged with the Principal Racing Authority the prescribed fee.*

*(b) If any lease lodged with the Principal Racing Authority is found to have been:*

- (1) altered or amended without the knowledge or consent of any party to the lease agreement or*
- (2) lodged with false or misleading information, or with information omitted which may mislead any party to the lease agreement or*
- (3) lodged with any party to the lease agreement subsequently being unable to satisfy the Principal Racing Authority, if required to do so, as to his character and financial position; then such lease agreement may be cancelled and any party to a breach under sub rules (1) and (2) of this rule may be penalised.*

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

- (1) If a lease in relation to a horse registered for racing is terminated before the end of its term, the PRA holding a copy of the lease must be given written notice of that termination before the horse is next nominated for a race.
- (2) If a lease in relation to a horse registered for breeding is terminated before the end of its term, the Australian Stud Book must be given written notice of that termination before a Mare Return or a Stallion Return or Declaration of Service (whichever is earlier) is next lodged in respect of the horse. *(AR 46 amended 1/5/21)*

#### **AR 47 PRA may impose conditions in respect of leases**

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

- (a) refuse to accept a lease for the purposes of registration;
- (b) insist a lease contains certain terms;
- (c) prohibit the inclusion of terms that it considers inappropriate; and
- (d) prescribe a general form of lease, which may be adopted with or without modification.

### **Division 4 – Sale or gifting of a horse**

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

- (1) This rule applies to:
  - (a) any person bound by these Australian Rules (“person”); and
  - (b) any unnamed horse, named horse or breeding horse (for the purposes of this rule, “relevant horse”). *(amended 1/5/21)*
- (2) Any person who is in any way party to or involved in the sale of a relevant horse, must not, directly or indirectly:
  - (a) seek or solicit from any person for himself or herself or for any other person any benefit;
  - (b) receive for himself or herself or for any other person any benefit, unless the person has first:
    - (i) fully disclosed, in writing, to the registered owner(s) of the relevant horse that the person:
      - (A) will be seeking or soliciting for himself or herself or for any other person a benefit;
      - (B) will receive for himself or herself or for any other person a benefit; and
    - (ii) obtained the written consent of more than 75% of the registered ownership to seek or solicit, and/or to receive, the benefit.

- (3) Any person who is in any way party to or involved in the purchase of a relevant horse, must not, directly or indirectly:
- (a) seek or solicit from any person for himself or herself or for any other person any benefit;
  - (b) receive for himself or herself or for any other person any benefit;
  - (c) offer to provide, or provide, to any vendor of the relevant horse, or to any other person (including a person acting, or purporting to act, on behalf of the vendor), any benefit in connection with the sale of the horse;
- unless the person has first:
- (i) fully disclosed, in writing, to the prospective purchaser(s) of the relevant horse that the person will:
    - (A) be seeking or soliciting for himself or herself or for any other person a benefit;
    - (B) receive for himself or herself or for any other person a benefit;
    - (C) be offering to provide to any vendor of the relevant horse, or to any other person (including a person acting, or purporting to act, on behalf of the vendor), a benefit in connection with the sale of the horse; and
  - (ii) obtained the written consent of more than 75% of the prospective purchasers to seek or solicit, to receive and/or to provide, the benefit.
- (4) Where, in the course of one transaction, a person acts, or purports to act, on behalf of both:
- (a) a registered owner/s of a relevant horse in connection with the sale of a relevant horse; and
  - (b) a purchaser/s of a relevant horse in connection with the purchase of the same relevant horse,
- that person must comply with the provisions of both subrules (2) and (3).
- (5) For the purposes of the consent required by subrule (2)(ii) and (3)(ii), consent shall be deemed to have been given by a person where that person fails to provide reasonable notice of dissent in writing within 72 hours of receiving the written disclosure under subrule (2)(i) or (3)(i).
- (6) For the purposes of this rule:
- (a) “benefit” includes any valuable consideration, rebate, commission, gratuity, profit, fee, benefit or payment of any kind, whether direct or indirect, and to be provided at any time;
  - (b) a reference to the sale and/or purchase of a relevant horse includes the sale or purchase of a share or beneficial interest in that horse.
- (7) The purchase price of a relevant horse must be disclosed on the relevant Transfer of Ownership form lodged with Racing Australia, the Australian Stud Book or the relevant PRA, with such disclosure being made on the Transfer of Ownership form prior to any of the outgoing or incoming owners signing that form. *(amended 1/5/21)*
- (8) A PRA or the Stewards may, at any time, require any person who is party to or involved, directly or indirectly, in the sale or purchase of a relevant horse to provide full details as they may require of such sale including, without limitation, the purchase price and any benefits. *(amended 1/5/21)*

#### **AR 49 Horses sold, leased or gifted to retain engagements**

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

- (2) The sale of a horse must be registered in accordance with the Rules and the transfer of the horse's engagements must be submitted to a PRA or the Stewards for approval.
- (3) If the approval of a PRA or the Stewards for the transfer of a horse's engagements:
  - (a) is obtained, the new owner is liable for all payments in respect of those engagements;
  - (b) is not obtained within 14 days of a request for approval being submitted, the former owner may upon payment of all forfeits then due and payable, strike the horse out of any existing engagements.
- (4) For the purposes of this rule, a reference to:
  - (a) "sale" includes a gift or other transfer of ownership or, where the context permits, a lease; and
  - (b) "owner" includes, where the context permits, a lessee.

**AR 50** *(deleted 1/5/21 replaced and amended by AR 289)*

**AR 51** *(deleted 1/5/21 replaced and amended by AR 290 and AR 297)*

**AR 52** *(deleted 1/5/21 replaced and amended by AR 292 and AR 299)*

## **PART 5 – ELIGIBILITY OF HORSES TO RACE**

### **Division 1 – Entry and participation of horses in races**

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

- (1) A:
  - (a) horse is not permitted to be nominated or run; and
  - (b) person must not nominate or run a horse,
 in a race unless the horse is eligible to run in the race under these Australian Rules.
- (2) A horse will only be eligible for a race if it meets any entry qualifications or conditions for the race.
- (3) If a horse runs in a race:
  - (a) it is ineligible for, it may be disqualified;
  - (b) in which it carries less than the weight prescribed by the conditions of the race or that it is allotted to carry in the race, it will be disqualified from the race, provided that a rider is to be allowed 0.5kg by the Clerk of the Scales.

**LR 53** *No unraced horse shall be permitted to race at a meeting in the state unless;*

- (a) it has competed in an official barrier trial in a manner satisfactory to the Stewards, or*
- (b) the Stewards for good cause in their absolute discretion permit the horse to race.*

#### **AR 54 Process of nominating a horse for a race**

- (1) A PRA is required to publish the days on which nominations for races may be lodged with it.
- (2) All nominations for races must comply with the provisions of the Rules and/or any regulations of a PRA.
- (3) Nominations for all races must be in the name of either the owner, trainer or lessee (if the horse is leased) of the horse, or an authorised representative of any of those persons.
- (4) A lessor may enter a leased horse for a race to be run after the expiration of the lease.



- (5) If a lessee enters a horse to be run after the expiration of the lease, the lessee must not scratch the horse without the written consent of the lessor unless otherwise directed by a PRA, provided that if consent is refused, the lessor will be liable for all future payments of fees or forfeits in connection with the relevant entry.
- (6) In order for a horse to be eligible for a race, all entries must be made as prescribed and all nomination fees required to be paid must be paid.
- (7) The list of entries for a race closes at the time provided for by a PRA (or 4.00 pm if no time is provided).

#### **LR 54**

*Any owner, who nominates a horse which, prior to it being registered, has raced at any meeting at which the Principal Racing Authority or Stewards have allowed horses which have not been registered to start, shall for the first nomination of such horse for meetings for which weights are declared by Principal Racing Authority Handicappers, supply at or before the time of closing of entries, particulars in writing of all its previous performances including details of the amount of prize money won by such horse, otherwise such nomination shall be void unless the Principal Racing Authority, upon the application of the nominator, decides otherwise.*

#### **AR 55 Nominations for races subject to approval**

- (1) All nominations are subject to the approval of a PRA or the Stewards. Either may decline to receive or after receiving reject any nomination in their absolute discretion and without giving reasons for so doing.
- (2) If any nomination is rejected under this rule, the fees paid in relation to it must be refunded to the nominator.

#### **LR 55**

- (1) *The order in which the horses will be drawn up before the start of each race must be determined and published at such time and in such way after the declaration of acceptances as the Principal Racing Authority thinks fit.*
- (2) *Barrier positions shall be filled at the time and in the manner determined by the Principal Racing Authority.*
- (3) *The draw for barrier positions for the runners shall be carried out;* (amended GG 1/8/19)
  - (a) *by random computer algorithm in the office of the club or Principal Racing Authority at the place where the club or Principal Racing Authority normally transacts its public business; or*
  - (b) *by such random method approved by the Stewards which is to be conducted by at least two persons nominated for that purpose by either the club conducting the race or the Principal Racing Authority. Such random draw is to be conducted in a public place, in a manner that permits public scrutiny of the draw.*
- (4) *If any horse which should not have been included in the draw is so included or if any horse is scratched or if any horse is withdrawn by the Stewards or if the entry of any horse is rejected after the draw, the starters shall take their relative positions determined by the draw.*
- (5) *If any horse which should have been included in the draw is not included and the omission is in the opinion of the Stewards discovered within a reasonable time after declaration of acceptances, the barrier position of the horse thereafter included shall be determined by lot drawn from the total number of horses which may start in the race.*

- (a) The horse in the original draw with the same barrier position and all horses outside that horse shall be moved out one position to accommodate the horse previously omitted.*
- (b) If by the inclusion of the omitted horse, a ballot becomes necessary, any horse then balloted out shall be deemed for the purpose of this Rule only to have been scratched after the draw.*
- (c) Provided however that should it be necessary for a balloted horse to be eliminated from the field, then prior to any further horses being re-included, the barrier positions for all other horses shall be adjusted as if the horse to be eliminated had not originally been included in the field.*
- (d) Should it be established following the determination of the barrier draw that a horse has been listed in the incorrect field order, no alteration shall be made to the barrier draw of any horse irrespective of whether or not any alteration is subsequently made to the race field order.*
- (e) None of the foregoing shall in circumstances they deem appropriate prevent the Stewards from ordering that all barriers be redrawn.*

#### **AR 56 Timing for making declarations in relation to races**

- (1) All declarations of forfeit, acceptance, non-acceptance, or scratchings must be made prior to the time identified as the deadline for when they are required to be done.
- (2) Unless varied by these Australian Rules or any Local Rule, any such declaration is required to be accompanied by the required fee or payment.
- (3) Subject to these Australian Rules or any Local Rule, any such declaration may not be withdrawn once made.

#### **LR 55A Manual Draw**

- (1) Any manual box/barrier draw must be conducted by random method approved, conducted, and supervised by the Stewards in accordance with the RWWA Manual Draw ('RMD') policy as approved from time-to-time.*
- (2) The decision of the Stewards is final and conclusive in relation to any question of whether a manual draw has been conducted in accordance with the RMD policy.*
- (3) Where the Stewards determine at any time that a manual draw has been compromised due to error, omission or other departure from the approved method, the Stewards may, having regard to the RMD policy*
  - a. Direct that the draw as completed stands if in the Stewards opinion they are satisfied that*
    - (i) such departure did not materially impact the random method of the draw; or*
    - (ii) if there is insufficient time or ability to conduct any form of re-draw of position; or*
  - b. Direct that a full re-draw of all position be conducted; or*
  - c. Direct that a partial re-draw of positions be conducted: or*
  - d. Where the departure relates to any form of transposition of runners effecting only two-runners, that those two runners' positions be swapped so as to give effect to the correct outcome.*
- (4) The method of any partial or full-redraw shall be by random method as determined by the Stewards at their complete discretion and conducted at such time and place as they decide. (L55A added GG 15/8/23)*

*LR 56 All declarations of acceptance shall be made before such time on such day as may be prescribed by the Principal Racing Authority and the nomination of any horse not declared an acceptor at the prescribed time shall lapse.*

#### **AR 57 Entry of horses in multiple races**

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

#### **LR 57 LIMIT ON ACCEPTANCES**

- (1) Subject to LR57(2), a horse must not be declared an acceptor for more than one race to be conducted on any day. (amended GG 28 March 23)*
- (2) An emergency acceptor in any race may be declared an acceptor in another race at the same race meeting.*
- (3) If a horse is declared an acceptor for races in breach of LR57(1):*
  - (a) The horse must be eliminated from a race or races in accordance with the balloting conditions published in the Racing Calendar from time to time.*
  - (b) The Nominator or trainer of such horse is liable for:*
    - (i) the scratching fee for any race from which the horse is eliminated; and*
    - (ii) such penalty as the Stewards may impose.*

#### **AR 58 Emergency acceptors**

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

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

- (1) A PRA may direct that:
  - (a) a Club cannot receive nominations from a person, or in relation to a horse that a person has an interest in at the time of nomination;
  - (b) a Club cannot receive nominations of a horse/s owned by any person; and
  - (c) any nominations already received by a Club be rejected.
- (2) A horse which is subject to a direction referred to in subrule (1) is not eligible to run in any race in Australia without the permission of the PRA who made that direction.
- (3) A PRA may waive the application of this rule within its jurisdiction in favour of a bona fide lessee of a horse owned by a person under restrictions under this rule, in which case the provisions of AR 263(6) will apply in the same manner as if that owner was a disqualified person.

### **AR 60 Requirements of nominations, entry forms and Stable Returns**

- (1) A nominator, trainer or other relevant person must ensure that each nomination or entry form (including any Stable Return forming part of it) states:
  - (a) the name of every person who has a share or interest in the ownership or lease of the horse identified in the form;
  - (b) the name of the horse;
  - (c) the name of the trainer.
- (2) In relation to subrule (1):
  - (a) in the case of a leased horse, it is sufficient to show the name or names of all the lessees of the horse; and
  - (b) in the case of a horse nominated by a Syndicate, it is sufficient to show the name of the Syndicate and the Syndicate manager.

### **LR 60 Colours**

- (a) *(i) Every horse racing at meetings under the control of the Principal Racing Authority shall carry colours registered by the nominator or other colours declared at time of entry with the written authority of the person in whose name the set is registered.*
- (ii) The Principal Racing Authority shall be at liberty to grant, refuse, cancel or suspend the registration of any colours.*
- (iii) Any person holding a licence to train horses for patrons may make application to register a set of colours and if necessary a second set for the use of his patrons who have no registered racing colours.*
- (iv) Any owner establishing himself, in the opinion of the Principal Racing Authority, as one who regularly races a horse may be granted a set of colours for his own use.*
- (v) Application to register racing colours shall be accompanied by a fee for each set of colours. The amount of the fee shall be the amount determined from time to time by the Principal Racing Authority.*
- (vi) Registration of colours registered for the period July 2008-2011, shall expire on 1 December 2011 and if renewed at that time, shall be subject to renewal every 3-years thereafter upon payment of the fee determined from time to time by the Principal Racing Authority.*
- (vii) In default of renewal or payment, the Principal Racing Authority may cancel the allocation of such colours and allot the same to any other owner or licensed trainer who may apply for the same.*
- (b) In the event of two or more persons applying to register the same colours, the Principal Racing Authority shall decide between them, and may direct any unsuccessful applicant to assume other colours.*
- (c) The Principal Racing Authority may at any time by written notice to the owner, cancel the registration of any colours, and thereafter such colours shall not be used by such owner.*
- (d) In the event of two or more nominations declaring the same colours at the time of entry, the Principal Racing Authority or the Stewards shall be empowered to decide who shall retain such colours and to direct the other nominator to assume other colours.*
- (e) Any person whose jockey or rider appears in colours other than those registered in the name of such person or specified at time of entry may be fined.*
- (f) No person shall start a horse in the registered colours of any other person without first producing to the Stewards or Secretary of the Club the written authority of the registered*

*owner of such colours. Any person committing a breach of this Rule may be fined by the Principal Racing Authority or Stewards.*

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

- (1) To be able to be entered for or run in any race or official trial or jump-out, a horse must be trained by a person with a licence or permit to train.
- (2) Subrule (1) does not apply:
  - (a) to a horse entered for a race where the entries close more than 60 days before the advertised date for the running of a race; and
  - (b) to any other race excepted under the Rules.

***LR 61** The Principal Racing Authority shall publish from time to time such conditions as it considers appropriate for the conduct of organised trials and supervised jump-outs.*

***LR 61A Pre-Training***

*A horse having been in the care of a person for the purpose of what is commonly known as “pre-training” shall not be eligible to start in a trial or race unless the horse had been placed in the care of the notified trainer at the registered stables of the trainer no later than two weeks prior to trialing and no later than one month prior to racing.*

*For the purpose of this rule a horse engaged in “pre-training” shall mean a horse being in the care of and exercised, worked or trained by a person, whether the holder of a trainer’s licence or not, on or from a property other than the registered stables of the notified trainer.*

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

- (1) A person must not, in the opinion of a PRA or the Stewards:
  - (a) fail to declare any share or interest in a horse;
  - (b) misrepresent or provide any misleading or inaccurate information about the ownership of a horse; or
  - (c) be a party to any breach of this rule.
- (2) If a person breaches subrule (1), the relevant horse may be disqualified.

**AR 63 Removal of manager of a horse**

- (1) Subject to the TOR Rules (and/or a term of the COA, if relevant), a manager of a horse may be removed or replaced from that position by written notice signed by the owners, lessees or Syndicate members representing more than 50% of the ownership of the horse.
- (2) A manager of a horse is of their own right (and without separate express authorisation by the owners, lessees or Syndicate members) entitled to:
  - (a) enter, nominate, accept or scratch a horse from any race;
  - (b) engage a jockey to ride a horse in any race;
  - (c) receive any prize money or trophy won by a horse;
  - (d) act for and represent the owners, lessees or Syndicate members in relation to the horse for the purpose of these Australian Rules,

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

- (3) The entry or nomination of a horse for any race must state the name of the manager.
- (4) The trainer of a horse who enters, nominates, accepts or scratches a horse is, absent proof of an agreement between the trainer and owners to the contrary, deemed to have done so with the authority of the manager and all other nominators.

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

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

#### **AR 65 Production of horse identification documents on request**

- (1) If the Stewards require the production of the Foal Identification Card and/or Thoroughbred Identification Card of a horse, it will not be permitted to start in a race or official trial unless by 1 hour prior to the start of the event the relevant identification document is produced to them.
- (2) Notwithstanding subrule (1), the Stewards have the absolute discretion to permit a horse to start in a race or official trial if satisfied as to the identity of the horse.

#### **AR 66 Requirements on licensed persons in relation to interstate racing**

- (1) A licensed person who wishes to participate in racing in a new jurisdiction must:
  - (a) obtain from the PRA or the Stewards in the previous jurisdiction a certificate to the effect that the person is not subject to a disqualification, suspension or other restriction; and
  - (b) provide that certificate to the Stewards in the new jurisdiction as soon as possible after arriving in that jurisdiction.
- (2) If a person fails to comply with subrule (1)(b), the Stewards in the new jurisdiction may prevent the licensed person from participating in racing in that jurisdiction.
- (3) A trainer who wishes to run a horse in a race, official trial or jump-out in a new jurisdiction must:
  - (a) obtain from the PRA or the Stewards in the previous jurisdiction a certificate to the effect that the horse is clear to run; and
  - (b) provide that certificate to the Stewards in the new jurisdiction at least 1 hour before the horse is to run in its first race, official trial or jump-out in that jurisdiction.
- (4) If a person fails to comply with subrule (3)(b), the Stewards in the new jurisdiction may prevent the horse from taking part in any race, official trial or jump-out in that jurisdiction.
- (5) The PRA or the Stewards in the new jurisdiction have the absolute discretion to waive the requirements of subrules (2) and/or (4) if satisfied as to the bona fides of a licensed person or horse.
- (6) Nothing in this rule restricts a PRA or the Stewards from:
  - (a) penalising any person who breaches this rule;

- (b) preventing a licensed person from participating in racing, or preventing a horse from running in a race, official trial or jump-out, in that jurisdiction for any other reason under the Rules.
- (7) For the purposes of this rule:
  - (a) “previous jurisdiction” means the State or Territory in which a licensed person last participated in racing or in which a horse last raced;
  - (b) “new jurisdiction” means the State or Territory in which a licensed person wishes to participate in racing or in which a trainer wishes to run a horse in a race, official trial or jump-out, immediately after the previous jurisdiction.

**AR 67 Provision of information in relation to overseas racing**

- (1) If a horse registered overseas which had its last start outside Australia is to race in Australia, the nominator of that horse must by nominations closing time provide the following information to the PRA of the State or Territory in which the horse is entered to race:
  - (a) the total number of starts the horse has had;
  - (b) the racecourse and date of each start;
  - (c) the type of race and the distance;
  - (d) the finishing position and the weight carried; and
  - (e) the total of the prize money offered for each race and the amount received for winning or being placed in each race.
- (2) Details of performance in overseas countries must be confirmed by an official of the controlling body of racing in the jurisdiction in which the horse last raced.
- (3) If a horse registered overseas has never started in a race, the nominator of that horse must provide written confirmation of that to the PRA of the State or Territory in which the horse is entered to race.

**AR 68 Alteration and rejection of nominations**

- (1) Unless otherwise authorised by a PRA or the Stewards, no alteration or addition is permitted to be made to a race nomination after the time fixed for the close of nominations.
- (2) Any nomination made contrary to these Australian Rules is invalid, and a PRA or the Stewards can make any order they think fit in respect of any stake or fee paid or payable in relation to that nomination.
- (3) A PRA or the Stewards have a discretion to enable any error or omission relating to a nomination to be corrected at any time before a race, provided they are satisfied that the horse intended to be nominated is sufficiently identified.
- (4) A discretion exercised under subrule (3) may be ordered to take effect retrospectively.
- (5) A person responsible for a nomination must not make any nomination contrary to these Australian Rules.

**AR 69 Scratching of horses for Group or Listed races**

If a person:

- (a) nominates a horse for a Group Race, a Listed Race or a Restricted Listed Race; and
- (b) decides within 30 days of that race that the horse will not start in the race,

the person must immediately scratch the horse from that race. *(amended 1/2/21)*

**AR 70 Disqualified horses can be struck from engagements**

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

**AR 71 Limits on ability to withdraw from a stake**

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

**AR 72 A race with only one entry is void**

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

**AR 73 Name of nominator to be used**

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

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

- (1) A person must not, in the opinion of the Stewards:
  - (a) enter or cause to be entered a horse in a race with the primary purpose of affecting the weight to be allocated to another horse entered in the race; or
  - (b) declare or cause to be declared a horse as an acceptor for a race with the primary purpose of affecting either the weight allocated to another horse accepted for the race or the total number of horses accepted for the race.
- (2) If a person breaches subrule (1):
  - (a) the nomination or acceptance for the horse may be rejected or cancelled; and
  - (b) the Stewards may direct the handicapper to reissue a set of revised weights.

**Division 2 – Restrictions/exclusions in relation to participation of horses in races etc****AR 75 Stewards may prevent/ban horses from participating in races etc**

- (1) Without limiting any power contained in these Australian Rules, the Stewards may prevent or suspend a horse from participating in any trackwork, jump-out, official trial or race for any period (including indefinitely) and upon any conditions the Stewards think fit, if, in their opinion:
  - (a) the horse has a galloping action or races in a manner likely to pose a safety risk to itself, any other horse, or any person; or
  - (b) the horse has barrier manners, or has exhibited any pre-race behaviour which is, considered to be unruly or intractable and/or which may pose a safety risk to itself, any other horse, or any person; or
  - (c) the horse is unsuitable to participate in any trackwork, jump-out, official trial or race, including without limitation because of any veterinary diagnosis or history.
- (2) Where the Stewards suspend or prevent a horse from participating in any jump-out, official trial or race for a temporary period in accordance with subrule (1), the Stewards may also order that the horse not be permitted to be nominated or entered for any official trial or race (as applicable), until the horse has:
  - (a) participated to the satisfaction of the Stewards in any test, jump-out or official trial (or series of tests, jump-outs or official trials); and/or



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

**LR 75**

- (a) The Stewards may suspend for such period as they consider necessary, any horse which, in their opinion, could cause a danger or hazard in a race, or has not performed to the satisfaction of the Stewards, or has been sufficiently unruly or wayward to warrant such suspension. Any horse so suspended shall not, without the permission of the Stewards, be permitted to start in any race until such time as it has performed in a trial and/or passed veterinary examination to the satisfaction of the Stewards.*
- (b) A horse suffering from any infectious disease or any complaint causing discharges from the nostrils will not be permitted on any course.*
- (c) A two year old found to be shin sore will not be permitted, without the permission of the Stewards, to start in a race or trial for six weeks*

**AR 76 Yearlings**

If a horse is a yearling:

- (a) the horse is ineligible for; and
- (b) a person must not enter or start the horse in, any race or official trial.

**AR 77 2 year old horses**

If a horse is a 2 year old:

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

***LR 77** In addition and without prejudice to the provisions of AR.77, two-years-old shall not be allowed to start in any race in the state for which horses over the age of two years are eligible to run before the first day of January or such other date as the Principal Racing Authority shall determine.*

**AR 78 12+ year old horses**

- (1) Subject to subrule (2), if a horse is aged 12 years or more:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race.
- (2) The Stewards may give their express permission for a horse aged 12 years to start in a race/s during its 12 year old racing season, if: *(AR 78 (2) amended 1/6/23)*

- (a) the trainer provides to the Stewards a veterinary report in respect of the horse's condition and suitability to race, and any other information, examination or report as required by the Stewards;
  - (b) the trainer complies with the Racing Australia Code of Practice: *Veterinary Inspections for 12 year old horses* (as amended from time to time); and
  - (c) the Stewards are satisfied that the horse is suitable to race.
- (3) Any permission granted by the Stewards under subrule (2) expires at the conclusion of the horse's 12 year old racing season, or earlier as provided by the Stewards.
  - (4) Upon a horse turning 13 years of age, it is immediately ineligible to race, trial or be trained. *(amended 1/4/20)*
  - (5) If a horse aged 12 years participates in any race without the permission of the Stewards in accordance with this rule, or if a horse over 12 years participates in a race, the horse must be disqualified from the relevant race. *(amended 1/4/20)*

#### **AR 79 Horses with bleeding**

- (1) The appearance of blood at both nostrils, irrespective of quantity, is deemed to constitute an attack of bleeding unless, in the opinion of the Stewards, that bleeding was caused by external trauma.
- (2) If a horse has an attack of bleeding at any time it must be reported by the trainer to the Stewards without delay.
- (3) If a PRA advises in writing that a horse has had an attack of bleeding, that advice will be *prima facie* evidence that that horse has had an attack of bleeding.
- (4) A horse which, in the opinion of the Stewards, has had an attack of bleeding must not, without permission of the Stewards:
  - (a) be trained, exercised or galloped on any racecourse for a period of 2 months after the attack of bleeding;
  - (b) start in any race for a period of 3 months, and then only after a satisfactory gallop of at least 1,000 metres in the presence of a Steward.
- (5) Following a horse having an attack of bleeding the Stewards must:
  - (a) retain a written record of the attack of bleeding and any related restriction imposed on the horse (and if applicable, also record that attack of bleeding and any restriction imposed in the horse's Thoroughbred Identification Card, which must be provided by the trainer to the Stewards as soon as possible after the attack of bleeding); and
  - (b) record any subsequent permission given for the horse to resume racing (and if applicable, also record that on the horse's Thoroughbred Identification Card, which must be provided by the trainer to the Stewards as soon as possible).
- (6) If a horse has more than one attack of bleeding, the horse is ineligible to start in any race.
- (7) If a horse displays blood at one nostril, the trainer must report that to the Stewards without delay.
- (8) Unless the Stewards are satisfied that the presence of blood referred to in subrule (7) is attributable to external trauma, then before racing again the horse is required to undergo a satisfactory gallop of at least 1,000 metres in the presence of a Steward.

**AR 80 Horses with impaired vision**

- (1) If a horse is totally blind in one eye:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork.
- (2) If a horse has partially impaired vision:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork unless the Stewards are satisfied based on specialist veterinary evidence that the impairment does not constitute a danger to the horse or other participants in the race, official trial, jump-out or trackwork.
- (3) If a horse is reasonably suspected to be blind or have impaired vision, the owner of the horse or that person's authorised agent must notify the Stewards as soon as practicable. The Stewards will then seek to ensure that:
  - (a) details of the horse's impaired vision and any related restriction on its participating in racing are recorded in Racing Australia's national online database; and
  - (b) if applicable, details of the horse's impaired vision and any related restriction is recorded and certified by a veterinary surgeon on its Thoroughbred Identification Card.
- (4) A person is not guilty of a breach of subrule (1)(b), (2)(b) or (3) if the person proves to the satisfaction of the Stewards that the person was not aware, and should not reasonably have been aware, that the horse had the relevant blindness or impaired vision the subject of those subrules.

**AR 81 Horses with injury to limbs**

- (1) If a horse has had a limb neurectomy or any artificial form of permanent limb desensitisation:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork.
- (2) If a horse has had any artificial form of temporary limb desensitisation:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork for the period of time that a PRA or the Stewards may specify.
- (3) If a horse undergoes neurectomy surgery or an artificial form of permanent limb desensitisation, the owner of the horse or his or her authorised agent must as soon as practicable notify the Stewards of the surgery. The Stewards will then seek to ensure that:

- (a) details of the surgery or artificial desensitisation and the horse's ineligibility to race are recorded in Racing Australia's national online database; and
- (b) if applicable, the horse's Thoroughbred Identification Card is endorsed with details of the surgery or artificial desensitisation and the horse's ineligibility to race.

#### **AR 82 Horses with a tracheostomy**

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

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

#### **AR 83 Horses with fitness concerns**

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

#### **AR 84 Pregnant horses**

- (1) If a mare or filly is pregnant:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork after day 120 of its pregnancy.
- (2) A trainer must provide written notification to the Stewards as soon as practicable of:
  - (a) the pregnancy of a mare or filly in that trainer's charge; and
  - (b) the date of the last service of that mare or filly.

#### **AR 85 Horses that have had a firing procedure**

- (1) If a horse has been subjected to a firing procedure in Australia:
  - (a) the horse is ineligible for; and
  - (b) a person must not enter or start the horse in, any race, official trial, jump-out or trackwork.
- (2) If a horse is subject to a firing procedure, the owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable. The Stewards will then seek to ensure that:
  - (a) details of the procedure and the horse's ineligibility to race are recorded in Racing Australia's national online database; and
  - (b) if applicable, the Thoroughbred Identification Card of the horse is endorsed with details of the procedure and the horse's ineligibility to race.

#### **AR 86 Horses that have had shockwave therapy**

- (1) If a horse has undergone any form of shockwave therapy:
  - (a) the horse is ineligible for; and
  - (b) a trainer must not enter or start the horse in,

any race, official trial, or jump-out for 7 clear days following midnight on the day of the therapy.

- (2) If a horse has been subjected to, or the Stewards reasonably suspect a horse has been subjected to, any form of shockwave therapy at any time during the 7 clear days prior to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.
- (3) If a horse has been nominated for a race, official trial, or jump-out, a person must not
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to the administration of,
 any form of shockwave therapy to the horse at any time within 7 clear days of the race, official trial, or jump-out.
- (4) A person must not perform shockwave therapy on a horse unless he or she is a qualified veterinary surgeon. *(added 1/1/20)*

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

**AR 87 Horses that have had an intra-articular injection** *(amended 1/1/20)*

- (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 (1<sup>st</sup> day of the month), the horse would be ineligible to race, trial or jump-out until the Wednesday of the following week (10<sup>th</sup> day of the month).*

**AR 88 Horses that have had a vaccination**

- (1) A trainer must not, without the express permission of a PRA or the Stewards, enter or permit a horse that has been administered a dose of vaccine, including but not limited to, equine herpesvirus 1 and 4, equine influenza, Hendra virus, strangles or tetanus, to participate in any race during the 5 clear days following midnight on the day the dose of vaccine was administered.
- (2) A trainer must ensure a record of any administration of a dose of vaccine is included in the trainer's record of treatment for the horse in accordance with AR 104(1).
- (3) If a horse has been administered, or the Stewards reasonably suspect that a horse has been administered, a dose of vaccine during the 5 clear days prior to the day of a race, the Stewards may order the scratching of the horse from the relevant race.

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

**AR 88A Horses (less than 4 years) treated with bisphosphonates** *(added 1/2/23)*

- (1) This rule only applies to horses that are aged less than 4 years at the time of the relevant administration or attempted administration.
- (2) A person must not:
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to an administration or attempted administration of, any bisphosphonate to a horse aged less than 4 years.
- (3) A horse that has been subjected to an administration of any bisphosphonate is:
  - (a) ineligible to participate in any race, official trial, jump-out or trackwork for a minimum of 12 months from the date of administration; and
  - (b) not permitted to race until 1 August of the year the horse turns 4.
- (4) If a horse is subjected to an administration of any bisphosphonate:
  - (a) the trainer or owner of the horse (or his or her authorised agent) must, as soon as practicable after such administration, notify the Stewards;
  - (b) the Stewards shall then ensure that details of such administration and the horse's ineligibility to race are recorded in Racing Australia's national online database.
- (5) A person must not:
  - (a) enter or run a horse in a race, official trial, jump-out or trackwork in contravention of subrule (3); or
  - (b) fail to notify the Stewards as required by subrule (4)(a).
- (6) It is a defence to a charge laid under subrule (5) that the person was not aware, and should not reasonably have been aware, that the horse had been subjected to an administration of any bisphosphonate.
- (7) For the purposes of this rule, a bisphosphonate includes but is not limited to tiludronic acid (disodium tiludronate) or clodronic acid (clodronate disodium tetrahydrate).
- (8) Nothing in this rule affects Prohibited List A, which includes zoledronic acid and any other bisphosphonates not registered for veterinary use in Australia.

**AR 88AA Horses (4 years or older) treated with bisphosphonates** *(added 1/2/23)*

- (1) This rule only applies to horses that are aged 4 years or older at the time of the relevant administration or attempted administration.
- (2) A horse that has been subjected to an administration of any bisphosphonate is ineligible to participate in any race, official trial or jump-out at any time during the 30 clear days following midnight on the day of the administration.
- (3) Where a horse has been nominated and/or entered for a race, official trial or jump-out, a person must not:
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to an administration or attempted administration of, any bisphosphonate to the horse at any time within 30 clear days of the race, official trial or jump-out.
- (4) A trainer must not enter or run a horse in any race, official trial or jump-out where the horse has been subjected to an administration of any bisphosphonate during the 30 clear days prior to the day of the race, official trial or jump-out.
- (5) Where:
  - (a) a horse has been subjected to an administration of any bisphosphonate at any time during the 30 clear days prior to the day of a race, official trial or jump-out; or
  - (b) the Stewards reasonably suspect that there has been such an administration (as referred to in subrule (5)(a)),
 the Stewards may order the scratching of the horse from the relevant race, official trial or jump-out.
- (6) For the purposes of this rule, a bisphosphonate includes but is not limited to tiludronic acid (disodium tiludronate) or clodronic acid (clodronate disodium tetrahydrate).
- (7) Nothing in this rule affects Prohibited List A, which includes zoledronic acid and any other bisphosphonates not registered for veterinary use in Australia.

**AR 88B Horses returning from extended layoffs, injuries etc.** *(added 1/6/23)*

- (1) Where a horse has not participated in a race for 12 months or more, the trainer and any other person in charge of the horse must comply with the Racing Australia Code of Practice: *Horses that have not started for 12+ months* (as amended from time to time) in respect of any future running of the horse in a race, official trial or jump-out.
- (2) Where a horse is detected with a cardiac arrhythmia, or where a cardiac arrhythmia has been identified, following a race, official trial, jump-out, or at any other time, including, but not limited to, following track work, the trainer and any other person in charge of the horse must;
  - (a) report the detection or identification of a cardiac arrhythmia to the Stewards without delay, and
  - (b) comply with the Racing Australia Code of Practice: *Cardiac arrhythmias detected during post-race inspections* (as amended from time to time) in respect of any future training of the horse and/or running of the horse in a race, official trial or jump-out.
- (3) Where a horse has sustained a major fracture and/or undergone major orthopaedic surgery, the trainer and any other person in charge of the horse must comply with the Racing Australia Code of Practice: *Compulsory reporting of major fractures, orthopaedic surgery and approval of affected horses to return to racing* (as amended from time to time) in respect of reporting such events and any future training of the horse and/or running of the horse in a race, official trial or jump-out. For the purposes of this

subrule, “major fracture” and “major orthopaedic surgery” have the meanings given to them in the Code of Practice.

### **Division 3 – Notifiable diseases or conditions**

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

- (1) The following animal diseases or conditions must be notified to a PRA and dealt with in accordance with subrules (2) to (9):
  - (a) African horse sickness;
  - (b) borna disease;
  - (c) contagious equine metritis;
  - (d) dourine;
  - (e) epizootic lymphangitis;
  - (f) equine encephalomyelitis (Eastern and Western);
  - (g) equine encephalomyelitis (Venezuelan);
  - (h) equine encephalosis;
  - (i) equine herpes-virus 1 (abortigenic and neurological strains);
  - (j) equine infectious anaemia;
  - (k) equine influenza;
  - (l) equine piroplasmiasis (babesiosis);
  - (m) equine viral arteritis;
  - (n) getah virus;
  - (o) glanders;
  - (p) hendra virus;
  - (q) Japanese encephalitis;
  - (r) potomac fever;
  - (s) screw-worm fly - New World (*cochliomyia hominivorax*);
  - (t) screw-worm fly - Old World (*chrysomya bezziana*);
  - (u) strangles;
  - (v) surra (*trypanosoma evansi*);
  - (w) trichinellosis;
  - (x) warble fly myiasis;
  - (y) West Nile virus infection.
- (2) A person who owns or is in charge of, or has in his or her possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must report that fact to the PRA in the State or Territory in which the person is based immediately and by the quickest means of communication available to the person.
- (3) A person who owns or is in charge of, or has in his or her possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must take all steps to keep that horse separate from other horses or animals not infected.
- (4) If the Stewards reasonably suspect any premises, place or area to be contaminated with a notifiable disease or condition, they may by written order declare it to be an “infected



place". An order declaring any premises, place or area to be an infected place must be given to the owner or person in charge or in apparent control of the premises, place or area to which the order relates.

- (5) If the Stewards reasonably suspect any vehicle to be contaminated with a notifiable disease or condition, they may by written order declare it to be an "infected vehicle". An order declaring a vehicle to be an infected vehicle must be given to the owner or person in charge or in apparent control of the vehicle to which the order relates.
- (6) A person must not, without the express authorisation of the Stewards:
  - (a) bring, move, take or allow any person to bring, move or take any animal, fodder or fitting into, within or out of any declared infected place or infected vehicle; or
  - (b) cause, permit or assist any vehicle to enter or leave any declared infected place.
- (7) The Stewards may attach conditions to an authorisation provided under subrule (6). Without limitation, that authorisation may include conditions that the animal, fodder, fitting or vehicle to which the authorisation relates:
  - (a) must be disinfected to their satisfaction and/or in a manner specified before leaving or being taken out of the infected place or infected vehicle; and/or
  - (b) must not go or be brought to any other premises or place where any specified animals, fodder or fittings are located.
- (8) A PRA or the Stewards may give any direction or order with respect to bio-security precautions required to be taken by a person on licensed premises or in relation to a person handling or riding horses.
- (9) An order or declaration made under this rule comes into effect on the day it is made.

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

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

#### **Division 4 – Death of a nominator**

##### **AR 91 Effect of death of a nominator**

- (1) If the nominator of a horse nominated for a race dies before the race, the nomination does not automatically become void.
- (2) If the circumstance referred to in subrule (1) arises, a change in ownership of the horse may be registered with the relevant PRA (within the time required by the PRA) by the representatives of the deceased or the person/s who become entitled to the horse as a result of the death, or any purchaser of the horse from those representatives.
- (3) Where a change of ownership is effected (as provided by subrule (2)), then, subject to the approval of the PRA, all rights and obligations of the previous owner will be transferred to the new owner/s.
- (4) Unless a change of ownership is registered, every horse in relation to which any forfeit is unpaid after its nominator's death will be placed on the Forfeit List, without mentioning the nominator's name.
- (5) If a person runs a horse that was nominated by a nominator who is deceased at the time of a race:
  - (a) that person will be deemed to have taken up all of that horse's engagements;
  - (b) that person's name is to be substituted for that of the deceased nominator;
  - (c) that person will be liable for all forfeits in relation to that horse; and

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

### **Division 5 – Stakes and forfeits**

#### **AR 92 Liability for stakes or forfeits**

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

*LR 92 If a race be never run, or be void, sweepstakes forfeits and entrance money shall be returned.*

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

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

- (a) any subscription, stake or fee which, in accordance with the race conditions or the Local Rules or any arrangements established by a PRA, is required to be paid before the race;
- (b) any arrears due from any person in relation to the horse;
- (c) any arrears due in relation to the same or any other horse from any person by whom the horse is wholly or partly owned, or in whose name it is entered.

#### **LR 93**

*All monies payable to the Principal Racing Authority in relation to the training and racing of horses and fines imposed are payable within fourteen (14) days of invoice. Should any payment remain outstanding after fourteen (14) days from the date of invoice:*

- (a) No horse trained by a trainer responsible for such payments may be started in a race or trial.*
- (b) No horse trained by such trainer, as mentioned in sub section (a), shall be permitted to use any recognised training facility.*
- (c) No rider responsible for payment of a fine may ride in a race.*

#### **AR 94 Responsibility of a Club for stakes or forfeits**

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

#### **AR 95 Forfeit List to be kept by PRAs**

- (1) Each PRA must keep a Forfeit List and from time to time publish it and distribute it to the other PRAs and any other bodies as it sees fit.
- (2) A Forfeit List must include all forfeits and state the name of the persons from whom, and the horses (if any) in respect of which, those forfeits are due.
- (3) Fines, subscriptions, fees, stakes, forfeits and prize money recoverable and unpaid which have been placed on the Forfeit List must be paid to the appropriate PRA. Until paid they must not be removed from the Forfeit List.
- (4) Forfeits and any other liabilities incurred by a person at any race meeting in any other State, Territory or country may be included on the Forfeit List by the relevant PRA.

#### **AR 96 Consequence of being on the Forfeit List**

- (1) While a person is on the Forfeit List, that person is subject to the same restrictions and penalties that apply to disqualified persons.
- (2) While a horse is on the Forfeit List, the horse cannot be nominated for or run in any race, or be trained on any course where these Australian Rules apply.
- (3) If a horse or nominator of a horse is on the Forfeit List but the horse is entered for any race, the person entering that horse may be fined.

## **PART 6 – TRAINERS**

### **Division 1 – Licensing of trainers by PRAs**

#### **AR 97 Only licensed trainers to train horses**

- (1) A person can only train a horse at a registered racecourse, training track or training facility if the person has been issued with a licence or permit to train from the PRA where the horse is being trained.
- (2) Any person who is party to a breach of subrule (1) may also be penalised.

*LR 97 Application for a Trainer's Licence, Permit to Train or Owner-Trainer's Permit shall be made to the Principal Racing Authority on the form provided and shall be subject to such fee as determined from time to time by the Principal Racing Authority.*

#### **LR 97A**

*(a) In addition to the requirements set out in LR97A(b) in respect of the grant of particular categories of licences or permits to train, it is precondition to the grant to a person of a licence or permit to train that the person :*

- (1) has practical experience reasonably required to carry on the vocation of a trainer, including (but not limited to) experience in attendance to and performance of duties involving the handling of thoroughbred racehorses at stables, track work, trials and race meetings and/or*
  - (2) is the holder of a current licence, permit or registration issued by the Principal Racing Authority.*
  - (3) has proper stable facilities providing security and safety for staff and horses.*
  - (4) has adequate financial resources to carry on training activities without material risk of being unable to pay his or her debts as and when they fall due.*
  - (5) is of good reputation and character and is a fit and proper person to hold a licence or permit to train racehorses and*
  - (6) passes the written trainer's examination conducted by the Principal Racing Authority and demonstrates to the Stewards his or her competency in horse handling and saddling.*
- (b) Without in any way limiting the power of the Principal Racing Authority to prescribe terms and conditions in respect of licences or permits to train the following categories of licences or permits to train are, unless otherwise determined by the Principal Racing Authority, subject to the conditions specified,*

**Trainer -Open Class** – *it is a precondition to the grant of an open class licence that the applicant has had at least 5 years experience as a trainer under a Permit to train or its equivalent in another racing jurisdiction and has demonstrated considerable success in training horses to criteria set by the Principal Racing Authority.*

**Trainer- B Class** – it is a precondition to the grant of a B Class licence that the applicant has had at least 5 years experience as a trainer under a permit to train or its equivalent in another racing jurisdiction.

**Trainer- Permit to Train** – it is a precondition to the grant of a Permit to Train that the applicant has experience in the form of

- (1) at least 5 years' experience as a jockey, apprentice, stable foreman, assistant trainer, stable employee or any combination thereof, or
- (2) substantial success in the training of horses under an Owner-Trainer permit.

An applicant must provide at least three references from industry participants, one of which must be from a licensed Open Class or B Class Trainer, attesting to the applicant's skill, competency and general suitability to hold a Permit to Train.

**Owner-Trainer-Permit to Train** – a person holding an Owner-Trainer Permit may train only horses owned or leased solely or in partnership with members of the person's own family. For the purpose of this rule family shall mean: parents, spouse, children and siblings over 18 years. For the purpose of this rule the term "spouse" includes a spouse whether married or de facto. For the purpose of this rule the term "de facto" means where two persons are living together as a couple on a genuine domestic basis and have done so for at least 2 years. Couple does not include co-tenants.

**LR 97B** A Trainer Licence, Permit to Train or Owner-Trainer Permit may be limited as to duration or locality or both.

**LR 97C**

- (1) Regardless of category or title, every training licence or licence to ride in a race, official trial or jump-outs shall, subject to Local Rule 80B, expire on the thirty first day of July in each year.
- (2) For all licensed Stable Employees, Track Work Riders, Rider's Agents, and Farriers, such licences shall if renewed upon expiry on 31 July 2010, be made current until 1 April 2012 and will thereafter be subject to renewal every 2-years unless otherwise determined by the Principal Racing Authority.

**LR 97D** If a trainer is to be absent from his or her stables for a period longer than 48 hours, he or she must lodge in writing with, and seek approval from, the Stewards to deputise a licensed or registered person to be in charge of such stables during such absence.

**LR 97E**

- (1) Should a trainer be unable to attend a race meeting where any horse trained by him is engaged he shall nominate his registered stable foreperson or another licensed trainer to be responsible for such horse at the meeting. No later than one hour before the advertised starting time of any relevant race he shall advise the Stewards in writing of the name of the person nominated who must consent in writing to be so nominated, such nomination may not be further delegated.
- (2) Both the trainer and his nominee shall be bound by the rules and regulations of the Principal Racing Authority and failure to comply with sub-rule (1) may result in the horse being withdrawn by the Stewards.

**LR 97F**

- (a) A trainer or holder of a permit to train shall not, without having made written application and obtained the consent of the Stewards, stable any horse trained by him in any location

*other than his registered stable address as notified on his current licence renewal or application form.*

- (b) Any person found in breach of this rule may be penalised and the nomination of the horse concerned may be rejected.*

#### **LR 97G**

- (a) In addition to training fees paid by the owner, there shall be payable to the licensed trainer of a horse:*
- (i) placed first, second or third in any race in Western Australia a fee equal to ten percent of the value of any prize money.*
  - (ii) placed fourth to tenth in any race in Western Australia a fee equal to ten percent of the value of any prize money of an amount to be determined from time to time by the Principal Racing Authority.*
- (b) A trainer shall not be entitled to and shall not expect to receive any remuneration except as provided by this Rule.*
- (c) For the purposes of this Rule, the value of the prize money shall not include any trophy awarded under the conditions of a race.*
- (d) In respect of races run outside the metropolitan area, the Committee of any Club may, in its absolute discretion, determine that for the purposes of this Rule:*
- (i) the value of the prize money shall include any trophy awarded to the nominator, but shall exclude any trophy awarded to any person other than the nominator, under the conditions of a race, or*
  - (ii) the value of the prize money shall not include any trophy awarded under the conditions of a race.*

#### **LR 97H**

- (1) Every person holding a Trainer Licence, Permit to Train or Owner-Trainer Permit from the Principal Racing Authority shall apply to the Principal Racing Authority to register every person employed by or assisting him in connection with the training or care of racehorses (in this Rule referred to as an "employee").*
- (2) No employee unless registered as aforesaid shall be retained in employment.*
- (3) Applications for registration shall be made on forms to be obtained from the Principal Racing Authority and particulars shall be supplied as required by these forms. A fee as prescribed by the Principal Racing Authority from time to time shall be paid in respect of each application for registration.*
- (4) The Principal Racing Authority, in its discretion, may at any time refuse to grant any application for registration, or grant the same subject to any conditions, and may revoke, cancel or vary the conditions of any registration without giving any reason.*
- (5) Any person failing to comply with the provisions of this Rule may be penalised.*
- (6) Trainers licensed by the Principal Racing Authority or any person holding a Permit to Train or Owner-Trainer Permit shall only authorise to ride work on a racecourse or training track persons certified as fit and proper to ride work by a Steward or other official appointed for the purpose.*

#### **AR 98 Training partnerships**

- (1) A PRA may license up to a maximum of 3 persons to train as a training partnership.**
- (2) Persons who train as a training partnership equally share all responsibilities, obligations and rights under the Rules in relation to training horses.**

- (3) A person licensed to train as a member of a training partnership cannot also train as an individual or in another training partnership, whether in Australia or elsewhere.
- (4) Notwithstanding AR 109(1), a training partnership can train horses in more than one State or Territory, but must be licensed to do so by the PRA in each of those States or Territories.
- (5) A PRA may prescribe a minimum number of horses that must be trained by a training partnership.
- (6) If 1 person in a training partnership commits a breach of the Rules then all persons in the training partnership are deemed to be jointly and severally responsible, and may be penalised accordingly.
- (7) A PRA or the Stewards have the discretion to relieve a person from the consequence stated in subrule (6) if the person satisfies the PRA or the Stewards that the breach of the Rules does not relate directly to the training of horses.
- (8) A trainer must inform the Stewards in writing before withdrawing from or dissolving a training partnership.
- (9) If the Stewards receive notice from a trainer under subrule (8), they may order that horses trained by the training partnership cannot race, or participate in an official trial or jump-out until they are satisfied that the horses are being trained in accordance with the Rules.

***LR 98 In addition to AR98 the following shall apply to a training partnership***

- (1) *Notwithstanding AR98(1) two trainers who have a license to train may be given permission to train in partnership provided that:*
  - (a) *Either one or both of the trainers is the holder of an Open Class Trainer's Licence; or*
  - (b) *Both the trainers are the holder of a B Class Licence*
- (2) *An application for permission to train in a partnership shall be made by submitting the required application form completed in full, providing such information as required by RWWA and be accompanied by the prescribed fee.*
- (3) *It is a precondition to the grant of permission to train in a partnership that:*
  - (a) *Neither applicant hold a license or permit to train in another racing jurisdiction, other than a license or permit to train in partnership with one another;*
  - (b) *The Stewards are satisfied as to the bona fides of the training partnership; and*
  - (c) *A minimum of 25 horses shall be trained in the partnership.*
  - (d) *That neither applicant trains any horses as an individual or in any other training partnership.*
- (4) *RWWA may in its absolute discretion relieve applicants for permission to train in partnership from the preconditions set out in this rule.*
- (5) *RWWA may refuse permission to train in partnership or grant permission subject to such terms and conditions as it thinks fit, including but not limited to restrictions regarding duration, locality or both.*
- (6) *Trainers granted permission to train in partnership:*
  - (a) *Share all responsibilities, duties and obligations under the Rules in regard to the training of racehorses.*
  - (b) *Must, in addition to these rules, comply with the conditions of registration contained within the application form, as may apply from time to time.*
- (7) *RWWA may at any time in its absolute discretion:*
  - (a) *Revoke permission to train in partnership, including without limitation where one or both applicants cease to meet the requirements to be granted permission in*

*accordance with the Rules, or where one or both of the training partners have been suspended or disqualified; or*

- (b) Vary or amend any of the terms or conditions of any permission to train in partnership.*
- (8) Notwithstanding any provision of this rule, RWWA will reciprocate any permission to train in partnership granted by any Principal Racing Authority of a visiting partnership.*
- (9) Where a there has been a breach of the Rules by one or both of the trainers training in partnership or a penalty imposed against either, then both trainers shall be deemed jointly severally responsible and may be charged and penalised or have any penalty that is imposed on one of the parties apply equally to both.*
- (10) Where a penalty has been imposed by another Controlling Body upon one or both of the trainers in a training partnership, then both trainers shall be deemed jointly and severally responsible for the purposes of adoption or recognition of that punishment in accordance with these rules.*
- (11) Sub-rules (9) and (10) do not apply where, in the opinion of the Stewards, the relevant breach or punishment imposed does not relate directly to the training of horses.*
- (12) Upon receipt from either partner of an intention to withdraw from or dissolve the partnership 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.*

#### **DUAL LICENCES**

**LR 98A** *For the purposes of this Rule:*

- (a) "Dual Licence" means a licence granted by the Board or its delegate which licenses the holder to train horses as a Trainer and also to ride horses for reward in races as a Jockey both during the currency of that licence.*
- (b) "Dual Licence Holder" means a person who has been duly granted a Dual Licence.*

**LR 98B** *No person shall be entitled to apply for a Dual Licence, unless he/she –*

- (a) is a licensed jockey pursuant to LR110(a) and*
- (b) is eligible to be licensed as a trainer and satisfied all the requirements of LR97A*
- (c) has been licensed as a Jockey for a minimum period of 2-years immediately prior to making application for such licence.*

**LR 98C** *Further to the provisions of LR98A and LR98B, the following provisions shall apply to a Dual Licence, namely,*

- (a) every application for a Dual Licence shall be made on the form prescribed for that purpose by the Board, and the applicant shall furnish to the Board such information as the Board may from time to time require.*
- (b) a Dual Licence Holder shall not be eligible to be granted permission to, and it is a condition of a Dual Licence that the Dual Licence Holder does not, train in partnership with another Trainer under AR98, and*
- (c) no person who has been granted permission to train in partnership with another trainer shall, notwithstanding his/her compliance with LR98A, be eligible for consideration for a Dual Licence.*
- (d) a Dual Licence Holder shall not be eligible to be granted an Owner Trainer Permit under LR97A and no person who has been granted an Owner Trainer Permit, notwithstanding*



*his/her compliance with LR98A, shall be eligible for consideration as a Dual Licence Holder.*

- (e) an applicant for a Dual Licence must, in addition to the provisions of this rule satisfy the Board or its delegate that he/she meets all the requirements for licensing in the category as a Trainer, provided that if granted a Dual Licence, such Dual Licence Holder is not required to have had substantial success in the training of horses as an Owner-Trainer.*
- (f) a Dual Licence Holder shall be entitled to train no more than five (5) horses at any given time as registered by the lodgement of stable returns pursuant to the Rules.*
- (g) The maximum time a person can hold a dual licence is 5 years from the date upon which the licence is first granted which shall be subject to annual review by the Stewards after 3 years.*
- (h) a Dual Licence Holder shall not be entitled to have an Apprentice Jockey indentured to him/her.*
- (i) a Dual Licence Holder shall not have any ownership interest in any horse.*
- (j) The continued entitlement to hold a Dual Licence shall be contingent on the Dual Licence Holder*
  - (i) being eligible to have both a jockey's licence and a trainer's licence under The Rules. In the event the Dual Licence Holder ceases to be eligible to hold either a jockey's licence or a trainer's licence, the Dual Licence shall thereupon cease and determine.*
  - (ii) Riding in a minimum of 24 races each racing season.*
- (k) the provisions of LR110(a) and LR97A shall apply to a Dual Licence Holder in all respects, except to the extent that those rules are inconsistent with the requirements of this rule.*

**LR 98D** *The following provisions apply to a Dual Licence Holder*

- (a) where a Dual Licence Holder is the trainer of a horse entered in a race, the Dual Licence Holder may ride that horse but shall not be declared for, or ride, any other horse in that race.*
- (b) in the event a Dual Licence Holder is the trainer of more than one horse entered in the same race, then that Dual Licence Holder may not be declared for, or ride, any horse in that race.*
- (c) if a horse ("Subject Horse"), which is trained by a Dual Licence Holder changes stables and is thereafter trained by another trainer, that Dual Licence Holder may not ride the Subject Horse or any other horse entered to race in the same race as the Subject Horse in the 28 days immediately following that change of stables without prior express permission of the Stewards.*
- (d) a Dual Licence Holder who has a horse(s) entered in a race, and who is declared to ride any horse at that race meeting must*
  - (i) engage the services of another trainer or licensed person as approved by the stewards to act on their behalf with respect to the saddling of the horse prior to the event.*
  - (ii) not conduct any activities at the race course associated with the training of that horse(s) until they have concluded all riding commitments that day and have vacated the Jockey room.*
  - (iii) upon vacating the Jockey room at the conclusion of all riding commitments not return to the Jockey's room or be named for any other rides.*



- (e) a Dual Licence Holder may only have an interest in the buying, selling, trading or leasing of thoroughbred livestock with the express prior permission of the Principal Racing Authority in accordance with AR 118(1) and the provisions of AR 118 (2) & (3) shall apply accordingly.*
- (f) where a Dual Licence Holder is suspended for a breach of the Rules of Racing as a jockey, the Stewards may, in the exercise of their discretion, and in addition to any other penalty imposed under the Rules, also suspend that Dual Licence Holder in their capacity as a trainer for the same, or for such other, period as the Stewards may determine.*
- (g) where a Dual Licence Holder is suspended for a breach of the Rules of Racing as a trainer, the Stewards may, in the exercise of their discretion, and in addition to any other penalty imposed under the Rules, also suspend that Dual Licence Holder in their capacity as a jockey for the same, or for such other, period as the Stewards may determine.*
- (h) the provisions of AR 115 and AR 116 shall, so far as applicable, apply to a Dual Licence Holder.*
- (i) the provisions of AR 236 apply to a Dual Licence Holder.*

**LR 98E** *In connection with an application for a Dual Licence (including any renewal), the Board may in its absolute discretion and without assigning any reason therefore;*

- (a) grant, or, if the Board is not in its opinion satisfied that all of the requirements of this rule have been established, refuse any Dual Licence;*
- (b) grant any Dual Licence upon such conditions as the Board may deem fit to impose, including but not limited to restrictions regarding duration and locality or both;*
- (c) revoke, cancel or suspend any Dual Licence during its currency and before the period for which the same was granted shall have expired.*
- (d) determine the fee payable by an applicant for a Dual Licence.*

**LR 98F** *The provisions of these rules will apply mutatis mutandis to any visiting rider holding a commensurate licence issued by another Principal Racing Authority that is reciprocated by RWWA.*

## **Division 2 – Rights and obligations of trainers**

### **AR 99 Obligation to ensure an identified horse is presented and races** (amended 1/1/22)

- (3) The trainer of a horse and/or the trainer's authorised representative must ensure, including by reference to the horse's Thoroughbred Identification Card, that if a horse is engaged to run in any race or official trial, the correct horse:
  - (a) is brought to the racecourse;
  - (b) is presented to start in the relevant race or official trial;
  - (c) starts in the relevant race or official trial.
- (4) Where a horse is brought to a racecourse, is presented to start in a race or official trial, and/or starts in a race or official trial, contrary to the provisions of subrule (1), a PRA or the Stewards must disqualify that horse from the relevant race or official trial.

### **AR 100 Notifications in relation to changed riding instructions**

- (1) A trainer or the trainer's authorised representative:
  - (a) must notify the Stewards of any instruction or arrangement to the effect that a horse is to be ridden in a manner different to how the horse was ridden at its most recent start or starts;

- (b) must make the notification referred to in subrule (1)(a) as soon as practicable and not later than 30 minutes prior to the race.
- (2) Upon receipt of the notification referred to in subrule (1), the Stewards may publish or communicate it as they think fit.

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

- (1) Unless a trainer has obtained the consent of the Stewards, the trainer must not stable any horse trained by him or her in any location other than that trainer's registered stable address as notified on the trainer's current licence renewal or application form.
- (2) If a person breaches this rule, the nomination of the horse concerned may be refused.

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

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

- (a) notify the trainer, who must submit a Stable Return reporting that change if a gelding; and
- (b) notify Racing Australia or the Stewards, who must then:
  - (i) record that amendment in Racing Australia's records; and
  - (ii) if applicable, amend the Thoroughbred Identification Card of the horse.

**AR 103 Stable Returns required for race entries** *(heading amended 1/5/21)*

- (1) A Stable Return and any amendment thereto lodged with a PRA (or its agent) is part of any entry for a race at any race meeting.
- (2) A horse trained in Australia may not be entered for a race, official trial or jump-out unless a Stable Return for the horse is lodged with a PRA (or its agent):
  - (a) prior to the closing time for entries for the race, official trial or jump-out; or
  - (b) if entries for a race close more than 60 days before the advertised date for the running of the race, prior to the time for the first declaration of acceptances for the race.
- (3) If a horse trained outside Australia is entered for a race, official trial or jump-out, a Stable Return for the horse must be lodged with a PRA (or its agent) prior to the time for declaration of final acceptances for the race, official trial or jump-out.

*(sub-rules 4-8 deleted 1/5/21 replaced and amended by AR 296)*

**AR 104 Trainers must keep treatment records**

- (1) A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day on which the administration was given.
- (2) For the purpose of subrule (1), each record of administration must include the following information:
  - (a) the name of the horse;
  - (b) the date and time of administration of the treatment or medication;
  - (c) the name of the treatment or medication administered (brand name or active constituent);
  - (d) the route of administration including by injection, stomach tube, orally, topical application or inhalation; *(amended 1/2/21)*
  - (e) the amount of medication given (if applicable);

- (f) the duration of treatment (if applicable);
  - (g) the name and signature of the person/s administering and/or authorising the administration of the treatment or medication.
  - (h) the reason for administering the treatment or medication. *(added 1/2/21)*
- (3) For the purposes of this rule “treatment” includes:
- (a) shock wave therapy;
  - (b) acupuncture (including laser treatment);
  - (c) chiropractic treatment;
  - (d) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS));
  - (e) magnetic field therapy;
  - (f) ultrasound;
  - (g) any form of oxygen therapy, including hyperbaric oxygen therapy;
  - (h) the taking of a blood sample.
- (4) For the purposes of this rule “medication” includes:
- (a) all Controlled Drugs (Schedule 8) administered by a veterinarian;
  - (b) all Prescription Animal Remedies (Schedule 4), including those listed in Schedule 1, Part 2, Division 2 to these Australian Rules;
  - (c) all Prescription Only Medicines (Schedule 4), prescribed and/or dispensed by a veterinarian for off-label use;
  - (d) all injectable veterinary medicines (intravenous, intramuscular, subcutaneous, intra-articular) not already referred to above;
  - (e) all Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines;
  - (f) all veterinary and other medicines containing other scheduled and unscheduled prohibited substances;
  - (g) all alkalinising agents;
  - (h) all herbal preparations.
- (5) All records required to be kept in accordance with this rule must be retained by the trainer for at least 2 years.
- (6) When requested, a trainer must make available to the Stewards the record of any administration of a treatment and/or medication required under subrule (1).

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

- (1) The trainer of a horse, or any person that is in control of a horse, that is nominated for a race must:
- (a) ensure that the horse is fit and properly conditioned to race;
  - (b) by nomination time, report to the Stewards any occurrence, condition, surgery or treatment that may affect the horse’s performance in the race where the occurrence takes place, condition is present, surgery is performed or treatment is administered before nomination time;
  - (c) as soon as is practicable after nomination time and before acceptance time, report to the Stewards any occurrence, condition, surgery, or treatment that may affect the horse’s performance in the race where the occurrence takes place, condition is present, surgery is performed or treatment is administered after nomination time and before acceptance time;

- (d) if the horse is accepted for the race – as soon as is practicable, report to the Stewards any occurrence, condition, surgery or treatment that may affect the horse's performance in a race where the occurrence takes place, condition is present, surgery is performed or treatment is administered after acceptance time.
- (2) The owner and/or trainer of a horse must:
  - (a) as soon as practicable after a race, report to the Stewards anything which might have affected the running of their horse in a race; and
  - (b) immediately after a race, report to the Stewards:
    - (i) any loss or breakage of gear which occurred during the race; or
    - (ii) any unusual happening in connection with the race.
- (3) Further to subrule (2), if a trainer becomes aware of any condition or injury which may have affected the horse's performance in the race, the trainer must report the condition or injury to the Stewards as soon as practicable and no later than acceptance time for its next race engagement.

#### **AR 106 Saddling a horse**

- (1) The trainer of a horse is at all times responsible for the proper saddling and application and fitting of all gear to a horse (including the correct saddlecloth number) presented for a race, official trial, jump-out or trackwork. *(amended 1/2/21)*
- (2) Notwithstanding subrule (1), a person must properly saddle or fit or correctly apply required gear to a horse presented for a race, official trial, jump-out or trackwork.

#### **AR 107 Plates and tips**

- (1) The trainer is at all times responsible for ensuring that horses with race engagements comply with the following requirements from the time when they arrive on course, except where the Stewards permit otherwise:
  - (a) plates and tips must be made of an approved material capable of being forged or moulded into shape;
  - (b) tips must cover at least one third of the perimeter of the hoof;
  - (c) except in the case of approved therapeutic plates approved by the Stewards which may weigh up to 170g, plates and tips must not exceed 150g in weight;
  - (d) plates and tips must be securely and properly fitted and must not protrude beyond the perimeter of the hoof;
  - (e) plates must be secured by a minimum of 5 nails and tips by a minimum of 3 nails;
  - (f) heads of nails must not protrude more than 2mm from the surface of a plate or tip;
  - (g) forged or rolled toe and side clips are permitted provided those clips have blunt, rounded edges and do not exceed 15mm in height and 20mm in width;
  - (h) steel inserts are permitted provided they are level with the surface of the plate;
  - (i) bar plates are permitted, provided that the entire plate including the bar is in one piece;
  - (j) a bar may be welded or riveted to the plate provided that the surface of the bar is level with that of the plate;
  - (k) heeled plates or caulks are not permitted in flat races;
  - (l) cutting plates, grippers or any other form of plates or tips which, in the opinion of the Stewards, may be dangerous, are not permitted;
  - (m) hoof pads must be of a material, design and weight approved by the Stewards.

- (2) A horse cannot start in a race unless it is fully shod with plates or tips that meet the requirements of this rule, except that in exceptional circumstances the Stewards may permit a horse to run barefooted or partly shod.
- (3) Prior to the acceptance time of any race a horse is entered in, a trainer must:
  - (a) obtain approval from the Stewards for the use of any synthetic hoof repair material, hoof pads or any non-standard, partial, modified and/or therapeutic racing plates or tips; and
  - (b) notify the Stewards of any change from tips to plates, or from plates to tips.
- (4) To ensure compliance with the requirements for plating set out in this rule, the Stewards may engage a person (including a farrier's supervisor) to inspect any horses presented for racing.
- (5) If a mishap with a plate or tip occurs during a race, that must be reported by the trainer to the Stewards immediately.

**LR 107** *No Farrier shall be allowed to service any racecourse within Western Australia, unless such Farrier is licensed by the Principal Racing Authority or is approved by the Stewards. Such licences shall expire on the thirty-first day of July each year.*

**LR 107A**

- (a) *The use of Glue On shoes is permitted under the following conditions:*
  - (i) *an application must be made in writing prior to acceptances*
  - (ii) *a letter from a farrier approved by the Stewards stating the necessity for glue on shoes*
  - (iii) *the fitting must be performed by a farrier approved by the Stewards*
  - (iv) *notice in writing is required before ceasing the use of glue-on shoes*
  - (v) *a horse losing a glue-on shoe just prior to starting time will be withdrawn by the Stewards.*
- (b) *Notwithstanding the provisions of AR 107 racing without shoes, either front, hind or all four is permitted under the following conditions,*
  - (i) *an application must be made in writing prior to acceptances.*
  - (ii) *a letter from a farrier approved by the Stewards stating the reasons for racing without shoes.*
  - (iii) *notice in writing is required when a horse is to be fully shod again.*

**AR 108 Horse's clothing before sunrise**

If a horse is being led or ridden outside a stable premises on a public road or thoroughfare before sunrise, the trainer of the horse and any person responsible for leading or riding the horse must ensure that the horse wears a rug or other gear with reflective strips and that its rider or attendant wears a reflective vest of a design approved by the Stewards.

**AR 109 Training in non-resident States or Territories**

- (1) A trainer who temporarily visits a State or Territory of another PRA may be granted permission, for a period of time that that PRA considers fit, to train a horse in that other State or Territory.
- (2) If permission of a PRA is granted under subrule (1), the trainer must comply with the conditions of licence applicable in the State or Territory being visited.

- (3) A trainer who is granted permission to train in a State or Territory in which the trainer does not ordinarily reside or train and is training within that jurisdiction, will be deemed to be personally in charge of that trainer's horses within that jurisdiction at all times.
- (4) If a trainer has horses which are being trained in a State or Territory in which the trainer does not ordinarily reside or train:
  - (a) the trainer must provide written notification to the PRA in that jurisdiction of a nominated licensed person who that trainer nominates to be left in charge of that trainer's horses for any period during which that trainer is not present within that jurisdiction;
  - (b) the person nominated in accordance with subrule (4)(a) must be a person licensed by that PRA who has consented in writing to being nominated; and
  - (c) both the trainer and the person nominated in accordance with subrule (4)(a) are bound by the Local Rules and any regulations of that PRA.

## **PART 7 – RIDERS & HORSE HANDLERS**

### **Division 1 – Licensing of riders**

#### **AR 110 Only licensed riders to ride in races**

- (1) In order to ride in a race held under the Rules a person must hold the appropriate licence and/or qualification to ride granted by the PRA of the State or Territory in which the race is run in accordance with the Local Rules of that PRA.
- (2) Subject to any Local Rule, the PRA or the Stewards of the State or Territory in which a race meeting is to take place may grant a visiting rider from another State or Territory permission to ride if satisfied that:
  - (a) the rider holds a licence or permit to ride from the PRA in the State or Territory in which the rider ordinarily is based; and
  - (b) the rider is not disqualified, suspended, or subject to any other restriction.
- (3) A visiting rider licensed to ride by an Overseas Racing Authority may be allowed to ride in Australia on any terms a PRA or the Stewards may in their discretion impose.
- (4) In order to be granted permission to ride in Australia, all riders must agree to submit to any testing for any alcohol or drug or their metabolites or artefacts, either prior to, during or after fulfilling a riding engagement in any race, official trial, jump-out or trackwork.

***LR 110 No person shall ride in a race at any race meeting in Western Australia unless he:***

- (a) is licensed as a jockey by the Principal Racing Authority, or*
- (b) is an apprentice who has obtained a permit to ride in races from a Principal Racing Authority, or*
- (c) has been granted permission to ride by the Stewards pursuant to the conditions of LR 110A.*

#### ***LR 110A***

- (1) The Principal Racing Authority has the discretion to determine which race meetings shall be restricted to riders other than licensed jockeys and apprentices*
- (2) Where the Principal Racing Authority acts in accordance with sub-rule (1) of this Rule, then;*
  - (a) it may also determine that no riding fee or rider's percentages are payable at these*

meetings.

- (b) *any person wishing to ride at such meeting must submit an application for approval to the Stewards no later than the time set down by the Principal Racing Authority and any such applicant may at any time be required to satisfy the Stewards of their competency to ride in a race.*
- (c) *persons granted permission to ride at these meetings by the Stewards, agree to be bound by the Rules.*

**LR 110B**

- (1) *An apprentice must have completed a minimum of 20 trial rides to the satisfaction of the Stewards before applying for a permit to ride in races.*
- (2) *An apprentice must have ridden in at least 50 races and have obtained the permission of the Stewards before riding a 2yo or unraced horse in any race or organised trial. In exceptional circumstances stewards may permit an apprentice to ride such an unraced horse in a race, other than a 2yo, where no other rider is available. Where an apprentice has ridden in less than 50 races Stewards may give permission for that apprentice to ride any unraced horse, other than a 2yo, in trials provided such horse has previously trialled to the satisfaction of the Stewards.*
- (3) *No person other than a licensed jockey or apprentice shall ride in trials without the consent of the Stewards.*

**LR 110C** *Any person riding work under poor visibility conditions must wear a distinguishing light of approved design attached to his or her skull cap. This light must be switched on prior to proceeding on to the track.*

**LR 110D**

- (a) *Applications for licences or permits to ride shall be made on the form provided for that purpose and shall be accompanied by such fee as determined from time to time by the Principal Racing Authority.*
- (b) *The Principal Racing Authority may impose such terms and conditions on any applicant as it thinks fit and in particular it may require him or her to enter into articles as an apprentice or to ride work regularly for a period before his or her application will be considered.*

**LR 110E** *Any person other than a licensed jockey, apprentice, licensed trainer or permit to train holder who rides on a race course or any recognised training track must have a permit to do so.*

**LR 110F**

- (1) *The Stewards may at any time require any licensed jockey, or any person granted permission to ride in races or track work, to undergo a physical and/or medical assessment by a qualified medical practitioner at the satisfaction of the Stewards.*
- (2) *If in the opinion of the Stewards any such assessment is unsatisfactory, insofar as race riding or track riding is concerned, they may suspend the licence or permit of such jockey or permit holder.*
- (3) *Any rider who fails or refuses to submit to any such fitness or medical assessment procedure when required to do so may be penalised by the Stewards.*

**LR 110G**

- (a) *The nominator, or his agent or person authorised to do so, shall notify the Principal Racing Authority of the name of the rider engaged for each final acceptor or horse declared to start at a meeting at such time as the Principal Racing Authority shall from time to time*

*direct. If no rider has been notified by the prescribed time the Stewards may name one, or such horse may be prohibited from starting in the race by the Stewards and/or the nominator penalised by the Stewards.*

- (b) Any rider who engages himself, or an agent who engages him, for more than one horse in any race may be penalised by the Stewards. In the event of such duplicate engagement not being resolved by the time appointed for final riders to be notified, a rider for either one or more of such horses may be named by the Stewards at their discretion.*

#### **LR 110H**

- (a) The Authority shall effect and maintain with such office or offices as they may from time to time determine a policy or policies of insurance:*
- (i) Indemnifying licensed trainers against liability for payment to apprentices and their dependents (if any) of compensation under the Workers Compensation and Assistance Act 1981, and also damages at Common Law or under the Fatal Accidents Act 1959, the Law Reform (Miscellaneous Provisions) Act 1941 and the Law Reform (Contributory Negligence and Tort Feasors Contribution Act) 1947 (as respectively amended from time to time) for personal injury arising out of or in the course of their employment as apprentices.*
- (ii) Providing for payments to jockeys and their dependents in accordance with the provisions of the Workers' Compensation and Assistance Act 1981 as amended.*
- (b) An Account to be known as "Jockeys Insurance Account" shall be kept in the books of the Authority for the purpose of providing the premiums payable in respect to the policy or policies effected pursuant to paragraph (a) preceding.*

**LR 110I** *No rider shall smoke a cigarette, cigar or any smoking device at any time whilst mounted on a horse.*

### **Division 2 – Rights and obligations of riders**

#### **AR 111 Physical fitness to ride**

- (1) A rider must not present himself or herself to ride in any race, official trial, jump-out or trackwork unless he or she is physically fit to do so.
- (2) A rider must as soon as practicable report to the Stewards any injury, sickness, abnormality or condition that may affect (or may have affected) that rider's performance.
- (3) The Stewards may require a rider to present medical evidence or to undergo a medical or physical examination to prove the rider's fitness to the satisfaction of the Stewards.
- (4) If a rider fails to fulfill any race riding engagement due to reasons of fitness or health, then unless otherwise permitted by the Stewards, the rider must provide to the Stewards a satisfactory medical clearance prior to arriving on course for the rider's next race riding engagement.
- (5) Any rider who breaches subrule (4) may be stood down from riding.

#### **AR 112 Limitations on pregnant riders being able to ride**

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



- (2) A pregnant rider may ride during the first trimester of her pregnancy provided that, as soon as practicable after becoming aware that she is pregnant, she provides to the Stewards a certificate from a qualified medical practitioner to the effect that:
- (a) it is safe for her and the foetus to ride in races, official trials, jump-outs and trackwork; and
  - (b) her pregnancy creates no impairment to her capacity to control a racehorse.

**AR 113 Electronic devices not permitted while riding**

Unless permitted by the Stewards, when mounted on a horse a rider must not hold or use any mobile phone, radio or other electronic appliance, apparatus, instrument or equipment capable of receiving, transmitting or playing information. *(amended 1/2/21)*

**AR 114 Reporting occurrences or incidents**

- (1) The rider of a horse must report any pre-race occurrence or incident involving or affecting the rider's horse which takes place after an order to mount which may affect the running or performance of the horse in the race. That report must be made prior to the start of the race to the Stewards or, in their absence, to the Starter.
- (2) The rider of a horse must:
- (a) as soon as practicable after a race, report to the Stewards anything which might have affected the running of the rider's horse in the race; and
  - (b) immediately after a race report to the Stewards:
    - (i) any loss or breakage of gear which occurred during the race; or
    - (ii) any unusual happening in connection with the race.

**AR 115 Jockey and apprentice jockey misconduct**

- (1) A jockey or apprentice jockey must not:
- (a) engage in misconduct;
  - (b) other than from his or her nominator, accept or agree to accept any money, gift, or other consideration in connection with a horse in a race without the consent of the Stewards and his or her nominator;
  - (c) bet, or have any interest in a bet, or facilitate a bet, on any thoroughbred race or contingency relating to thoroughbred racing in any jurisdiction anywhere in the world; *(amended 1/5/21)*
  - (d) be present in the betting ring during a race meeting;
  - (e) bet, or have any interest in a bet, or facilitate a bet, on any thoroughbred race or contingency relating to thoroughbred racing involving a race in which he or she is riding in any jurisdiction anywhere in the world. *(amended 1/5/21)*
- (2) For the purposes of this rule, "bet" includes a lay bet.
- (3) If a jockey or apprentice jockey breaches subrule (1)(e), a disqualification of not less than 2 years must be imposed unless there is a finding that a special circumstance exists or the relevant race occurred outside Australia, in which case that penalty may be reduced. *(amended 1/5/21)*

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

- (1) A jockey or apprentice jockey is not permitted to own, take a lease or have any interest in any unnamed horse or named horse. *(amended 1/5/21)*

- (2) If a jockey or apprentice jockey breaches subrule (1), any person having any interest with that jockey or apprentice jockey, or the trainer of the relevant horse, may also be penalised.
- (3) If a jockey or apprentice jockey breaches subrule (1), a disqualification of not less than 2 years must be imposed unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

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

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

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

- (1) A jockey or apprentice jockey must not, without the express written permission of the PRA that has licensed that person, have any interest in or be otherwise involved in the buying, selling, trading or leasing of thoroughbred bloodstock.
- (2) A jockey or apprentice jockey must not breach any terms or conditions imposed on any permission granted by a PRA under subrule (1).
- (3) For the purposes of this rule, “thoroughbred bloodstock” means:
  - (a) a thoroughbred horse included in the Australian Stud Book or the stud book of an Overseas Racing Authority; or
  - (b) a thoroughbred horse registered to race by Racing Australia or by an Overseas Racing Authority.

**AR 119 Engagements for apprentice jockeys to be approved by master**

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

**AR 120 Rider's agents**

- (1) A person must not act in the capacity of rider's agent unless the person has been licensed by a PRA to do so.
- (2) A person licensed under the Rules in another capacity cannot also be licensed as a rider's agent, except that:
  - (a) a licensed or registered stablehand can also be licensed as a rider's agent; or
  - (b) a PRA in its discretion may permit that to occur.
- (3) A jockey, apprentice jockey or the master of an apprentice jockey must not authorise any person to be his or her rider's agent unless that person has been licensed by a PRA as a rider's agent.
- (4) A rider's agent:
  - (a) must not, without the permission of the Stewards, enter any restricted area on a racecourse on race day;
  - (b) who breaches subrule (a) may be removed from that area by order of the Stewards.
- (5) A PRA must publish a list of the persons it has licensed as rider's agents.

**LR 120** *Except with the written permission of the Stewards, any Rider's Agent who:*

- (a) bets, has an interest in a bet, or facilitates a bet; or*

*(b) provides either directly or indirectly to any person for any direct or indirect financial or other benefit (regardless of whether such benefit materialises) any tip, or any other information or advice that may influence any person to bet,*

*on any WA race in which a rider whom the rider's agent represents (in accordance with AR1) is engaged to ride, commits an offence and may be penalised.*

*For the purposes of this rule, a bet includes a lay bet. (added 1/1/22)*

**AR 120A Riding instructions** *(added 1/5/21)*

- (1) A rider must not receive, directly or indirectly, instructions concerning the running or riding of a horse in a race in which the rider is declared to ride from anyone other than the trainer (or authorised agent) or an owner of the horse.
- (2) A person must not provide, or offer to provide, to a rider, directly or indirectly, instructions concerning the running or riding of a horse in a race in which the rider is declared to ride, unless that person is the trainer (or authorised agent) or an owner of the horse.
- (3) For the purposes of this rule:
  - (a) "instructions" includes, but is not limited to, riding and/or tactical race instructions or directions, regardless of whether such instructions and/or directions are:
    - (i) provided verbally, in writing, or otherwise;
    - (ii) contained on a speed map; and
  - (b) "instructions" does not include a speed map in respect of a race indicating only the likely pace in the race and/or the likely settling positions of runners in the race.

**Division 3 – Safety equipment of riders**

**AR 121 Clothes, footwear and equipment**

- (1) Riders must wear clothes which are clean and appropriate for riding.
- (2) Only clothes, footwear, apparel and equipment approved by Racing Australia, a PRA, or the Stewards may be worn or used by a rider in a race, official trial, jump-out or trackwork.
- (3) The Stewards may confiscate any clothes, footwear, apparel and equipment worn or used by a rider that has not been approved in accordance with subrule (2). *(added 1/06/19)*

**AR 122 Helmets** *(amended by deleting and replacing 1/1/21)*

- (1) When mounted on a horse, every rider must wear a properly affixed helmet which:
  - (a) complies with a standard approved by Racing Australia;
  - (b) is in a satisfactory condition;
  - (c) has not been modified in any way; and
  - (d) has attached to it a manufacturer's label that states:
    - (i) the date of manufacture; and
    - (ii) that it complies with a standard approved by Racing Australia.
- (2) Every rider is responsible for the care and condition of the rider's helmet.
- (3) A helmet will be deemed not serviceable and must be immediately replaced by a rider if:
  - (a) 5 years have expired since its date of purchase or acquisition as a brand-new helmet or 8 years have expired since its date of manufacture, whichever is earlier; or

- (b) it sustains a severe impact; or
- (c) the wearer suffers from concussion following a fall.

**Note:** By way of example:

- (a) If a helmet was manufactured on 1/1/2016 and purchased on 1/1/2017, the helmet will be deemed not serviceable on 1/1/2022 (i.e. 5 years' use).
- (b) If a helmet was manufactured on 1/1/2016 and purchased on 1/1/2020, the helmet will be deemed not serviceable on 1/1/2024 (i.e. 4 years' use).

(4) Further to subrule (3)(a):

- (i) a rider is required to maintain evidence (such as a receipt) of the date on which the rider purchased or acquired a helmet in his or her possession; and
- (ii) a rider must produce such evidence to Racing Australia, a PRA or the Stewards at any time required by any of them.

(5) The Stewards may at any time seize a helmet for inspection and may in their absolute discretion confiscate any helmet that does not comply with the requirements of this rule, including (without limitation) where the Stewards are of the opinion that a helmet is not in a satisfactory condition as a result of general wear and tear or the manner in which it has been stored or maintained.

(6) Subject to subrule (7), when mounted on a horse during darkness, every rider must affix to his or her helmet a safety warning light of a type approved by Racing Australia, a PRA or the Stewards. *(amended 1/2/21)*

(7) Subrule (6) does not: *(added 1/2/21)*

- (a) apply to any rider who complies with AR 123(4);
- (b) apply to any location where the Stewards have ruled that sufficient artificial lighting exists;
- (c) affect the requirement that trackwork may only be conducted where Stewards have ruled that sufficient natural or artificial lighting exists.

(8) If an apprentice jockey breaches subrule (1), the apprentice jockey's master and/or any other person who was in charge of the apprentice jockey at any relevant time may also be penalized unless that person satisfies the Stewards that he or she took all proper care to ensure that the apprentice jockey complied with that subrule. *(renumbered 1/2/21)*

**Note:** Pursuant to this rule Racing Australia has ordered that:

(a) The following helmet standards are approved:

- (i) AS/NZS 3838 2006;
- (ii) EN 1384: 2012 or EN 1384: 2017;
- (iii) ASTM F1163: 20-04: Rev A 2011, ASTM F1163: 20-13 or ASTM F1163: 20-15;
- (iv) BS PAS 015: 2011;
- (v) VG1 01.040, Recommendation for Use, 12/12/2014 (also referred to as VG1 01.040: 2014-12).

(b) All helmets must be fitted with a nylon interlocking chinstrap clip attachment.

**AR 123 Safety vests** *(deleted and replaced 1/4/20)*

(1) When mounted on a horse, including but not limited to in a race, official trial, jump-out or trackwork, a rider must wear a properly fastened safety vest which:

- (a) complies with a standard prescribed by Racing Australia;
- (b) has been approved by Racing Australia;
- (c) is in a satisfactory condition;
- (d) has not been modified in any way; and

- (e) has attached to it a manufacturer's label that states that it complies with a standard prescribed by Racing Australia.
- (2) A rider required by these Australian Rules to wear a safety vest must not have in his or her possession a safety vest that does not comply with the requirements in subrule (1).
- (3) The Stewards may confiscate or order the satisfactory repair of any safety vest that does not comply with the requirements in subrule (1).
- (4) Subject to subrule (5), when mounted on a horse during darkness, a rider must wear:
  - (amended 1/2/21)
  - (a) a safety vest that complies with the requirements in subrule (1); and
  - (b) over that safety vest, or over clothing worn over that safety vest, a harness or braces that contains safety warning lights of a type approved by Racing Australia, a PRA or the Stewards.
- (5) Subrule (4) does not: *(added 1/2/21)*
  - (a) apply to any rider who complies with AR 122(6);
  - (b) apply to any location where the Stewards have ruled that sufficient artificial lighting exists;
  - (c) affect the requirement that trackwork may only be conducted where Stewards have ruled that sufficient natural or artificial lighting exists.
- (6) If an apprentice jockey breaches subrule (1), the apprentice jockey's master and/or any other person who was in charge of the apprentice jockey at any relevant time may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure that the apprentice jockey complied with that subrule. *(renumbered 1/2/21)*

**Note:** Pursuant to this rule, Racing Australia has ordered that:

- (a) the following standards of safety vests are prescribed:
  - (i) ARB Standard 1.1998; and
  - (ii) European Standard EN 13158;
- (b) the following Level 1 safety vests are approved:
  - (i) Hovs Racesafe;
  - (ii) Ozvest;
  - (iii) Racelite Pro;
  - (iv) Vipa;
  - (v) Vipa I;
  - (vi) USG Flexi Race; and
  - (vii) Airowear Swift;
- (c) the following Level 2 safety vests are approved:
  - (i) Vipa II.

### **LR 123**

*Any rider required by these rules to wear a safety vest may be penalised if he wears or has in his possession any safety vest that does not have a rider's identification card, issued by the Stewards to that rider, affixed to the safety vest in such manner as directed by the Stewards.*

### **AR 124 Proper bridle and saddle for horses**

- (1) Every horse must be properly bridled and saddled while being ridden, and every saddle used in official trials, jump-outs, tests or trackwork must, subject to subrule (2), be equipped with safety irons of a design approved by Racing Australia, a PRA, or the Stewards.
- (2) If a rider wears race boots in official trials or jump-outs, the saddle must be equipped with race irons.
- (3) While being led outside of a stable premises, every horse must have a bit in its mouth, and that bit must be attached to a lead or a stallion chain.

- (4) Every person leading or attending a horse must wear fully enclosed and substantial footwear of a standard approved by a PRA or the Stewards.

**LR 124**

- (1) *The practice of leading two or more riderless horses at the same time is prohibited.*  
 (2) *The Stewards may penalise any person breaching this rule or found responsible for a breach of this rule.*

**AR 125 Riders permitted to use blunt and approved spurs**

Riders may use spurs provided they are blunt and of a type approved by Racing Australia, a PRA, or the Stewards.

**LR 125**

- (a) *In accordance with AR 125 a rider may only use ball type spurs with a minimum ball diameter of 10mm.*  
 (b) *Any rider using spurs of a type other than specified in part (a) of this rule commits an offence and may be penalised.*

**Division 4 – Requirements of riders in relation to riding in races**

**AR 126 Fees for jockeys and riders to be determined by PRAs**

In the absence of a special agreement in relation to jockeys' fees which is approved by a PRA, the fees of jockeys and riders will be prescribed by a PRA.

**LR 126** *In the absence of a special agreement, lodged with the Principal Racing Authority, the following fees shall be payable in respect of races run in Western Australia:*

- (a) *Apprentices: a riding fee determined by the Principal Racing Authority from time to time*  
 (b) *Jockeys: a riding fee as determined by the Principal Racing Authority from time to time.*  
 (c) *In addition to (a) and (b) above, a fee of five percent, of the value of any prize money payable to a horse placed first, second or third in any race and a fee of five percent of the value of any prize money of an amount to be determined from time to time by the Principal Racing Authority, payable to a horse placed fourth to tenth in any race.*  
 (d) *For the purposes of this Rule, the value of the prize money shall not include any trophy awarded under the conditions of a race.*  
 (e) *In respect of races run outside the metropolitan area, the Committee of any Club may, in its absolute discretion, determine that for the purposes of this rule:*  
     (i) *the value of the prize money shall include any trophy awarded to the nominator, but shall exclude any trophy awarded to any person other than the nominator, under the conditions of a race, or*  
     (ii) *the value of the prize money shall not include any trophy awarded under the conditions of a race.*

**LR 126A** *The Principal Racing Authority may determine from time to time the riding fee to be payable for riding in trials.*

**LR 126B** *All riding fees and gratuities earned by an apprentice shall be held in trust in accordance with the terms of his indentures.*

**LR 126C** *For such time as Racing and Wagering Western Australia (RWVA) has a policy that various expenses of owners are paid on their behalf as part of the returns to owners:*

- (a) At the direction of RWWA pay, on behalf of the owners of a horse, such fee for a jockey or apprentice jockey in consideration for their riding a horse in a race or a barrier trial as may be set from time to time by the Board.*
- (b) RWWA shall, on behalf of the owners, direct from the applicable riding fee, the statutory amount applicable in relation to the Superannuation Guarantee Levy (SGL) to the established fund that applies for such payments.*
- (c) The payment of these fees on behalf of the owners is undertaken by RWWA in the interests of administrative efficiency and does not constitute or be taken have assumed an employer/employee relationship with RWWA.*
- (d) Nothing in these rules makes the Principal Racing Authority (PRA) or any Club personally liable for those fees, other than to the extent that they are making those payments on behalf of the owners as part of the returns to owners.*

#### **AR 127 Failing to fulfil a riding engagement**

- (1) A jockey or apprentice jockey must not fail or refuse to fulfil a race riding engagement.
- (2) The Stewards may also penalise any person responsible for an apprentice jockey who, in their opinion, contributed to that apprentice jockey committing a breach of this rule.

#### **AR 128 Rider to be present in jockeys' room at race meetings**

- (1) A rider who has a riding engagement at a race meeting must be in the jockeys' room at least 45 minutes before the advertised starting time for the first race that the rider has a riding engagement in.
- (2) Unless otherwise permitted by the Stewards, on a day a rider has a riding engagement, the rider must remain in the jockeys' room until the rider's riding engagements are complete and permission to leave the jockeys' room has been granted by the Stewards.

#### **AR 129 Running and handling**

- (1) Every rider must ride his or her horse on its merits.
- (2) A rider must take all reasonable and permissible measures throughout the race to ensure that the rider's horse is given full opportunity to win or to obtain the best possible place in the field.
- (3) Except where the safety of any horse or rider in a race requires otherwise, every horse must be ridden in such a manner to benefit only its own best interests and not to the advantage of any other horse or rider.
- (4) If, in the opinion of the Stewards, this rule has been breached:
  - (a) any person who was a party to the breach may also be penalised; and
  - (b) the horse concerned may be disqualified.
- (5) Any person who:
  - (a) in the opinion of the Stewards, has breached, or was party to breaching, subrule (1); and
  - (b) has a lay bet or an interest in a lay bet on the subject horse and/or has a bet or an interest in a bet on another horse in the subject race,
 must be disqualified for a period of 3 years unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

#### **AR 130 Consequences if a horse and/or jockey causes interference**

- (1) If a horse:

- (a) crosses another horse so as to interfere with that, or any other, horse; or
  - (b) jostles, or the horse or its rider in any way interferes, with another horse or its rider (except for jostling or interference caused by another horse or rider),
- that horse and any other horse in the same nomination may be disqualified from the race.
- (2) If a placed horse or its rider causes interference to another placed horse or its rider, and the Stewards are of the opinion that the horse interfered with would have finished ahead of the first mentioned horse had that interference not occurred, the Stewards may place the first mentioned horse immediately after the horse interfered with.
  - (3) For the purposes of subrule (2), a “placed horse” is a horse placed by the Judge in accordance with AR 214(3).

### **AR 131 Riding offences**

A rider must not, in the opinion of the Stewards:

- (a) engage in careless, reckless, improper, incompetent or foul riding;
- (b) fail to ride his or her horse out to the end of the race and/or approaching the end of the race;
- (c) make any celebratory gesture prior to his or her horse passing the winning post;
- (d) excessively slow, reduce or check the speed of the rider’s horse and in doing so cause direct or indirect interference to any other horse in the race.

### **AR 132 Limits on the use of a whip by a rider**

- (1) A rider may only carry in races, official trials, jump-outs, or trackwork a padded whip of a design and specification approved by Racing Australia (“approved whip”) which is in a satisfactory condition and has not been modified in any way.
- (2) A person must not have in his or her possession:
  - (a) a whip which is not an approved whip; or
  - (b) an approved whip which has been modified in any way.
- (3) The Stewards may confiscate any whip which:
  - (a) is not an approved whip; or
  - (b) is an approved whip which, in their opinion, is not in a satisfactory condition or has been modified in any way.
- (4) If an apprentice jockey breaches subrule (1) or (2), the master and/or other person in charge of the apprentice jockey at the time of the breach may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure the apprentice jockey complied with this rule.
- (5) In a race, official trial, jump-out or trackwork, or elsewhere, a rider must not use his or her whip in an excessive, unnecessary or improper manner.
- (6) Without limiting the generality of subrule (5), in a race, official trial or jump-out a rider must not use his or her whip:
  - (a) forward of the rider’s horse’s shoulder or in the vicinity of its head;
  - (b) using an action that raises the rider’s arm above shoulder height;
  - (c) when the rider’s horse is out of contention;
  - (d) when the rider’s horse is showing no response;
  - (e) after passing the winning post;



- (f) causing injury to the rider's horse;
  - (g) when the rider's horse is clearly winning;
  - (h) when the rider's horse has no reasonable prospect of improving or losing its position;
  - (i) in a manner where the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that that was neither deliberate nor reckless.
- (7) Subject to the other requirements in this rule:
- (a) prior to the 100 metre mark in a race, official trial or jump-out:
    - (i) the whip must not be used in consecutive strides;
    - (ii) the whip must not be used on more than 5 occasions except where there have only been minor infractions and the totality of the whip use over the whole race is less than permitted under subrules (7)(a) and (b) and also having regard to the circumstances of the race, including distance and context of the race (such as a staying race or a rider endeavouring to encourage the rider's horse to improve);
    - (iii) the rider may at the rider's discretion use the whip with a slapping motion down the shoulder, with the whip hand remaining on the reins;
  - (b) in the final 100 metres of a race, official trial or jump-out, a rider may use the whip at the rider's discretion.
- (8) A trainer, owner or their authorised agent must not give instructions to a rider regarding the use of the whip which, if carried out, might result in a breach of this rule.
- (9) A person must not offer any inducements to a rider to use the whip in a way that, if carried out, might result in a breach of this rule.
- (10) An owner or that owner's authorised agent, trainer, rider or a Steward may lodge a protest against the placing of a horse where a rider breaches subrules (5) or (7) during a race.
- (11) Notwithstanding the provisions of subrules 7(a) and (b), a PRA that has charge of the conduct of jumps racing may provide separately, at its own discretion, for the regulation of the use of the whip in jumping events under its own Local Rules. If that is done, any provision of that kind will not be limited by subrules 7(a) and (b).

### **AR 133 Possession of stockwhip**

A person must not have in his or her possession a stockwhip:

- (a) at a racecourse;
- (b) at a thoroughbred racing stable; or
- (c) at premises otherwise used for training or pre-training a horse, unless the person satisfies the Stewards that the stockwhip is in his or her possession at those premises for reasons unrelated to the training or pre-training of a horse.

### **AR 134 Excessive, unnecessary or improper use of spurs**

In a race, official trial, jump-out or trackwork, or elsewhere, a rider must not use his or her spurs in an excessive, unnecessary or improper manner.

### **AR 135 Races around markers**

- (1) If a PRA approves a race being conducted outside markers, a rider must not, in the opinion of the Stewards:

- (a) permit the rider's horse to go inside a marker;
  - (b) make insufficient effort to prevent the rider's horse from going inside a marker;
  - (c) either directly or indirectly cause another runner to go inside a marker;
  - (d) permit the rider's horse to continue in the race after it goes inside a marker.
- (2) The markers referred to in subrule (1) must be of a design and placement approved by a PRA.
- (3) Any horse that goes inside a marker is to be disqualified from the race unless, in the opinion of the Stewards, that was caused by another horse or rider, in which case the horse interfered with may be declared a non-starter.
- (4) Any horse that interferes with or in any way causes another runner to go inside a marker may be disqualified from the race.

### **Division 5 – Substances banned for use by riders and horse handlers**

#### **AR 136 Banned substances in relation to riders**

- (1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in riders when detected in a urine sample at a concentration above the respective threshold level:
- (a) lysergic acid diethylamide (LSD) ( $0 \mu\text{g/L}$ );
  - (b) all barbiturates ( $0 \mu\text{g/L}$ );
  - (c) all Cannabinoids, including but not limited to:
    - (i) 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid ( $15\mu\text{g/L}$ );
    - (ii) synthetic cannabinoid analogues and/or their metabolites (such as JWH-018, JWH-073 and HU-210).
  - (d) all diuretics ( $0 \mu\text{g/L}$ );
  - (e) probenecid ( $0 \mu\text{g/L}$ );
  - (f) alcohol (at a blood alcohol concentration in excess of 0.02% (that is, 20 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument);
  - (g) all stimulants, including but not limited to:
    - (i) amphetamine ( $150 \mu\text{g/L}$ );
    - (ii) methylamphetamine ( $150 \mu\text{g/L}$ );
    - (iii) methylenedioxyamphetamine (MDA) ( $150 \mu\text{g/L}$ );
    - (iv) methylenedioxyethylamphetamine (MDEA) ( $150 \mu\text{g/L}$ );
    - (v) methylenedioxymethylamphetamine (MDMA) ( $150 \mu\text{g/L}$ );
    - (vi) methylphenidate ( $0 \mu\text{g/L}$ );
    - (vii) modafinil ( $0 \mu\text{g/L}$ );
    - (viii) cocaine ( $100 \mu\text{g/L}$ );
    - (ix) ephedrine ( $10,000 \mu\text{g/L}$ );

(Stimulants which are specifically excluded are: levo-amphetamine; levo-methylamphetamine; phenylpropanolamine; pseudoephedrine.)
  - (h) all anorectics, including but not limited to:
    - (i) phentermine ( $500 \mu\text{g/L}$ );
    - (ii) diethylpropion ( $0 \mu\text{g/L}$ );

- (iii) sibutramine ( $0 \mu\text{g/L}$ ).
- (i) all opiates and opioids, including, but not limited to:
  - (i) morphine ( $0 \mu\text{g/L}$ , save as specified in subrule (2));
  - (ii) codeine ( $0 \mu\text{g/L}$ , save as specified in subrule (2));
  - (iii) oxycodone ( $0 \mu\text{g/L}$ );
  - (iv) fentanyl ( $0 \mu\text{g/L}$ );
  - (v) alfentanil ( $0 \mu\text{g/L}$ );
  - (vi) pethidine ( $0 \mu\text{g/L}$ );
  - (vii) methadone ( $0 \mu\text{g/L}$ );
  - (viii) heroin ( $0 \mu\text{g/L}$ );
  - (ix) monoacetylmorphine ( $0 \mu\text{g/L}$ );
  - (x) hydromorphone ( $0 \mu\text{g/L}$ );
  - (xi) buprenorphine ( $0 \mu\text{g/L}$ ).

(Opiates and opioids which are specifically excluded are: dihydrocodeine; dextromethorphan; pholcodine; propoxyphene; tramadol.)
- (j) all dissociative anaesthetics and related substances, including but not limited to:
  - (i) ketamine ( $0 \mu\text{g/L}$ );
  - (ii) phencyclidine ( $0 \mu\text{g/L}$ );
  - (iii) tiletamine ( $0 \mu\text{g/L}$ ).
- (k) gamma-hydroxybutyrate (GHB) and pro-drugs of GHB (1,4-butanediol: gammabutyrolactone) ( $10,000 \mu\text{g/L}$ );
- (l) benzylpiperazine ( $500 \mu\text{g/L}$ ) and phenylpiperazine ( $0 \mu\text{g/L}$ ) and their derivatives ( $0 \mu\text{g/L}$ );
- (m) tryptamine derivatives ( $0 \mu\text{g/L}$ ), (e.g. dimethyltryptamine; alphamethyltryptamine; hydroxydimethyltryptamine and related substances);
- (n) all benzodiazepines, including but not limited to:
  - (i) diazepam ( $200 \mu\text{g/L}$ );
  - (ii) nordiazepam ( $200 \mu\text{g/L}$ );
  - (iii) oxazepam ( $200 \mu\text{g/L}$ );
  - (iv) temazepam ( $200 \mu\text{g/L}$ );
  - (v) alprazolam ( $100 \mu\text{g/L}$ , as alpha-hydroxyalprazolam);
  - (vi) clonazepam ( $100 \mu\text{g/L}$ , as 7-aminoclonazepam);
  - (vii) flunitrazepam ( $100 \mu\text{g/L}$ , as 7-aminoflunitrazepam);
  - (viii) nitrazepam ( $100 \mu\text{g/L}$ , as 7-aminonitrazepam);
  - (ix) bromazepam ( $0 \mu\text{g/L}$ );
  - (x) clobazam ( $0 \mu\text{g/L}$ );
  - (xi) flumazenil ( $0 \mu\text{g/L}$ );
  - (xii) lorazepam ( $0 \mu\text{g/L}$ );

- (xiii) midazolam ( $0 \mu\text{g/L}$ );
  - (xiv) triazolam ( $0 \mu\text{g/L}$ ); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon; zolpidem; zopiclone).
- (2) Notwithstanding subrule (1), when codeine and/or morphine are detected in a sample taken from a rider, the sample is deemed not to constitute a banned substance under these Australian Rules if:
- (a) the total codeine and morphine concentration is less than  $2,000 \mu\text{g/L}$ ; or
  - (b) the total codeine and morphine concentration achieved in confirmatory testing is in the range  $2,000$  to  $15,000 \mu\text{g/L}$  inclusive and at least one of the following applies:
    - (i) the codeine to morphine ratio contained in the sample is greater than 1.0; or
    - (ii) the rider satisfies the Stewards that there has been no illegal use of opiates or opioids by the rider.

#### **AR 137 Banned substances in relation to horse handlers**

- (1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in horse handlers when detected in a urine sample at a concentration above the threshold level in brackets immediately next to the identified banned substance:
- (a) lysergic acid diethylamide (LSD) ( $0 \mu\text{g/L}$ );
  - (b) all barbiturates ( $0 \mu\text{g/L}$ );
  - (c) cannabinoids (11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid) ( $15\mu\text{g/L}$ );
  - (d) alcohol (at a blood alcohol concentration in excess of 0.05% (that is, 50 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument);
  - (e) all stimulants, including but not limited to:
    - (i) amphetamine ( $150 \mu\text{g/L}$ );
    - (ii) methylamphetamine ( $150 \mu\text{g/L}$ );
    - (iii) methylenedioxyamphetamine (MDA) ( $150 \mu\text{g/L}$ );
    - (iv) methylenedioxyethylamphetamine (MDEA) ( $150 \mu\text{g/L}$ );
    - (v) methylenedioxymethylamphetamine (MDMA) ( $150 \mu\text{g/L}$ );
    - (vi) methylphenidate ( $0 \mu\text{g/L}$ );
    - (vii) modafinil ( $0 \mu\text{g/L}$ );
    - (viii) cocaine ( $100 \mu\text{g/L}$ );
    - (ix) ephedrine ( $10,000 \mu\text{g/L}$ );

(Stimulants which are specifically excluded are: levo-amphetamine; levo-methylamphetamine; phenylpropanolamine; pseudoephedrine.)
  - (f) all opiates and opioids, including, but not limited to:
    - (i) morphine ( $0 \mu\text{g/L}$ , save as specified in subrule (2) of this rule);
    - (ii) codeine ( $0 \mu\text{g/L}$ , save as specified in subrule (2) of this rule);
    - (iii) oxycodone ( $0 \mu\text{g/L}$ );
    - (iv) fentanyl ( $0 \mu\text{g/L}$ );

- (v) alfentanil ( $0 \mu\text{g/L}$ );
- (vi) pethidine ( $0 \mu\text{g/L}$ );
- (vii) methadone ( $0 \mu\text{g/L}$ );
- (viii) heroin ( $0 \mu\text{g/L}$ );
- (ix) monoacetylmorphine ( $0 \mu\text{g/L}$ );
- (x) hydromorphone ( $0 \mu\text{g/L}$ );
- (xi) buprenorphine ( $0 \mu\text{g/L}$ ).

(Opiates and opioids which are specifically excluded are: dihydrocodeine; dextromethorphan; pholcodine; propoxyphene; tramadol.)

(g) all dissociative anaesthetics and related substances, including but not limited to:

- (i) ketamine ( $0 \mu\text{g/L}$ );
- (ii) phencyclidine ( $0 \mu\text{g/L}$ );
- (iii) tiletamine ( $0 \mu\text{g/L}$ ).

(h) all benzodiazepines, including but not limited to:

- (i) diazepam ( $200 \mu\text{g/L}$ );
- (ii) nordiazepam ( $200 \mu\text{g/L}$ );
- (iii) oxazepam ( $200 \mu\text{g/L}$ );
- (iv) temazepam ( $200 \mu\text{g/L}$ );
- (v) alprazolam ( $100 \mu\text{g/L}$ , as alpha-hydroxyalprazolam);
- (vi) clonazepam ( $100 \mu\text{g/L}$ , as 7-aminoclonazepam);
- (vii) flunitrazepam ( $100 \mu\text{g/L}$ , as 7-aminoflunitrazepam);
- (viii) nitrazepam ( $100 \mu\text{g/L}$ , as 7-aminonitrazepam);
- (ix) bromazepam ( $0 \mu\text{g/L}$ );
- (x) clobazam ( $0 \mu\text{g/L}$ );
- (xi) flumazenil ( $0 \mu\text{g/L}$ );
- (xii) lorazepam ( $0 \mu\text{g/L}$ );
- (xiii) midazolam ( $0 \mu\text{g/L}$ );
- (xiv) triazolam ( $0 \mu\text{g/L}$ ); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon; zolpidem; zopiclone).

(2) Notwithstanding subrule (1), when codeine and/or morphine are detected in a sample taken from a horse handler, the sample is deemed not to constitute a banned substance under these Australian Rules if:

- (a) the total codeine and morphine concentration is less than  $2,000 \mu\text{g/L}$ ; or
- (b) the total codeine and morphine concentration achieved in confirmatory testing is in the range  $2,000$  to  $15,000 \mu\text{g/L}$  inclusive and at least one of the following applies:
  - (i) the codeine to morphine ratio contained in the sample is greater than 1.0; or

- (ii) the horse handler satisfies the Stewards that there has been no illegal use of opiates or opioids by the horse handler.

### **Division 6 – Banned substance offences for riders and horse handlers**

#### **AR 138 Penalty for breach**

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Division 6 the person may be penalised by a PRA or the Stewards.

#### **AR 139 Offences where riders use banned substances**

- (1) A rider breaches these Australian Rules if:
  - (a) a banned substance under AR 136(1) is detected in a sample taken from the rider; or
  - (b) the rider refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample or attempts to do any of those things.
- (2) If, in the opinion of the Stewards and based on information available to them, their own observations, or medical or other competent advice, a rider's faculties are considered to be impaired by any banned substance under AR 136(1) or by any other cause, the Stewards may prevent the rider from mounting or riding a horse in a race, official trial, jump-out, trackwork, or anywhere on a racecourse property, training facility or any other place.
- (3) The Stewards may immediately, or pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down a rider from riding in each of the following circumstances:
  - (a) if a banned substance under AR 136(1) is detected in a sample taken from the rider;
  - (b) if the rider refuses or fails to deliver a sample when directed to do so;
  - (c) if the rider tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample.
- (4) If a rider incurs a penalty or is prevented by the Stewards from riding under this rule, the rider cannot resume riding until the period of the penalty has expired and a sample from the rider free of any banned substance under AR 136(1) has been delivered, as directed by the Stewards.
- (5) For the purposes of subrule (4):
  - (a) a urine sample provided by the rider will only be declared free of a banned substance under AR 136(1) if the sample contains a creatinine concentration of 200mg/L or greater; and
  - (b) if the rider provides a urine sample which does not contain the concentration of creatinine referred to in subrule (5)(a), the rider will be required to deliver a further urine sample/s at the direction of the Stewards.

#### **AR 140 Offences where horse handlers use banned substances**

- (1) A horse handler breaches these Australian Rules if:
  - (a) a banned substance under AR 137(1) is detected in a sample taken from the horse handler; or

- (b) the horse handler refuses or fails to deliver a sample as directed by the Stewards, tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample or attempts to do any of those things.
- (2) If, in the opinion of the Stewards and based on information available to them, their own observations, or medical or other competent advice, a horse handler's faculties are considered to be impaired by any banned substance under AR 137(1) or by any other cause, the Stewards may prevent the horse handler from handling any horse in training.
- (3) The Stewards may immediately, or pending the determination of any inquiry or other proceedings or the result of any other analysis, stand down a horse handler from handling a horse in each of the following circumstances:
  - (a) if a banned substance under AR 137(1) is detected in a sample taken from the horse handler;
  - (b) if the horse handler refuses or fails to deliver a sample when directed to do so;
  - (c) if the horse handler tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample.
- (4) If a horse handler incurs a penalty or is stood down by the Stewards from handling horses under this rule, the horse handler cannot resume handling horses until the period of the penalty has expired and a sample from the horse handler free of any banned substance under AR 137(1) has been delivered, as directed by the Stewards.

**AR 141 Stewards may impose a stay on a banned substance offence penalty**

- (1) The Stewards may stay the operation of any penalty imposed for a breach of AR 136(1) or AR 137(1) in whole or in part, and for a period of time and under the terms and conditions they think fit.
- (2) If a rider or horse handler does not comply with any of the terms and conditions of a stay imposed under subrule (1), the Stewards may order that the stayed penalty take effect.

**AR 142 Banned substances exemption**

Notwithstanding the provisions of AR 139 and AR 140, a PRA may permit a rider or horse handler to receive a specified banned substance for medicinal purposes, subject to the following:

- (a) the medication must be essential treatment for a substantial illness, condition or ailment suffered by the rider or horse handler;
- (b) the medication must be prescribed by a medical practitioner who is a recognised specialist in the relevant field of medicine;
- (c) the specialist medical practitioner must certify:
  - (i) the nature of the illness, condition or ailment being suffered by the rider or horse handler;
  - (ii) that no alternative substance that is not a banned substance would serve the same medicinal purpose for the illness, condition or ailment concerned; and

- (iii) in relation to a rider, that the medication would not affect the rider in a race, official trial, jump-out or trackwork to the extent that it could in any way constitute a danger to the rider or other riders; or
- (iv) in relation to a horse handler, that the medication would not affect the horse handler in carrying out his or her duties to the extent that it could in any way constitute a danger to the horse handler or others;
- (d) the rider or horse handler must, if requested, submit to a medical examination by a specialist medical practitioner employed or engaged by a PRA to advise it on the matters the subject of subrule (c);
- (e) the rider or horse handler must:
  - (i) before riding or handling any horse, make application to a PRA for permission to ride or handle a horse with a specifically prescribed banned substance in the person's system;
  - (ii) adhere strictly to his or her prescribed medication, and report to the Stewards immediately if the person intends to discontinue or vary that medication;
  - (iii) report to the Stewards immediately if the person believes that either the person's illness, condition or ailment or medication may have some influence on his or her ability to ride or handle a horse effectively and/or safely;
  - (iv) renew his or her application for exemption on each occasion that the person applies for the renewal of that person's licence, registration, permit or other qualification if the person wishes to continue (on medical grounds) to ride or handle horses with a banned substance in that person's system; and
- (f) under no circumstances will a person be granted retrospective exemption under this rule.

### **Division 7 – Apprentice jockey allowances**

#### **AR 143 Weight allowances for apprentice jockeys**

- (1) An apprentice jockey who is entitled to ride in races may claim, in accordance with the scales in this rule, a weight allowance in flat races as the Local Rules of a PRA permit.
- (2) For the purposes of this rule, a winning ride in a Group Race, Listed Race, or Restricted Listed Race will be deemed to be a winning ride in a metropolitan area.
- (3) For the purposes of this rule, an apprentice jockey cannot claim a weight allowance in any Group Race, Listed Race, or Restricted Listed Race.
- (4) For races run in a metropolitan area, the permitted weight allowances for an apprentice jockey are:
  - (a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area;
  - (b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan area;
  - (c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area.



- (5) For races run in a provincial area, the permitted weight allowances for an apprentice jockey are:
  - (a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area and/or a provincial area;
  - (b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan area and/or a provincial area;
  - (c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area and/or a provincial area.
- (6) For races run other than in a metropolitan area or a provincial area, the permitted weight allowances for an apprentice jockey are:
  - (a) 3kg until the apprentice jockey has ridden 20 winners on the flat;
  - (b) 2kg until the apprentice jockey has ridden 50 winners on the flat;
  - (c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat.
- (7) Notwithstanding the provisions of subrules (4), (5) and (6), an apprentice jockey may claim a weight allowance of 4kg until the apprentice jockey has ridden 5 winners on the flat except that a PRA may except its State or Territory from the application of this subrule.
- (8) An apprentice jockey cannot claim a weight allowance outside a metropolitan area which is greater than the allowance the apprentice jockey is entitled to claim within a metropolitan area.
- (9) The time for determining the allowance that an apprentice jockey can claim for a race meeting is the point at which acceptances for the race meeting officially close.
- (10) The lowest the weight a horse can carry may be reduced on account of an allowance is 43.5kg.
- (11) For the purposes of calculating the weight allowance for an apprentice jockey:
  - (a) all dead-heats for first place will count as winning rides; and
  - (b) all winning horses ridden by an apprentice jockey on the flat before his or her apprenticeship must be included as winning rides.
- (12) (a) A winning rides book must be issued to every apprentice jockey by a PRA.
  - (b) It is the responsibility of the apprentice jockey and the apprentice jockey's master to ensure that the apprentice jockey brings the winning rides book to each race meeting the apprentice jockey participates at and that winning rides are entered in that winning rides book and endorsed by a Steward before the apprentice jockey leaves the racecourse.
  - (c) An apprentice jockey must provide his or her winning rides book to a Steward before weighing-out in any race. *(added 1/1/20)*
- (13) (a) An apprentice jockey cannot claim an allowance that the apprentice jockey is not entitled to claim.
  - (b) Any horse ridden by an apprentice jockey in a race whose weight in the race has been adjusted by an allowance that the apprentice jockey was not entitled to claim, may be disqualified from the race.
- (14) (a) Except with the permission of the Stewards, every apprentice jockey must claim his or her full allowance.

- (b) Any apprentice jockey who fails to claim the apprentice jockey's full allowance may be stood down for a ride to which the allowance relates.

(15) For the purposes of this rule:

- (a) subject to subrule 15(c), winning rides in flat races held outside Australia are regarded as winning rides in an Australian metropolitan area;
- (b) winning rides in flat races held at New Zealand Premier meetings (as defined by the New Zealand Thoroughbred Racing (Inc)) are regarded as winning rides in an Australian metropolitan area;
- (c) winning rides in flat races at all other New Zealand meetings will be regarded as winning rides in an Australian provincial area, except that for the purposes of this rule a winning ride in a Group or Listed race at any race meeting in New Zealand will be deemed a winning ride in an Australian metropolitan area.

(16) Any:

- (a) apprentice jockey and/or his or her master who breaches any part of this rule;
  - (b) person who aids, abets, counsels, procures, concurs in, connives at, or is a party to a breach of this rule,
- may be penalised.

**LR 143** (added GG 20/9/19)

*(1) For races run in Western Australia in Country Area A the permitted weight allowances for an apprentice jockey are:*

- (a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area, a provincial area and/or country area A;*
- (b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan, a provincial area and/or country area A;*
- (c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area, a provincial area and/or country area A.*

*(2) For races run in Western Australia in Country Area B the permitted weight allowances for an apprentice jockey are:*

- (a) 3kg until the apprentice jockey has ridden 20 winners on the flat;*
- (b) 2kg until the apprentice jockey has ridden 50 winners on the flat;*
- (c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat.*

*For the purposes of this rule, Country Area A and Country Area B means race meetings as defined as such in the Local Rule definitions contained in AR 2 Dictionary.*

*Any apprentice race wins prior to the effective date of this rule will not be re-classified and will be subject to the rules applicable at the time of such win/s.*

**LR 143A** (renumbered and amended GG 20/9/19 formerly LR 143)

- (a) Apprentices shall not claim a weight allowance in races run at Standard Weight For Age.*
- (b) In all other races, unless otherwise specified in the conditions advertised for the race in the Racing Calendar, or specified in LR 143, any Apprentice entitled to ride under the Rules, may claim the weight allowance specified under the provisions of AR143.*

## **Division 8 – Riding Skills Panels**

### **AR 144 Riding Skills Panel**

- (1) A PRA may engage a Riding Skills Panel for the purpose of assisting in the mentoring of and provision of remedial or technique training for riders, including jockeys, apprentice jockeys and approved riders.
- (2) The Stewards may at any time direct a rider to the Riding Skills Panel for mentoring or any remedial or technique training as they think fit.
- (3) A rider must not fail or refuse to attend the Riding Skills Panel when directed, or fail or refuse to comply with any reasonable direction of the Riding Skills Panel.
- (4) The Stewards may suspend or limit a rider's permission to ride in races in any way the Stewards think fit if they find that any aspect of a rider's race riding technique, method or practice may be a hazard to that rider or other riders, or may be contrary to a horse's welfare.

## **Division 9 – Other provisions relating to workers in the thoroughbred racing industry**

### **AR 145 Employment in the thoroughbred racing industry**

- (1) If a trainer receives notice from a PRA that a person has not fulfilled a previous work commitment in the racing industry, the trainer must not, or continue to, engage or employ that person in the trainer's stable without the consent of the PRA.
- (2) If a person is prohibited from either being employed or engaged, or employing or engaging a person by reason of these Australian Rules, that person may apply to a PRA for that prohibition to be lifted.

### ***LR145 Apprentices***

*No trainer shall be permitted to have under his control any apprentice unless the Indentures for such apprentice have been approved by the Principal Racing Authority.*

***LR 145A** The Principal Racing Authority may refuse to approve any Apprenticeship Indentures and may at any time by written notice to the parties thereto cancel any Indentures if, in the opinion of the Principal Racing Authority, either the employer or the Apprentice shall have failed to carry out his obligations thereunder or shall have committed any act or been guilty of any conduct as a result of which the Principal Racing Authority consider it undesirable for the apprenticeship to continue.*

***LR 145B** During the term of his indentures every apprentice shall attend the Principal Racing Authority's Apprentice School regularly and shall otherwise conform to the requirements of the Principal Racing Authority in connection with his training. The Principal racing Authority may cancel the indentures or any other agreement of any apprentice who fails to conform to the provisions of this Rule or otherwise penalise them in such manner as the Principal Racing Authority or the Stewards think fit.*

***LR 145C** No apprentice shall be entitled to apply for or be granted a jockey's licence unless he is at least eighteen years of age and shall have been indentured to a licensed trainer for a term specified by the Principal Racing Authority. Prior to the grant of a licence the whole term of such apprenticeship shall have been served to the satisfaction of the Principal Racing Authority.*

**LR 145D**

- (1) Any apprentice may ride in any race without having obtained a jockey's licence if he shall have obtained permission to ride in races from the Principal Racing Authority.*
- (2) Such approval by the Principal Racing Authority to ride in races may be restricted to classes of race or venues.*
- (3) An apprentice rider must have ridden a minimum of five (5) winners before applying to the Stewards for permission to ride at Metropolitan Prime Meetings.*
- (4) For the purposes of this rule a Metropolitan Prime Meeting shall be any race meeting where equivalent Saturday base stakes are paid.*
- (5) An apprentice rider who has not ridden a minimum of five (5) winners cannot ride at any Race Meeting, where a Group or Listed race is programmed, unless that meeting is not designated as a Metropolitan Prime Meeting and he has been granted permission by the Stewards to ride at that meeting.*

**LR 145E**

- (a) No apprentice shall attend or work in any capacity at any race meeting without the permission of his employer.*
- (b) No apprentice shall ride at any race meeting unless his employer is present or has placed such apprentice under the care and control of a licensed trainer, or as otherwise directed by the Stewards.*
- (c) The Stewards may penalise any apprentice, employer or any other person who is a party to any infringement of this rule.*

**LR 145F**

- (1) Any Apprentice Rider, who has not ridden at least five (5) metropolitan wins, must obtain the permission of the Stewards to ride in any race where the total prize money is above the base level of a standard metropolitan stake.*
- (2) No metropolitan 3kg claiming apprentice shall be permitted to ride in any Group or Listed Race.*
- (3) All claiming apprentices, not including those eligible to claim 3kg in metropolitan races, must obtain the permission of the Stewards in order to ride in any Group or Listed Race.*

**AR 146 Leaving employment without consent of master**

- (1)** A person employed or engaged in a stable must not leave their master before the terms of the engagement are complete.
- (2)** An apprentice jockey must not leave his or her employment or engagement with a trainer without the consent of the apprentice jockey's master without just cause.
- (3)** A trainer or owner must not engage or employ an apprentice jockey knowing that apprentice jockey has breached subrule (2).

**AR 147 Retainers with riders**

- (1)** If a rider has a retainer (being a contract in relation to the provision of riding services) with another person:
  - (a)** it will not be recognised by a PRA unless it is in writing, signed by both parties, and lodged with a PRA;

- (b) in the absence of terms to the contrary, it may be terminated by that person if the rider is prevented from riding by disqualification or suspension;
  - (c) in the absence of terms to the contrary, it may be terminated by either party by 3 months' written notice to the other party, but a PRA may at any time release any party from it for any reason and on such terms as the PRA thinks fit.
- (2) If more than one person retains the same rider, the rider's priority is with the person whom first retained the rider.

#### **Division 10 – Approved riders**

##### **AR 148 Prohibition on betting activity of approved riders**

Any approved rider who has a riding engagement at a race meeting is prohibited from making or having an interest in a bet (including a lay bet), or being present in the betting ring at that race meeting.

##### **AR 149 Approved riders owning horses**

If an approved rider owns a horse which is entered in a race, that person must not, without the permission of the Stewards, accept an engagement to ride another horse in that race.

## **PART 8 – RACE MEETINGS**

### **Division 1 – Race meetings**

#### **AR 150 Discretion of a PRA to exempt a race meeting or race from the Rules**

A PRA may in its absolute discretion exempt race meetings or races from all or any of the Rules on conditions it thinks fit.

#### **AR 151 PRA approval of races, race names and conditions**

- (1) The name and conditions of every race, and the full program of every race meeting, must not be advertised or published by any Club or person unless they have been submitted to the relevant PRA for approval at times prescribed by the PRA and/or by Local Rules and have been approved by the PRA.
- (2) A PRA may in its absolute discretion (and without providing any reason) refuse approval of, or impose conditions with respect to:
  - (a) any race; or
  - (b) the name of any race; or
  - (c) the conditions of any race.
- (3) Notwithstanding subrule (2), without the written permission of Racing Australia, no race is permitted to contain any one or more of the following words:
  - (a) Derby;
  - (b) Oaks;
  - (c) Slipper;
  - (d) Doncaster;
  - (e) Rose.
- (4) Names of races containing one or more of the words in subrule (3) which existed prior to 1 March 2006 have the deemed approval of Racing Australia.

#### **AR 152 Change of venue not to affect status of race meeting**

Unless otherwise determined by a PRA, a race meeting which takes place under the Rules at a venue different to a venue where it would ordinarily take place, retains the same level of status despite the change in venue.

#### **AR 153 No changes to weight of horses after acceptances**

Changes to the weight allotted to any horse cannot be made after declaration of acceptances by reason of:

- (a) any alteration to the race distance approved by a PRA or the Stewards; or
- (b) any race postponement where the original fields are unaltered.

#### **AR 154 Non-monetary prizes**

- (1) The value of non-monetary prizes must be advertised.
- (2) Any non-monetary prize must be estimated at its advertised value.

**AR 155 Abandonment or cancellation of race meetings**

- (1) A PRA, or a Club with the approval of a PRA, may cancel, abandon, or postpone any race or race meeting to a day approved by a PRA, and may make that decision either before or after the race meeting has commenced.
- (2) In the event of cancellation or abandonment of a race or race meeting, all entry and acceptance fees not already forfeited must be returned.
- (3) A PRA may appoint or authorise an official or body for the purpose of giving any approval under this rule and if that official gives approval it will be deemed to be the approval of the PRA.

**AR 156 Prohibition on officials with a pecuniary interest in a race result**

If a person has a pecuniary interest in the result of a race, that person is not permitted to act in an official capacity as Steward, veterinary surgeon, handicapper, Judge, Starter, Clerk of the Course, Clerk of the Scales, farrier, barrier attendant or timekeeper, or as an assistant or deputy to any of those positions in relation to that race.

***LR 156 Appointment of Officials***

*The Principal Racing Authority or when the Principal Racing Authority has not done so the Committee of the Club shall appoint all necessary Officials for the conduct of its race meetings and the control of trials, training and training tracks. Any appointment so made by the Committee of the Club shall be subject to the approval of the Stewards. Where such appointment is made as a result of a direction by the Principal Racing Authority or Stewards the Committee of the Club shall be liable for payment of any fee imposed by the employer of such official.*

**AR 157 Clubs to provide reports of race meetings to PRAs**

After every race meeting the Club holding the meeting must provide to a PRA any information required by the PRA, which may include:

- (a) names of the horses which started in each race;
- (b) particulars of age, colour and sex of the horses which started each race;
- (c) weights carried by the horses which started each race;
- (d) names of the owners, trainers and riders and the pedigrees (when known) of the placed horses in relation to each race;
- (e) positions of horses placed in each race;
- (f) confirmation of all penalties imposed and all protests made and the decisions of the Stewards in relation to them;
- (g) names of all horses sold or claimed in any selling or claiming race;
- (h) any overweight carried, and whether it has been declared or not.

**AR 158 Stewards' reports following race meetings**

After a race meeting, the Stewards of the race meeting must provide a report to a PRA which records observations and actions taken by them during the race meeting.

**AR 159 Races can be divided into divisions**

A PRA may, or authorise a Club or the Stewards to, divide a race into 2 or more divisions on terms they think fit.

**LR 159** (deleted GG 1/8/19)

**AR 160 Minimum distance for all races**

A race must be at least 800 metres in length.

**AR 161 Method of reckoning the age of a horse**

- (1) The age of a horse will be reckoned as follows:
  - (a) if it was foaled between 1 July and 31 December:
    - (i) from 1 August in the year in which it was foaled if its dam was first covered on or after 1 September in the previous year, as recorded in the Australian Stud Book;
    - (ii) from 1 August in the year previous to the year in which it was foaled if its dam was first covered before 1 September in the year prior to the year in which it was foaled, as recorded in the Australian Stud Book;
  - (b) if it was foaled between 1 January and 30 June, from 1 August in the year prior to the year in which it was foaled.
- (2) In exceptional circumstances Racing Australia may vary the conditions provided by this rule by specific order.

***Note:** Pursuant to this proviso, the ARB ordered on 27 July 2007 that the breeding season for the year 2007 commence on 27 August 2007 instead of 1 September 2007; and that a foal produced from a covering of a dam on or from 27 August 2007 shall have its age reckoned from 1 August 2008.*

**AR 162 Nature of Group and Listed races**

- (1) Group Races, Listed Races, and Restricted Listed Races are those identified by Racing Australia to represent the highest standard of racing.
- (2) The only Group Races, Listed Races, and Restricted Listed Races which will be officially recognised for races run under these Australian Rules are those approved and adopted by Racing Australia. Those races will be published by Racing Australia.

**AR 163 Official results of races are those recorded by Racing Australia**

The official results and horse performance records for races run under these Australian Rules are those recorded by Racing Australia.

**AR 164 Immaterial defect in registration or entry**

A horse is not to be disqualified from a race because of any defect in relation to its registration or entry if the Stewards might reasonably have permitted or ordered the defect to be corrected if brought to the Stewards' attention before the start of the race.



**AR 165 Horses in the saddling paddock**

- (1) All horses entered in a race must be brought into the saddling paddock (or other designated area) at a time provided for by the relevant Local Rule and must remain there until ordered to proceed to the starting post.
- (2) At any time after the designated time for horses to be brought to the saddling paddock (or other designated area), the Stewards may call on the nominator or trainer to satisfy them that their horse will start, and if not satisfied of that or the nominator or trainer cannot be found, the Stewards have the discretion to order the scratching of the horse and penalise either or both of the nominator and trainer.
- (3) Unless the Stewards order otherwise, a horse that has competed in a race is not permitted to be removed from the saddling paddock (or other designated area) until at least 30 minutes after the finish of the race.

***LR 165 Time for horses to be brought on course***

- (1) In accordance with AR 165(1) unless the trainer has been otherwise instructed, any horse engaged to race is required to be brought to the on-course stalls area no later than one hour prior to the advertised start time of such race except for all Group and Listed races where such requirement is no later than two hours.*
- (2) The trainer, or person nominated by the trainer to be in charge of any horse engaged to race is required to notify the Secretary of the Club conducting the meeting or the Stewards as soon as practicable if they are unable to have their horse in the on-course stalls area by the prescribed time.*

**AR 166 Horses must be attended to at all times while on course**

A trainer must ensure that each of his or her horses competing at a race meeting are attended to at all times while on course at that race meeting.

***LR 166 Restricted areas***

- (1) Without limiting the generality of their powers, a Club or the Stewards conducting a meeting may restrict access to any areas, including the stalls, parade yards, mounting yard or any tracks, where horses engaged to compete at such meeting are located at any time, including such pathways or routes of travel by which the horses are moved for the purposes of the conduct of that meeting.*
- (2) Only persons registered with the Principal Racing Authority that are attending or responsible for horses that are within the restricted area defined by sub-rule (1), or the owners of those horses as recorded within the Authorities register, or any race day officials of either the Principal Racing Authority or Club, shall enter such area during the conduct of the racemeeting.*
- (3) Any person entering any restricted area on the racecourse, must either display or produce evidence of their identity and/or registered status upon the demand of a Steward or official of the Club prior to entering such area.*

- (4) Any person that refuses, fails or is unable to comply with sub-rule (3) shall be guilty of an offence and liable to penalty.*
- (5) Any person (other than a person expressly authorised by this rule) found to be within a restricted area shall be guilty of an offence and liable to penalty.*
- (6) Without limiting their powers, the Stewards may attach conditions of entry to any restricted area for either animals or persons including conditions that such person or animal;*
  - (a) must first be disinfected to the satisfaction of the Stewards and in a manner specified by the Stewards before entering or leaving such area;*
  - (b) does not bring certain items or other accessories into the restricted area;*
  - (c) notwithstanding any right of entry that might otherwise apply, access to any particular animal is restricted to a maximum number of people at any one time.**And it shall be an offence to fail to comply with any condition of entry.*
- (7) The Stewards may impose conditions of entry to racecourses, training facilities or other restricted areas upon any person returning, visiting or relocating to Western Australia from any State or Territory or other jurisdiction and such person must comply in full prior to entering any such area.*
- (8) Except by the express permission of the Stewards, no person other than riders engaged in the race and the officials or persons approved by the Stewards, shall be allowed at the starting-post or any other part of the racing track or on any portion of the race course not set aside for the use of the public unless otherwise provided by this rule.*

## **Division 2 – Weights, penalties, and allowances**

### **AR 167 Maximum and minimum weights for handicap races**

- (1) The top weight allocated for handicap flat races must not be less than 59kg, except that for Group 1 handicap races and races in which only 2 year olds can run, the allocated top weight must not be less than 58kg.
- (2) Notwithstanding subrule (1), if at the declaration of acceptances for a handicap flat race the weight allocated to the highest weighted acceptor (including any extra weight by way of re-handicap or penalty) is less than 58kg (57kg for Group 1 handicap races), or less than a higher weight determined by a PRA, then allocated weights for the race must be increased until the highest-weighted acceptor is weighted at 58kg (57kg for Group 1 handicap races).
- (3) A PRA may, in its sole and absolute discretion, provide an exemption from subrule (2) for Group 1 handicap races.
- (4) The minimum weight allocated for handicap flat races must not be less than:
  - (a) 50kg for the Melbourne Cup and Caulfield Cup;
  - (b) 52kg for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup;
  - (c) 53kg for Group 2 handicap flat races; and
  - (d) 54kg for all other handicap flat races (provided that a PRA may in its discretion approve a minimum of 53kg for the purposes of this subrule).

- (5) Notwithstanding subrule (4), a PRA may approve applications made by Clubs for a minimum weight of 50kg for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup and also for 2 year old and/or 3 year old horses in open-age handicap races to be allocated lower minimum weights than those prescribed by subrule (4).

**LR 167**

- (1) In applying AR 167(2) & (3) where a horse is weighted on the declared minimum weight but would otherwise be allotted a lesser weight in the absence of a required minimum weight, the increase in weights shall be applied to the lesser weight.*
- (2) In applying (LR167(1) in Group 1 handicap races and handicap races in which 2yo's only can run, the Handicapper may raise the declared minimum weight at acceptance time by up to 1kg.*

### AR 168 Table of standard weight-for-age measures

The Standard Weight-for-Age measures for flat races are in accordance with the following table (weights expressed in kg):

[illegible]

Over 1400 m to 1600 m	2						43.5	44.5	45.5	46.5	47.5	48.5	49. 5
	3	50	50.5	51	52	53	54	55	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	59	59	59	59	59	59	59	59	59
	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 1600 m to 2000 m	2						42.5	43.5	44.5	45.5	46.5	47.5	48. 5
	3	49	49.5	50	51	52	53	54	54.5	55.5	56.5	57	57. 5
	4	58	58	58	58.5	58.5	58.5	59	59	59	59	59	59
	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 2000 m to 2400 m	3	48.5	49	49.5	50.5	51	52	53	54	54.5	55.5	56	57
	4	57.5	57.5	57.5	58	58	58	58.5	58.5	58.5	59	59	59
	5 +	59	59	59	59	59	59	59	59	59	59	59	59
Over 2400 m to 3200 m	3	48	48.5	49	50	50.5	51.5	52.5	53.5	54	55	55.5	56
	4	57.5	57.5	57.5	58	58	58	58.5	58.5	58.5	59	59	59
	5 +	59.5	59.5	59.5	59.5	59.5	59.5	59	59.5	59.5	59.5	59.5	59. 5

Fillies and mares are allowed 2kg from 1 August to 31 July.

**AR 169 Allowances for fillies and mares**

A weight allowance of 2kg to fillies and mares applies to all set-weight and set-weight-and-penalties races, other than races restricted to fillies and mares.

**AR 170 Allowances for weight-for-age races**

An allowance in standard weight-for-age races will only apply to all horses sired in the northern hemisphere and foaled between 1 January and 31 July, in accordance with the following table (allowances expressed in kg):

Distance	Age	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1200m	2y	---	---	---	---	---	3	3	3	3	3	3	3
and	3y	2.5	2.5	2	2	2	2	1.5	1.5	1.5	1	1	1
under	4y	.5	.5	.5	.5	---	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	2y	---	---	---	---	---	3.5	3.5	3.5	3.5	3.5	3.5	3.5
1200m	3y	3	3	2.5	2.5	2.5	2.5	2	2	2	1.5	1.5	1.5
to 1600m	4y	1	1	1	1	.5	.5	.5	.5	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	2y	---	---	---	---	---	4	4	4	4	4	4	4
1600m	3y	3	3	2.5	2.5	2.5	2.5	2.5	2	2	2	2	2
to	4y	1.5	1.5	1.5	1	1	1	.5	.5	.5	---	---	---
2000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	3.5	3.5	3	3	3	3	2.5	2.5	2.5	2	2	2
2000m	4y	2	1.5	1	1	0.5	---	---	---	---	---	---	---
to 2400m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	4	4	3.5	3.5	3.5	3.5	3.5	3.5	3	3	3	3
2400m	4y	2.5	1.5	1	1	0.5	---	---	---	---	---	---	---
to 3000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	---	---	---	---	4	4	4	4	4	4	4	4
3000m	4y	3	2	1.5	1.5	1	0.5	0.5	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---

(Allowances in respect of races run over 2000m to 2400m, over 2400m to 3000m and over 3000m amended GG 1/8/19)

**AR 171 Limitation on allowances**

- (1) Subject to subrule (2), a horse is not to receive an allowance of weight or be relieved from extra weight on account of it having been beaten in one or more races.
- (2) An allowance can be made in relation to Maidens, and/or races under conditions where the weights allotted to horses depend on whether or not they have won a race or whether or not they have won one or more races of a particular kind.

**AR 172 Additional weight not to be required for running 2<sup>nd</sup> or lower**

The conditions of a race must not contain a provision that a horse is required to carry extra weight for having run 2<sup>nd</sup> (or any place lower) in a race/s.

**AR 173 Allowances/extra weights not affected by matches/sweepstakes**

Allowances and extra weights are not affected by performances in matches or private sweepstakes.

**AR 174 Penalties not to be cumulative**

Penalties are not cumulative unless that is expressly stated in the conditions of a race.

**AR 175 No penalties for winners of jumping races or flat races**

Unless specially stated otherwise in the conditions of a race, winners of jumping races are not liable to carry penalties as winners in races on the flat, and winners on the flat are not liable to carry penalties as winners in jumping races.

**AR 176 Handicapper to identify time of declaration of weights**

When stating the weights for every handicap race, the handicapper is required to state the date and hour of the handicapper's declaration of the weights.

**AR 177 Stewards may permit handicapper to amend weights**

- (1) The Stewards may, within a reasonable time of the handicapper's declaration of weights, permit the handicapper to amend the allotted weight of a horse in a handicap race if satisfied that the allotted weight was incorrect because of:
  - (a) a clerical error at the time of release of the weights; or
  - (b) incomplete or inaccurate information in relation to the performance, age, sex or identity of any entry; or
  - (c) an error by the handicapper in the assessment of the age or sex of any entry or of the conditions for a race.
- (2) With the Stewards' permission and before the declaration of acceptances, the handicapper may issue a substitute set of weights for a handicap race only if:
  - (a) a correctly nominated horse was not included in the original weights; or
  - (b) the original weights are not in accordance with the conditions for the race.
- (3) Notwithstanding subrules (1) and (2), an error in the allotted weight of any horse in a weight-for-age, set-weight, ratings-based, benchmark or set-weight-and-penalties race may be corrected at any time.

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

**AR 178 Consequence for weights of a dead-heat race**

When horses run a dead-heat for 1<sup>st</sup> place, each of those horses is liable to carry extra weight as winner of that race, and:

- (a) each horse is deemed to have won the amount of the prize awarded in respect of the winner of the race and any extra weight shall be calculated accordingly;
- (b) if the conditions of a race require that a certain penalty or weight has to be carried for winning a race specified by name, each horse running a dead-heat for that race will carry that penalty or weight as if that horse had won the race outright.

**AR 179 Calculating equivalent prize money earned in other countries**

For the purpose of calculating the value of prize money earned in other countries by a horse entered in a race in Australia, the rate of exchange to be used is the rate current on the first business day of January of the year in which the prize money was earned, as determined by a trading bank approved by Racing Australia.

**AR 180 Eligibility or weight not affected by subsequent disqualification**

If the winner of a race is found to have been ineligible for the race, or is subsequently disqualified from the race, the eligibility or weight of any other horse will not be affected in respect of a race run before that finding was made.

**Division 3 – Scratchings**

**AR 181 Notice of scratching of a horse from a race**

- (1) Subject to subrule (2):
  - (a) the nominator or trainer of a horse (or that person's authorised agent) must give notice in writing of the scratching of the horse from a race to the PRA or the Stewards at least 45 minutes before the time scheduled for the start of the race, or any earlier time as the Local Rules provide;
  - (b) if no notice is given under subrule (1)(a), the Stewards may still permit or order the scratching of the horse.
- (2) If a horse has been accepted for races to be run on the same day in different States or Territories:
  - (a) unless the Stewards grant permission otherwise, the nominator or trainer of the horse (or that person's authorised agent) must give notice in writing of the scratching of the horse from the race for which the horse has accepted but will not start to the PRA or the Stewards by 9.00am on the day before the day of the race;
  - (b) if no notice is given under subrule 2(a), the Stewards may still permit or order the scratching of the horse.

- (3) Nothing in this rule restricts the Stewards from penalising the nominator or trainer or both where a breach of subrule (1)(a) or (2)(a) occurs.

### **LR 181**

- (a) *Notwithstanding the provisions of AR 181 no horse shall be withdrawn from any race, at any meeting on which RWWA operates an off-course Totalisator after the time of final acceptance or declarations for such race without the permission of the Stewards.*
- (b) *the nominator of any horse withdrawn contrary to the provisions of sub-paragraph preceding may, at the discretion of the Stewards, be liable for fees as so determined by the Stewards.*
- (c) *No withdrawal shall be permitted after 8.00 a.m. or such other time as otherwise prescribed on the day of the race for any meeting on which RWWA operates an off-course totalisator, except at the direction of the Stewards in which case the provisions of paragraph (b) above shall apply.*
- (d) *When a horse which becomes ineligible to compete in a race is withdrawn after the time of final acceptance or declarations, no fees shall be incurred.*

### **LR 181A**

- (1) *The Stewards may prevent from starting in a race or trial any horse which in their opinion is lame or shows any defect with the potential to cause injury or which may be suffering from any infectious skin disease.*
- (2) *If the Stewards shall direct the withdrawal of any horse from any race or trial by reason of such horse being in the opinion of the Stewards, unfit to take part in such race or trial, the Stewards may impose such penalty on the nominator and/or trainer of such horse as they may determine.*
- (3) *The trainer and/or his representative, who presents a horse to participate in a trial or work on a training track, shall ensure that such horse is free of any disease or condition, which in the opinion of an official veterinarian may adversely affect the welfare of the horse. Such trainer and/or his representatives may be penalised if found to be in breach of this rule.*

### **AR 182 Scratchings void if a race or race meeting postponed to another day**

If a race or race meeting is postponed to another day, scratchings made on the day the race or race meeting was originally scheduled are deemed void and the time for scratching is deemed extended to the prescribed new scratching time on the newly allocated day of the race or race meeting.

### **AR 183 Horses may be scratched 15 minutes before a re-run race**

The Stewards may permit any horse to be scratched from a race ordered by them to be re-run up until 15 minutes before the time scheduled for the race to be re-run.



**Division 4 – Weighing-out****AR 184 Method of weighing-out and weighing-in**

When calculating a rider's weight in weighing-out and weighing-in:

- (a) no account is to be taken of fractions of 0.5kg; and
- (b) the following items must be included by the rider in the weight:
  - (i) all items of clothing worn by the rider except for the rider's helmet, goggles, other face protection and gloves;
  - (ii) the saddle, lead bag and associated packing (excluding the saddle cloth) and neck strap; and *(amended 01/06/19 include "neck strap")*
  - (iii) any other gear attached or to be attached to the saddle.

***LR 184***

- (a) Every rider who is to ride in a race shall declare to the Clerk of Scales the actual weight his horse will carry in the race.*
- (b) After weighing out every rider must ensure that the correct saddle cloth number is placed with his saddle and gear.*
- (c) A rider who breaches any part of this rule may be penalised by the Stewards.*

**AR 185 No equipment change after weighing-out**

Unless permission from the Stewards is obtained, a rider or any other person must not add to, remove from, or change any equipment that the rider has been weighed-out in.

***LR 185 A jockey or rider may be penalised if without the permission of the Stewards he carries more than 3.0kg. dead weight about his body during the race.***

**AR 186 Securing lead or other weights**

- (1) Every rider must secure any lead or other weight in the rider's lead bag or saddle pouch when weighing-out.
- (2) All lead or other weight must be carried in the saddle or lead bag pouches and must be securely fastened.

***LR 186 Lead carried in the saddle must be held in place by a flap on the pouch.***

**AR 187 1kg adjustment to rider's actual weight**

To compensate for the wearing of safety gear in races, the weight of all riders is to be calculated as the weight that is registered on the scale at both weighing-out and weighing-in, less 1kg.

**AR 188 Riders' obligations in relation to safety vests**

A rider must not:

- (a) manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race;
- (b) weigh-out or attempt to weigh-out for a race or ride in any race while wearing an approved safety vest that has been modified in any way; or
- (c) weigh-out or attempt to weigh-out for a race or ride in any race unless the rider is wearing an approved safety vest.

***LR 188** Further to the provisions of **AR 188** it shall be an offence for any rider to weigh-out or attempt to weigh-out to ride in any race with a safety vest that does not comply with LR 123 or has another rider's identification card affixed to the safety vest, unless prior approval has been obtained by the Stewards.*

**AR 189 Riders may be substituted in particular circumstances**

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

**AR 190 Riders riding overweight**

- (1) If a rider intends to ride overweight in a race, the rider must declare the amount of overweight to the Clerk of the Scales.
- (2) A rider must first obtain the approval of the Stewards to ride overweight if the overweight is 0.5kg or more.
- (3) Subject to subrule (2), a rider must not accept a ride for which the rider is overweight.
- (4) If a rider breaches subrule (3), another rider may be substituted at the allotted weight, or nearer to it.

**AR 191 Responsibilities in relation to weight and penalties**

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

**AR 192 Departure from jockeys' room and mounting enclosure prior to race**

A rider:

- (a) must mount the horse to be ridden by the rider in any race within the enclosure or place identified by the Stewards; and
- (b) must not leave the jockeys' room or the enclosure or place referred to in subrule (a) to proceed to the starting position for a race without the approval of the Stewards.

**AR 193 Limits on a rider in relation to race communications**

Except with permission of the Stewards, Judge or Starter, after a rider has left the jockeys' room to ride in a race and until the rider dismounts (if not required to weigh-in) or weighs-in (if required to weigh-in):

- (a) a person, other than the trainer or nominator (or their authorised agent) of the horse, an official in the course of his or her duties, or during the race another rider, must not speak to or communicate in any way with the rider;
- (b) a person, other than an official in the course of his or her duties, or the trainer of the horse prior to the race, must not touch the rider, the rider's horse, or any of its equipment;
- (c) the rider must not speak to or communicate in any way with any person other than the trainer or nominator (or their authorised agent) of the horse, an official in the course of his or her duties, or during the race another rider.

**LR 193**

- (a) No person (other than the officials of a Club and the owner or nominator, trainer, jockey, or other person having the care of a horse engaged in the race) shall without special leave from the Stewards, be admitted to the Weighing Room and Enclosure.*
- (b) No person other than riders engaged to ride and officials of the Club may enter the Jockey's room without the permission of the Stewards*
- (c) No rider shall leave a racecourse on which he is engaged or at which he has ridden, without permission of the Stewards*

**Division 5 – Starting****AR 194 Horse to be in mounting yard 15 minutes before start time**

Unless otherwise permitted by the Stewards, every horse must be presented in the mounting yard no later than 15 minutes prior to the advertised start time for a race.

**LR 194 Displaying advertising**

*Unless otherwise approved by the Principal Racing Authority or the Committee of the Club, no licensed or registered person, or horse, shall wear in the mounting enclosure, and in the case of a rider, in a race, any item of clothing displaying any advertising.*

**AR 195 Parading and proceeding to the start of a race**

Every horse must parade and proceed to the starting position of a race as directed by the Stewards, and unless the Stewards otherwise direct, without delay.

**AR 196 Races to be started by Starter**

Every race must be started by the Starter or such person approved by a PRA or the Stewards.

**AR 197 Discretion of the Starter in relation to starting races**

- (1) The Starter may give all orders and take all measures as the Starter sees fit for securing a fair start.
- (2) The Starter must report to the Stewards any rider who disobeys the Starter's orders or attempts to take any unfair advantage.

**AR 198 Requirement of starting at allotted barrier**

- (1) Every rider must ensure that his or her horse occupies its allocated barrier as determined by the barrier draw.
- (2) If a horse starts from an incorrect barrier, then prior to the declaration of correct weight the Stewards have the discretion to:
  - (a) confirm the official order of placings;
  - (b) declare the race to be void; or
  - (c) declare any horse concerned a non-starter.

**AR 199 Open barrier and flag starts**

- (1) An open barrier or flag start cannot take place without approval of the Stewards.
- (2) If the Stewards approve an open barrier or flag start, then the Starter may in respect of any unruly horse:
  - (a) remove it from the place allocated to the horse by the barrier draw and place the horse at a distance to the outside of, or behind, the other runners where it cannot gain any advantage for itself or cause any danger to or prejudice the chances of any other horse; or
  - (b) recommend to the Stewards that it be scratched from the race.

**AR 200 Discretion for Stewards to scratch a horse if it does not enter stall**

- (1) For a barrier start, all horses must start from their allocated barrier.
- (2) The Stewards may scratch a horse from a race if it:
  - (a) refuses to enter its barrier after all reasonable efforts have been made to place it in its barrier; or
  - (b) becomes unduly fractious after being placed in its barrier.
- (3) If the Stewards scratch a horse from a race under subrule (2), they may make appropriate orders in relation to betting on the race.

**AR 201 Discretion of Stewards if race started from incorrect starting position**

If a race is started from the incorrect starting position the Stewards may declare the race void and, if in the circumstances they consider it appropriate, order that the race be re-run on that day.

**AR 202 Discretion of Starter to signal false start**

- (1) The Starter may signal a false start if the Starter considers:
  - (a) the barriers have malfunctioned;
  - (b) a horse has broken through the barriers before the Starter had effected the start; or
  - (c) for any reason, a fair start was not effected.

- (2) If a false start is signaled by the Starter or an official authorised to start a race, each rider must immediately restrain the rider's horse and return to the starting point of the race without delay.

**AR 203 Decision of Stewards about starts of races to be final**

The decision of the Stewards is final and conclusive in relation to any question of whether a start has been effected or whether a horse is declared a non-starter.

**AR 204 Riderless and disadvantaged horses at the start of a race**

- (1) If, in the opinion of the Stewards, any horse was:
- (a) riderless at the time a start was effected; or
  - (b) encumbered by equipment applied with the permission, or at the direction, of the Starter; or
  - (c) denied a fair start; or
  - (d) encumbered by any other outside influence after gaining a fair start,
- and that materially prejudiced the chances of that horse finishing 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> in a race, the Stewards may declare that horse to be a non-starter and may make an order in relation to betting on the race as provided for separately in the Rules of Betting (except that a horse which is ultimately declared as coming 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> in a race must not be declared a non-starter).
- (2) If, in the opinion of the Stewards, a horse obtains an unfair advantage at the start of a race, they may declare the horse to be a non-starter and may make an order in relation to betting on the race as provided for separately in the Rules of Betting.

**Division 6 – Running of a race**

**AR 205 Stewards may declare a race void and require it to be re-run**

The Stewards may declare any race void and, if in the circumstances they consider it appropriate, order that race to be re-run on that day.

**AR 206 Horses must only race in approved gear**

- (1) Except for other gear approved by the Stewards for trackwork, for a race, official trial, jump-out or trackwork all gear to be used on a horse must be approved by the Chairmen of Stewards and listed in the National Equipment Register – Horses and Riders.
- (2) Permission must be obtained from the Stewards prior to acceptance time for a race in order for a horse to race in any approved gear (including racing plates) listed in the National Equipment Register – Horses and Riders.
- (3) If permission is obtained under subrule (2), then, unless approval from or instruction by the Stewards is provided prior to acceptance time for a subsequent race, that gear is to be used without variation in subsequent races in which the horse participates.

**LR 206**

*Two year old horses shall not be permitted to race in blinkers unless the trainer submits a declaration that the horse has worked in blinkers/visor blinkers with other horses, performed in blinkers/visor blinkers to the trainer's satisfaction, and the trainer believes that the horse will race tractably and safely in blinkers/visor blinkers. (amended GG 4/12/20)*

**LR 206A** *The use of webbing reins for track work or racing is prohibited unless especially approved by the Stewards.*

**AR 207 Horses must carry saddlecloths identifying their number**

- (1) Every horse running in a race must carry a saddlecloth bearing a number which corresponds with the number of the horse in the racebook (or in a publication authorised by Racing Australia in relation to the race).
- (2) A saddlecloth is to be supplied to the rider at the time of weighing-out.
- (3) A saddlecloth must be worn so that the number is clearly visible.

**Division 7 – Weighing-in****AR 208 Requirement to weigh-in**

- (1) Immediately after pulling up after a race, every rider must ride his or her horse to the place designated for weighing, but must not dismount before being directed by the Stewards to do so.
- (2) The riders that must be weighed-in to the satisfaction of the Clerk of the Scales or a Steward are:
  - (a) the riders of placed horses in a race; and
  - (b) any other riders directed by the Stewards to be weighed-in.
- (3) Notwithstanding subrules (1) and (2):
  - (a) if a rider is prevented by accident, illness or other reason deemed sufficient by the Stewards from riding to the place of weighing, the rider may walk or be carried to the scales; and
  - (b) if, in the opinion of the Stewards, it is impracticable to weigh-in a rider, the rider's horse will not be disqualified if the rider weighed-out correctly and the Stewards are of the opinion that the rider carried his or her correct weight in the race.

**AR 209 Consequence of a horse carrying less weight than it should**

- (1) A rider must ensure that his or her horse does not carry less weight than what it is required to carry in a race.
- (2) Subject to subrule (3), if a horse carries less weight than what it is required to carry in a race:
  - (a) it will be disqualified from the race, provided that the Clerk of the Scales must allow the rider of the horse 0.5kg; and
  - (b) notwithstanding subrules (1) and (2)(a), any person at fault in relation to the failure to carry the correct weight may also be penalised.
- (3) Subject to compliance with AR 208, a horse shall be deemed to have carried its weight from the start of the race to the winning post if, in the opinion of the Stewards, the rider

remains in contact with the horse or any part of the horse's gear from the start of the race to the winning post.

**AR 210 Consequence if a rider does not weigh-in properly**

- (1) A rider must weigh-in when required to do so.
- (2) If a rider breaches subrule (1), the rider's horse may be disqualified from that race unless there are exceptional circumstances justifying the rider's failure in that respect.
- (3) A rider must not touch (except accidentally) any person or thing other than the rider's own equipment in the period from when a race starts to when the rider weighs-in.
- (4) If a rider breaches subrule (3), the rider's horse may be disqualified from that race unless that contact was justified by extraordinary circumstances.
- (5) Despite subrule (4), any part of the rider's equipment dropped by the rider after passing the winning post may be handed to the rider by the Clerk of the Course or by another authorised official.

**AR 211 Horse overweight by more than 0.5kg**

- (1) A rider must ensure that his or her horse does not carry more than 0.5kg in a race over the weight that it is required to carry.
- (2) If a rider breaches subrule (1), any other person at fault for the breach may also be penalised.

**AR 212 Declaration of correct weight by Stewards**

The Stewards must declare correct weight and cause a public announcement to that effect to be made at the point when:

- (a) all riders required to be weighed-in have been weighed-in at not less than the weight at which they weighed-out; and
- (b) any protest in relation to the race has been determined.

**Division 8 – Dead-heats**

**AR 213 Dead-heats**

- (1) If a dead-heat for 1<sup>st</sup> or any other place occurs, the prize money awarded for each horse is to be an equal share of the total prize money that would have been awarded to the dead-heating horses had they finished in successive places and not dead-heated.
- (2) If the nominators of a horse which ran a dead-heat cannot agree on which of them is to have a cup or other prize that cannot be divided, the Stewards will:
  - (a) determine who is to retain the prize by lot; and
  - (b) may, if necessary, determine what sum of money (if any) is to be paid by the nominator who takes the cup or other indivisible prize, to the other nominator.
- (3) Subject to the conditions of any race, each horse that divides a prize for 1<sup>st</sup> place will be deemed to be the winner of a race worth the amount that would have been awarded by way of money or prize, if there was a clear winner of the race.

**Division 9 – Judge's determination****AR 214 Placings in a race to be determined by the Judge**

- (1) Placings in a race are to be determined by the Judge occupying the Judge's box at the time the horses passed the winning post.
- (2) A camera may be used to take photographs or images of the horses at the finish to assist the Judge in determining their positions, as exclusively indicated by their noses.
- (3) The Judge must place:
  - (a) the first 4 horses in a race;
  - (b) the number of horses up to and including the horse following the last horse that, pursuant to the conditions of a race, is to receive a prize (for example, if prizes from 1<sup>st</sup> through to 5<sup>th</sup> place were offered, the first 6 horses must be placed); or
  - (c) the number of horses that the Stewards require to be placed by the Judge.
- (4) The determination of the Judge that a horse has won or been placed in a race is to be final, except:
  - (a) the Judge may correct any mistake before the riders of the placed horses have been weighed-in; and
  - (b) the Stewards may alter a determination made by the Judge either before or after a declaration of correct weight if the Stewards are satisfied on the available evidence (including prints or images) that the Judge has made a mistake in the determination of the finishing order of a race.
- (5) The Stewards will stand in the place of the Judge and exercise the powers, perform the functions, and carry out the duties, of the Judge if:
  - (a) the Judge is unavailable; or
  - (b) in the opinion of the Stewards the Judge is or was unable to properly place the horses as they passed the winning post due to illness or any other reason.
- (6) No alterations to the Judge's places after correct weight will have any effect on previous orders given by the Stewards as to betting on the race.

**Division 10 – Walk-over****AR 215 A walk-over and its consequences**

- (1) In the event of a walk-over:
  - (a) that horse will be deemed the winner of the race and will be liable to carry extra weight as a winner;
  - (b) only half of any prize money which would have been due to the winner had the race not been a walk-over will be awarded; and
  - (c) a non-monetary prize will still be given.
- (2) Notwithstanding subrule (1), no prize will be awarded when, in the opinion of the Stewards, a walk-over is the result of any arrangement.



**AR 216 Allocation of prize money if no 2<sup>nd</sup> or other place**

Except if otherwise provided in the rules or conditions relating to a race, if any money or prize is to be awarded to a horse for filling 2<sup>nd</sup> or any other place in a race, then if no horse fills that place, the money or prize that was allocated to it will go to the Club holding the meeting.

**Division 11 – Restrictions on course telecasts****AR 217 No course telecast without approval**

A photograph, film or telecast of a race must not be exhibited or replayed at the racecourse on which a race meeting is being conducted without the permission of the Stewards in charge of that meeting.

**Division 12 – Restrictions on the use of communication devices****AR 218 No transmission of certain information in certain areas at racecourses**

- (1) Without the permission of the Stewards, a person must not transmit in any way from a racecourse any betting odds being offered by a bookmaker on any horse that is competing at a racecourse in Australia or elsewhere.
- (2) Without the permission of the Stewards, a person must not have turned on or use a mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information during a race meeting in any of the following areas:
  - (a) the mounting yard;
  - (b) the scales area;
  - (c) any other area designated by the Stewards.
- (3) Notwithstanding subrule (2)(a), an owner who is present in the mounting yard immediately after the running of a race is permitted to use a mobile phone.
- (4) Without the permission of the Stewards, a person (including but not limited to a jockey) must not:
  - (a) bring into the jockeys' room;
  - (b) have in that person's possession in the jockeys' room;
  - (c) use in the jockeys' room, any mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.
- (5) The Stewards may take possession of and retain in their possession (including for the purposes of examining) any appliance, apparatus, instrument or equipment that is used by any person in contravention of this rule.

### **Division 13 – Protests**

#### **AR 219 Making protests**

- (1) Except for protests to be made prior to a rider weighing-in (under subrule (3)), unless the Stewards order otherwise every protest:
  - (a) must be made to the Stewards in writing; and
  - (b) be signed by either the nominator or the nominator's authorised agent, trainer or rider.
- (2) A protest may be made by a Steward or the Starter in their official capacity. In the case of such a protest in relation to a matter referred to in subrule (3), it must be made before correct weight is declared.
- (3) Any protest by the persons authorised under subrule (1)(b) against a horse/s on the ground of:
  - (a) an interference in the running of a race as provided for in AR 130(1);
  - (b) a horse/s not having run the proper course;
  - (c) the race having been run over a wrong course;
  - (d) the use of a whip as provided for in AR 132; or
  - (e) any other matter occurring in a race,
 must be made to the Steward at scale before the riders of all placed horses are weighed-in or at any other time allowed by the Stewards prior to the signaling of correct weight.
- (4) A protest made under subrule (3)(a) is only permitted to be made on behalf of a horse that has been placed first, second, third, fourth or fifth by the Judge, provided that the Stewards, in their discretion, may allow a protest made under subrule (3)(a) to be made on behalf of a horse that has been placed below fifth by the Judge. *(amended 01/06/19)*
- (5) A person must not make a protest under subrule (3) which, in the opinion of the Stewards, is frivolous.
- (6) A person must not:
  - (a) improperly deter or attempt to improperly deter a person from making a protest under this rule; or
  - (b) improperly encourage or improperly attempt to encourage a person to protest under this rule.
- (7) If a protest is made under subrule (3) prior to the declaration of correct weight, the Stewards must without delay cause public announcements to be made in relation to:
  - (a) the fact that a protest has been made; and
  - (b) the grounds of the protest.
- (8) Once the Stewards have considered and determined a protest, they must without delay cause public announcements to be made in relation to:
  - (a) whether the protest was dismissed or upheld;
  - (b) if the protest is upheld, details of any alteration to the Judge's placings; and
  - (c) the declaration of correct weight.
- (9) A protest cannot be withdrawn without the permission of the Stewards.

- (10) Pending a decision in relation to a protest regarding the placings in a race, the horse placed 1<sup>st</sup> will be liable to all the penalties attached to the winner of the race.

**AR 220 Certain protests can be made up to 30 days after a race**

- (1) A protest on the following grounds can be made up to 30 days after the conclusion of the race to which the protest relates:
- (a) fraudulent misstatement or fraudulent omission in the entry;
  - (b) a horse which ran was not the horse:
    - (i) it was represented to be;
    - (ii) of the age it was represented to be; or
    - (iii) was not qualified under the conditions of the race;
  - (c) the name of a horse or of any person having an interest in a horse is on the Forfeit List or List of Disqualifications;
  - (d) a horse was not registered in accordance with these Australian Rules; or
  - (e) the weight carried by a horse was incorrect.
- (2) The protests referred to in subrule (1) are the only protests on the grounds of misdescription, error, or omission in any entry that are able to be accepted after a race.

**AR 221 Consequence of a protest being upheld**

- (1) Subject to subrule (2), if a protest in relation to a horse that has won or been placed in a race is upheld, the horse may be:
- (a) disqualified from the race; or
  - (b) placed after a horse that the horse interfered with (if the Stewards are of the opinion that the horse interfered with would have finished ahead of the other horse had the interference not occurred).
- (2) If a protest is lodged on behalf of a placed horse under AR 219(3)(d) against another placed horse and the Stewards are of the opinion that had the rider of the horse protested against not been in breach of AR 132(5) or (7) the horse would not have finished equal or ahead of the horse on whose behalf the protest is lodged, the Stewards may place the horse considered to have been advantaged immediately after the other horse.

**AR 222 Protest to the qualification of a horse**

- (1) If the qualification of a horse is the subject of a protest either before 10.00 am on the day of the relevant race or after the race:
- (a) the nominator or his or her representative must satisfy the Stewards that the horse is or was eligible to run; and
  - (b) if the Stewards are not satisfied that the horse is or was eligible to run, they may order that the horse be scratched or may direct that any prize awarded in respect of the horse be withheld for a period fixed by them.
- (2) If the qualification of a horse is the subject of a protest between 10.00 am on the day of the relevant race and the start of the race, the horse must be allowed to run unless the

person making the protest proves, to the Stewards' satisfaction prior to the start of the race, that the horse is not eligible to run, in which case the Stewards must order the horse be scratched.

- (3) If, at the expiration of the period fixed by the Stewards under subrule (1)(b), the Stewards are not satisfied that the horse was eligible to run, the prize is to be awarded as if that horse had not started.

#### **AR 223 Withholding of prizes pending consideration of a protest or inquiry**

Whenever:

- (a) a protest has been lodged; or
- (b) an investigation or inquiry which may affect the placing of a horse has been instituted; or
- (c) any action is taken or about to be taken which may lead to an investigation or inquiry which may affect the placing of a horse has been instituted,

any prize due in respect of a horse may be withheld pending the consideration of the protest, investigation or inquiry.

#### **AR 224 Prizes to be repaid/returned following disqualification**

In any case where a prize or part of a prize has been paid or awarded to a person who is subsequently found by a PRA or the Stewards not to be entitled to it by reason of the disqualification of that person's horse or otherwise, that prize must, on demand, be repaid or returned by the recipient to the PRA or Club concerned.

#### **LR 224**

- (1) Where for any reason a horse is disqualified under these Rules, and another eligible horse thereby becomes the winner, place-getter or otherwise entitled to any money and/or prize as a result of the disqualification, any person associated with the disqualified horse shall no longer be entitled to such money and/or prize.*
- (2) Any person who is in receipt of any money and/or prize, for which they are no longer entitled to by virtue of sub-rule (1) of this rule, must return such money and/or prize to the club concerned within 14 days of such notice being given by the Principal Racing Authority.*
- (3) Where any Appeal is made to the disqualification, the return of the relevant monies or prized referred to in sub-rule (1) and (2) of this rule, shall be deferred pending the outcome of any Appeal proceedings and resulting orders.*
- (4) A person who fails to comply with any provisions of this rule shall be severally guilty of an offence and liable for further penalty in addition to the provisions of AR 95.*

## **Division 14 – Humane euthanasia of a horse**

### **AR 225 Circumstances in which a horse may be humanely euthanised**

If a horse is injured on a racecourse and:

- (a) in the opinion of a qualified veterinary surgeon employed, engaged or approved by the PRA conducting the race meeting; or
- (b) in the opinion of the Stewards,

humane euthanasia of the horse is advisable on animal welfare grounds in order to prevent the horse from suffering, the qualified veterinary surgeon and/or the Stewards may order the horse be humanely euthanised by a person who the veterinary surgeon and/or the Stewards consider suitable.

### ***LR 225 Euthanasia of Horses*** (added 1/11/20)

*It shall be an offence for any person bound to the Rules of Racing to at any time:*

- (a) Organise, permit, allow or consent to any horse that they have control of, being transported or conveyed to any premises which is not a registered knackery, registered abattoir, or veterinary clinic where they are aware or ought to be aware, that the horse is to be euthanised.*
- (b) Organise, permit, allow or consent to any horse that they have control of, being transported or conveyed to any place or facility outside of Western Australia where they are aware or ought to be aware, that the horse is to be euthanised.*

*For the purposes of this rule, a registered knackery or abattoir is any facility or place where animals are slaughtered and processed for consumption of any kind, or otherwise disposed of, which is registered and/or regulated with the relevant government authority and has established a Memorandum of Understanding with RWWA. (amended GG 18/12/20)*

## **PART 9 – MISCONDUCT & OTHER OFFENCES**

### **Division 1 – Penalty for breach**

#### **AR 226 Penalty for breach**

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 9 the person may be penalised by a PRA or the Stewards.

### **Division 2 – Powers in relation to misconduct and other offences**

#### **AR 227 Breaches of the Rules**

Without limiting any other powers, a PRA or the Stewards may penalise any person who:

- (a) commits any breach of the Rules, or engages in conduct or negligence which has led or could have led to a breach of the Rules;
- (b) attempts to commit, aids, abets, counsels, procures, connives at, approaches or requests another person to commit, conspires with another person to commit, or is a party to another person who commits, a breach of the Rules. *(amended 01/06/19)*

### **Division 3 – Conduct detrimental to the interests of racing**

#### **AR 228 Conduct detrimental to the interests of racing**

A person must not engage in:

- (a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere;
- (b) misconduct, improper conduct or unseemly behaviour;
- (c) improper or insulting behaviour at any time towards a PRA, the Stewards, a Club, or any official, employee, contractor or agent of any of them in relation to the relevant person's functions, powers or duties;
- (d) publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminatory or abusive to or about any other person involved in the racing industry;
- (e) conduct which threatens, disparages, vilifies or insults another person ("other person") on any basis, including but not limited to, a person's race, religion, colour, descent, national or ethnic origin, special ability/disability, or sexual orientation, preference or identity, while the other person is acting in the course of his or her duties in the racing industry.

### **Division 4 – Corruption, dishonesty and misleading behaviour**

#### **AR 229 Corruption, dishonesty and misleading behaviour**

- (1) A person must not:
  - (a) engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;

- (b) engage in conduct that corrupts the outcome of a race or is intended to corrupt the outcome of a race, where:
    - (i) conduct “corrupts the outcome of a race” if it:
      - (A) affects or, if engaged in, would be likely to affect the outcome of any race; and
      - (B) is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of a race;
    - (ii) “conduct” means an act or an omission to perform an act;
    - (iii) “engage in conduct” means:
      - (A) do an act; or
      - (B) omit to perform an act, and
    - (iv) “outcome” includes any result within the race and is not limited to winning or placing in the race;
  - (c) corruptly give or offer any money, share in a bet, or other benefit to a person having official duties in relation to racing, or to an owner, nominator, trainer, rider, or person having charge of or access to a horse;
  - (d) if the person has official duties in relation to racing, or is a nominator, trainer, rider, or person in charge of or having access to a horse – corruptly accept, or offer to accept, any money, share in a bet, or other benefit;
  - (e) wilfully enter or cause to be entered or to start in any race a horse which the person knows to be disqualified;
  - (f) if the person is an owner, nominator, or trainer of a horse – enter or run the horse in any race, official trial, or jump-out under a fraudulently false description;
  - (g) have any interest in a horse which has been entered or run in a race, official trial or jump-out under a fraudulently false description;
  - (h) make a false or misleading statement or declaration in relation to a matter in connection with the administration or control of racing;
  - (i) if the person is an owner, nominator or licensed person – by advertisement, circular, letter, or any other means offer to give information in relation to that person’s horse or any other horse in return for any money or other consideration;
  - (j) aid, abet, counsel, procure, connive at, or be a party to any of the conduct prohibited under subrule (1)(i).
- (2) If a person breaches subrule (1)(b), a disqualification for a period of not less than 5 years must be imposed, unless a finding is made that a special circumstance exists, in which case that penalty may be reduced.

**AR 230 Duty to provide information in relation to corrupt etc conduct**

- (1) A person who is directly or indirectly approached or requested to engage in conduct which could constitute:
  - (a) corrupt, dishonest, fraudulent, or improper conduct in connection with racing; or
  - (b) conduct which is detrimental to the image, interests, integrity or welfare of racing; or
  - (c) an act of cruelty to a horse,
 must provide full details of the approach or request to the Stewards as soon as is practicable.
- (2) For the purposes of this rule, “engage in conduct” has the same meaning as in AR 229(1)(b)(iii).

**Division 5 – Misconduct in relation to the care and welfare of horses****AR 231 Care and welfare of horses**

- (1) A person must not:
  - (a) commit or commission an act of cruelty to a horse, or be in possession of any article or thing which, in the opinion of the Stewards, is capable of inflicting cruelty to a horse;
  - (b) if the person is in charge of a horse – fail at any time:
    - (i) to exercise reasonable care, control or supervision of the horse so as to prevent an act of cruelty to the horse;
    - (ii) to take such reasonable steps as are necessary to alleviate any pain inflicted upon or being suffered by the horse;
    - (iii) to provide veterinary treatment to the horse where such treatment is necessary for the horse; and/or
    - (iv) to provide proper and sufficient nutrition for the horse.
- (2) A person must not:
  - (a) use, or attempt to use, any electric or electronic apparatus or other device capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop;
  - (b) have in the person’s possession any electric or electronic apparatus or device capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.
- (3) For the purpose of subrule (2), where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.
- (4) A person must not use a stockwhip on a horse in any circumstances relating to racing, training or pre-training, regardless of whether the horse is registered.
- (5) If a person breaches subrule 2(a), a disqualification for a period of not less than 2 years must be imposed, unless a finding is made that a special circumstance exists, in which case that penalty may be reduced.
- (6) A person must not perform endoscopy of the respiratory tract on a horse unless he or she is a qualified veterinary surgeon. *(added 1/1/20)*



## **Division 6 – Misconduct by failure to observe official processes and directions**

### **AR 232 Failure to observe processes and directions of PRAs or Stewards**

A person must not:

- (a) obstruct or interfere with, or attempt to obstruct or interfere with, the conduct of a race meeting, race, official trial or jump-out;
- (b) fail or refuse to comply with an order, direction or requirement of the Stewards or an official;
- (c) while the Stewards are exercising their powers, performing their functions or carrying out their duties:
  - (i) refuse to obey a reasonable direction of the Stewards;
  - (ii) obstruct, hinder or delay the Stewards in exercising their powers, performing their functions or carrying out their duties; or
  - (iii) incite any other person/s to obstruct, hinder or delay the Stewards from exercising their powers, performing their functions or carrying out their duties, or fail to prevent any other person/s on premises the Stewards have entered under AR 22(1)(l) from doing so.
- (d) while any investigator appointed by a PRA under AR 15(c) is exercising their powers, performing their functions or carrying out their duties:
  - (i) refuse to obey a reasonable direction of the investigator;
  - (ii) obstruct, hinder or delay the investigator in exercising their powers, performing their functions or carrying out their duties; or
  - (iii) incite any other person/s to obstruct, hinder or delay the investigator from exercising their powers, performing their functions or carrying out their duties.
- (e) if the person is a nominator, trainer or person in charge of a horse – contrary to the orders of the Stewards, fail or refuse on request to produce a horse entered for a race at a meeting or remove that horse from the racecourse;
- (f) use on a horse any shoes, racing plates, equipment or gear which has not been approved, or which in the opinion of the Stewards is unsuitable or unsafe;
- (g) tamper or attempt to tamper with any means of identification of a horse as referred to in the Rules;
- (h) refuse or fail to attend or give evidence at an interview, investigation, inquiry, hearing or appeal when directed or requested to do so by a PRA, the Stewards or a person authorised by a PRA or the Stewards; and
- (i) give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading.

## **Division 7 – Other misconduct offences**

### **AR 233 Other misconduct offences**

A person must not:

- (a) breach a policy, regulation or code of practice published by Racing Australia or a PRA;
- (b) engage in workplace harassment or bullying of a person while the person is acting in the course of his or her duties while employed, engaged in, or participating in the racing industry;
- (c) engage in sexual harassment of a person employed, engaged in, or participating in the racing industry.

**LR 233 Disqualification by conviction**

- (1) Subject to sub-rule (2) the Principal Racing Authority may for such period and on such conditions as it thinks fit, disqualify a person who is convicted of a crime or an offence in any State or Territory of Australia or in any country.*
- (2) Any person who is convicted of a crime or an offence in any State or Territory of Australia or in any country and sentenced to a period of imprisonment shall be disqualified by the Stewards for the same period as the term of imprisonment.*
- (3) To obviate any doubt, sub-rule (2) shall apply where the term of imprisonment is suspended by a court.*

**LR 233A**

*For the purposes of these Rules, the Stewards have delegated authority to act in accordance with LR233 (2) and (3).*

**AR 234 Disqualification where certain misconduct has occurred**

A PRA or the Stewards may disqualify a horse entered or run in any race under a fraudulently false description or in connection with which any other improper or dishonourable action or practice referred to in this Part 9 is found to have been committed.

## **PART 10 – BETTING & LAYING PROHIBITIONS FOR CERTAIN PERSONS**

### **Division 1 – Penalty for breach**

#### **AR 235 Penalty for breach**

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 10 the person may be penalised by a PRA or the Stewards.

### **Division 2 – Prohibition on betting with or for jockeys**

#### **AR 236 Betting with or for a jockey**

A person must not bet with or for a jockey or apprentice jockey, or give or offer a rider any pecuniary or other gift or consideration, contrary to these Australian Rules.

### **Division 3 – Prohibition in relation to laying horses**

#### **AR 237 Prohibition on persons laying horses**

- (1) A trainer must not lay any horse that is either under the trainer's care, control or supervision, or has been at any time in the preceding 21 days.
- (2) A person employed by a trainer in connection with the training or care of horses must not lay any horse under the care, control or supervision of the trainer for whom the person is or was employed while employed and for a period of 21 days after ceasing to be employed.
- (3) An owner or nominator must not lay any horse that is or may be entered by that owner or nominator or on that person's behalf, provided that a bookmaker may lay a horse in accordance with the bookmaker's licence.
- (4) A rider's agent must not lay any horse to be ridden by a rider for whom that person is an agent.
- (5) A person who has provided a service/s connected with the keeping, training or racing of a horse must not lay that horse within 21 days of last providing that service.
- (6) A person must not offer an inducement to a participant in racing with the intention of profiting from a horse not participating in an event to the best of its ability.
- (7) In circumstances where it is a breach of this rule for a person to lay a horse, it is also a breach of this rule for that person to:
  - (a) have a horse laid on his or her behalf; or
  - (b) receive any money or other valuable consideration in any way connected with the laying of the horse by another person.

**Division 4 – Prohibition on betting with non-approved wagering operators****AR 238 Prohibition on betting with non-approved wagering operators**

- (1) A person bound by these Australian Rules must not:
  - (a) place a bet on Australian thoroughbred racing with a non-approved wagering operator; or
  - (b) have a bet placed on his or her behalf, or otherwise have an interest in a bet placed, on Australian thoroughbred racing with a non-approved wagering operator.
- (2) Where the Stewards reasonably suspect that a person bound by these Australian Rules has, or may have, placed a bet on Australian thoroughbred racing with a non-approved wagering operator:
  - (a) the Stewards may direct the person to produce, and the person must produce, all relevant documents and devices, including but not limited to, the person's computer, mobile telephone, and betting records; and
  - (b) the Stewards may direct the person to provide, and the person must provide, the Stewards with access to the account/s with the non-approved wagering operator used by or on behalf of the person, including any username, password or other security information.
- (3) For the purposes of this rule a "bet" includes a lay bet.

## **PART 11 – PROHIBITED SUBSTANCES & PROHIBITED METHODS OFFENCES**

### **Division 1 – Penalty for breach**

#### **AR 239 Penalty for breach**

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 11 the person may be penalised by a PRA or the Stewards.

### **Division 2 – Prohibited substance in a sample taken from a horse**

#### **AR 240 Prohibited substance in sample taken from horse at race meeting**

- (1) Subject to subrule (3), if a horse is brought to a racecourse and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the horse must be disqualified from any race in which it started on that day.
- (2) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.
- (3) If:
  - (a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or
  - (b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,
 is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that a breach of subrule (1) or (2) has not been committed if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

#### **AR 241 Prohibited substance in sample taken from horse at trial etc** *(amended 1/2/21)*

If a horse is brought to a racecourse or recognised training track to participate in:

- (a) an official trial;
- (b) a jump-out for the purpose of obtaining a permit to start in a race (whether after suspension or otherwise); or
- (c) any other test for the purpose of obtaining a permit to start in a race (whether after suspension or otherwise),

and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following the relevant event, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

*LR 241 When a horse is brought to a racecourse or recognised training track to engage in an official trial or test and a prohibited substance is detected in any sample taken from it either prior to or following the official trial or test, the trainer and any other person who was in charge of the horse at any relevant time may be penalised.*

#### **AR 242 Prohibited substance in sample taken from horse at any time**

If a prohibited substance on Prohibited List A is detected in a sample taken at any time from a horse being trained by a licensed person:

- (a) the trainer and any other person who was in charge of the horse at the relevant time breaches these Australian Rules, unless that trainer or other person satisfies the relevant PRA or the Stewards that he or she took all proper precautions to prevent the administration of the prohibited substance to the horse;
- (b) the horse may be disqualified from any race in which it has competed since the taking of the sample if, in the opinion of the Stewards, the prohibited substance was likely to have had any direct and/or indirect effect on the horse at the time of the race.

### **Division 3 – Administration offences**

#### **AR 243 Administration of prohibited substance (general administration provision)**

- (1) A person must not:
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to the administration of,
 a prohibited substance on Prohibited List A to a horse being trained by a trainer.
- (2) If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

#### **AR 244 Administration of prohibited substance to affect race performance**

- (1) A person must not:
  - (a) administer; or
  - (b) cause to be administered,
 a prohibited substance on Prohibited List A and/or Prohibited List B to a horse for the purpose of affecting the performance or behaviour of the horse in a race, or of preventing it starting in a race.
- (2) If a person breaches subrule (1), a disqualification for a period of not less than 3 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

**AR 245 Administration of prohibited substance in sample taken from horse before/after running in race**

- (1) A person must not:
  - (a) administer; or
  - (b) cause to be administered,
 a prohibited substance on Prohibited List A and/or Prohibited List B to a horse which is detected in a sample taken from the horse prior to or following the running of a race.
- (2) If:
  - (a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or
  - (b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,
 is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that a breach of subrule (1) has not been committed if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

**AR 246 Administration of prohibited substance after running of race**

A person must not, following the running of a horse in a race and without the express permission of the Stewards:

- (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to the administration of,
- a prohibited substance on Prohibited List A and/or Prohibited List B to the horse:
- (i) on the racecourse where the race meeting is being conducted; or
  - (ii) in any motor vehicle or horse float or other mode of transport used for the purpose of conveying that horse or other horses to and/or from that race meeting.

**AR 247 Administration of alkalinising agents**

- (1) A person must not:
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to the administration or attempted administration of,
 an alkalinising agent in any manner to a horse which is engaged to run in any race, official trial or jump-out:
  - (i) at any time on the day of the scheduled race, official trial or jump-out and prior to the start of that event; and/or

- (ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial, or jump-out.
- (2) If the Stewards are satisfied that a horse has, or is likely to have been, administered an alkalinising agent in breach of subrule (1), they may prevent the horse from starting in any relevant race, official trial or jump-out.
- (3) Where a horse has been administered an alkalinising agent in breach of subrule (1), the horse may be disqualified from any relevant race in which the horse competed.
- (4) For the purposes of this rule, “alkalinising agent”:
  - (a) means any substance that may elevate the plasma total carbon dioxide (TCO<sub>2</sub>) of a horse when administered by any route;
  - (b) includes but is not limited to substances that are bicarbonates, citrates, succinates, acetates, propionates, maleates, lactates and trometamol (THAM, Tris Buffer or Trometamine) and also includes products marketed as urinary alkalinisers and hind gut buffers;
  - (c) does not include substances:
    - (i) that are alkalinising agents which are contained in commercial feeds and/or balanced commercial electrolyte supplements which when fed and consumed according to the manufacturer’s recommendations for normal daily use, which Stewards are satisfied have a negligible effect on plasma TCO<sub>2</sub>; and
    - (ii) provided that any exemption from the definition of alkalinising agent granted under this rule does not constitute a defence to a charge laid against a person following the detection by an Official Racing Laboratory of a TCO<sub>2</sub> concentration in a horse in excess of the threshold set out in paragraph 1 of Schedule 1, Part 2, Division 3 to these Australian Rules.

#### **AR 248 Administration of anabolic androgenic steroids**

- (1) A person must not:
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to the administration or attempted administration of, an anabolic androgenic steroid to a horse.
- (2) If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.
- (3) If the Stewards are satisfied that a horse has been, or is likely to have been, administered an anabolic androgenic steroid, the Stewards may prevent the horse from starting in any race, official trial or jump-out.
- (4) If a sample taken at any time from a horse has detected in it an anabolic androgenic steroid, the horse is not permitted to start in any race, official trial or jump-out:



- (a) for a period of not less than 12 months from the date of the collection of the sample; and
  - (b) until after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.
- (5) An owner, lessee, nominator, trainer and/or other person in charge of a horse must not, when directed by the Stewards or another official employed or engaged by a PRA, fail to produce or otherwise give full access to the horse so that a sample can be taken and analysed to determine whether any anabolic androgenic steroid is in the system of the horse.
- (6) Subrule (5) requires an owner, lessee, nominator, trainer or other person in charge of a horse to produce the horse, or otherwise give full access to the horse, even if the horse is:
- (a) under the care or control of another person; and/or
  - (b) located at the property of another person.
- (7) If an owner, lessee, nominator, trainer and/or other person in charge of a horse breaches subrule (5), the horse will not be permitted to start in any race, official trial or jump-out:
- (a) for a period of not less than 12 months following the day that the horse is produced or made fully accessible to the Stewards or another official employed or engaged by a PRA, so that a sample can be taken and analysed to determine whether any anabolic androgenic steroid is in the system of the horse; and
  - (b) until after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.
- (8) If:
- (a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or
  - (b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,
- is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that the provisions of this rule do not apply if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

#### **AR 249 Administration of medication on race day**

- (1) Notwithstanding the provisions set out in Schedule 1, Part 2, Division 2, a person must not, without the permission of the Stewards:
- (a) administer; or

- (b) cause to be administered,  
any medication to a horse at any time on race day prior to the commencement of a race in which the horse is engaged to race.
- (2) If a person breaches subrule (1), a disqualification for a period of not less than 6 months must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.
- (3) The Stewards may order that a horse which has received a medication in breach of subrule (1) be scratched from a race engagement.

#### **Division 4 – Possession offences**

##### **AR 250 Possession of prohibited substance**

A person must not have in his or her possession:

- (a) a prohibited substance on Prohibited List A; or
- (b) a substance or preparation containing a prohibited substance on Prohibited List A.

##### **LR 250**

- (1) If in exercising the power under AR 22(1), the Stewards identify and/or take possession of any quantity of a substance or preparation set out in Prohibited List A then any person in possession of such substance shall be guilty of an offence and liable to penalty.*
- (2) For the purposes of this Rule, if any substance or preparation is found at any premises used in relation to the training or racing of horses, then any owner, trainer or person who owns, trains, races or is in charge of horses at those premises is deemed to have the drug in their possession.*
- (3) It shall be a defence to a charge under this Rule for the person in possession of such substance to prove that the substance was prescribed to them, for use by them, by either a qualified medical practitioner or veterinarian.*

##### **AR 251 Possession of a prohibited substance/equipment at race meeting**

- (1) A person must not, without the written permission of the Stewards, have in his or her possession:
  - (a) on a racecourse where a race meeting is being conducted; or
  - (b) in any motor vehicle, horse float or other mode of transport used for the purpose of transporting a horse/s to and/or from a race meeting,  
any prohibited substance, or a syringe, needle, naso-gastric tube or other instrument that could be used:
    - (i) to administer a prohibited substance to a horse; or
    - (ii) to produce a prohibited substance in a horse.
- (2) The Stewards may at their discretion give written permission (and may impose terms or conditions on that permission) to a person to have in his or her possession:
  - (a) on a racecourse where a race meeting is being conducted; or

(b) in any motor vehicle, horse float or other mode of transport used for the purpose of transporting a horse/s to and/or from a race meeting,  
any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used:

- (i) to administer a prohibited substance to a horse; or
- (ii) to produce a prohibited substance in a horse.

- (3) A person must comply with any term or condition imposed on any permission given by the Stewards under subrule (2).
- (4) Any substances or items related to this rule may be confiscated by the Stewards.

#### **AR 252 Possession of medication/substance/preparation in breach of legislation**

- (1) A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed or obtained in accordance with applicable Commonwealth and State legislation.
- (2) The Stewards may confiscate any medication, substance or preparation referred to in subrule (1), and use it as evidence in any inquiry, hearing or other proceeding under the Rules.

#### **AR 252A Possession of injectable products containing cobalt salts** *(added 1/5/21)*

- (1) A person must not have in his or her possession, or on his or her premises, any injectable product which contains cobalt salts.
- (2) The Stewards may confiscate any product referred to in subrule (1) and use it as evidence in any inquiry, hearing or other proceeding under the Rules.

### **Division 5 – Testing for anabolic androgenic steroids before registration**

#### **AR 253 Testing for anabolic androgenic steroids before registration**

- (1) This rule applies to all unnamed horses. *(amended 1/5/21)*
- (2) The Stewards or another official employed or engaged by a PRA may, at any time, direct that a horse be produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.
- (3) If a horse is not produced to provide a sample as directed under subrule (2), that horse is ineligible to start in any race or official trial:
  - (a) until at least 12 months after the latter of:
    - (i) the date on which the horse, once registered with Racing Australia under these Australian Rules, is permitted under these Australian Rules to start in a race (and subject to any further conditions imposed by a PRA or the Stewards in their discretion); and
    - (ii) the date on which the horse is produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid 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 on a date directed by a PRA or the Stewards.
- (4) If an anabolic androgenic steroid (other than an anabolic androgenic steroid at or below a permitted threshold identified in Schedule 1, Part 1, Division 3) is detected in a sample taken at any time from a horse, the horse is ineligible to start in any race, official trial or jump-out:

- (a) until at least 12 months after the latter of:
    - (i) the date on which the horse, once registered with Racing Australia pursuant to these Australian Rules, is permitted under these Australian Rules to start in a race (and subject to any further conditions imposed by the Stewards in their discretion); and
    - (ii) the date the relevant sample was taken; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.
- (5) If directed under subrule (2) by the Stewards or another official employed or engaged by a PRA, a person must produce, or otherwise give full access to a horse so that a sample may be taken and analysed to determine whether any anabolic androgenic steroid is in the system of the horse.
- (6) Subrule (5) requires an owner, lessee, nominator and/or trainer to produce a horse, or otherwise give full access to a horse, even if the horse is:
- (a) under the care or control of another person; and/or
  - (b) located at the property of another person.

### **Division 6 – Injections**

#### **AR 254 Injections prohibited at certain times**

- (1) A person must not, without the permission of the Stewards:
- (a) inject;
  - (b) cause to be injected;
  - (c) attempt to inject; or
  - (d) be a party to the injection or attempted injection of, a horse engaged to run in any race:
    - (i) at any time on the day of the scheduled race and prior to the start of that race; and/or
    - (ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race.
- (2) If a person breaches subrule (1), or the Stewards reasonably suspect that such a breach has been committed, they may order the scratching of the horse from the relevant race.
- (3) If a person breaches subrule (1), but the horse competes in the race, the horse may be disqualified from the race.
- (4) For the purposes of this rule:
- (a) “inject” includes, but is not limited to, the insertion of a hypodermic needle into a horse;
  - (b) it is not necessary to establish whether any substance was injected, or the nature of any substance injected.

#### **AR 254A Administration of cobalt salts by injection** *(added 1/5/21)*

- (1) A person must not:
- (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or

- (d) be a party to the administration or attempted administration of, a product containing cobalt salts to a horse by injection.
- (2) If the Stewards are satisfied that a horse has been, or is likely to have been, administered a product containing cobalt salts by injection, the Stewards may prevent the horse from starting in any race, official trial or jump-out.
- (3) If a horse has been administered a product containing cobalt salts by injection, but the horse competes in a race, official trial or jump-out, the horse may be disqualified from that race, official trial or jump-out.
- (4) For the purposes of this rule, an “injection” includes, but is not limited to, the insertion of a hypodermic needle into a horse.

### **Division 7 – Stomach-tubing**

#### **AR 255 Stomach-tubing prohibited at certain times**

- (1) A person must not, without the permission of the Stewards:
  - (a) stomach-tube;
  - (b) cause the stomach-tubing of;
  - (c) attempt to stomach-tube; or
  - (d) be a party to the stomach-tubing or attempted stomach-tubing of, a horse engaged to run in a race, official trial or jump-out:
    - (i) at any time on the day of the race, official trial or jump-out and prior to the start of that event; and/or
    - (ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial or jump-out.
- (2) Provided that the stomach-tubing or attempted stomach-tubing occurred on race day or during the 1 clear day prior to 12.00am on race day for a horse engaged to run in a race on that race day, if a person breaches subrule (1) a disqualification of not less than 12 months must be imposed (other than where the person is not, in the opinion of a PRA (or a person employed or engaged by a PRA) or the Stewards, the principal offender), unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.
- (3) If the Stewards are satisfied that a horse:
  - (a) has, or is likely to have, been stomach-tubed in breach of subrule (1), they may prevent it from starting in any race, official trial or jump-out;
  - (b) has been stomach-tubed in breach of subrule (1), it may be disqualified from the race that it started in.

### **Division 8 – Supply and procurement offences**

#### **AR 256 – Prohibition on supply and procurement of certain substances/preparations**

- (1) A person must not:
  - (a) supply;
  - (b) attempt to supply; or
  - (c) be a party to the supply or attempted supply of, any substance or preparation to another person (including but not limited to, a trainer or any person on behalf of a trainer), which is:
    - (i) a prohibited substance on Prohibited List A;

- (ii) a substance or preparation containing a prohibited substance on Prohibited List A;  
or
  - (iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1)
- (2) A person must not:
- (a) procure;
  - (b) attempt to procure; or
  - (c) be a party to the procuring or attempted procuring of,  
any of the following:
    - (i) a prohibited substance on Prohibited List A;
    - (ii) a substance or preparation containing a prohibited substance on Prohibited List A;  
or
    - (iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).
- (3) For the purposes of this rule:
- (a) "supply" includes the selling, giving, transporting, sending, delivering or distributing (or possessing for any such purpose) of a substance or preparation;
  - (b) "procure" includes the purchase and/or receipt of a substance or preparation.

### **Division 9 – Therapeutic substances**

#### **AR 257 Therapeutic substances**

- (1) For analysis of a therapeutic substance in a sample taken at any time from a horse, there must be an initial screening test or screening analysis of the sample.
- (2) As a minimum requirement, the initial screening test or screening analysis must be conducted by an Official Racing Laboratory in accordance with the following procedure:
  - (a) the relevant biological matrix, equivalent in volume to the portion or aliquot of the sample being tested, is to have added to it a quantity of the therapeutic substance or its specified metabolite, sufficient to bring its concentration to the screening limit specified for that therapeutic substance – this is known as the "spiked sample" and is to be analysed concurrently with the sample;
  - (b) the portion or aliquot of the sample is then to be tested to determine whether or not it contains a quantity of the therapeutic substance or its specified metabolite that exceeds that screening limit, by making a direct comparison with the spiked sample;
  - (c) if the screening limit is not exceeded, the detection of the therapeutic substance in the sample is not to be reported on a Certificate of Analysis;
  - (d) if the screening limit is exceeded, then the sample is to be further tested in accordance with normal laboratory procedures designed to certify the presence of the therapeutic substance in the sample.
- (3) A therapeutic substance for the purpose of this rule and the screening limit applicable to it or its specified metabolite is to be promulgated and published from time to time by Racing Australia.

- (4) The screening limit testing provided for in this rule is not intended to and does not operate to mean that for the purpose of the Rules the relevant therapeutic substance only becomes a prohibited substance if and when the screening limit is exceeded.
- (5) It is no defence to an alleged breach of AR 240 or AR 241 that the result of any initial screening test or screening analysis should have been below the screening limit for the therapeutic substance in question.

**AR 257A Prohibition on blood doping** *(added 1/1/20)*

- (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.

## **PART 12 – SAMPLE ANALYSIS & FACILITATION OF PROOF**

### **Division 1 – General rules**

#### **AR 258 General rules**

- (1) Samples may be analysed by a PRA or the Stewards, including without limitation for the purposes of identifying prohibited substances and/or prohibited methods referred to in these Australian Rules and to assist to profile relevant parameters in a horse's urine, blood, hair or other matrix. This applies to all samples, which includes stored samples (being samples or portions of a sample stored and/or retained, including for future analysis for purposes consistent with the Rules).
- (2) Subject to AR 259(10), samples taken from a horse by a PRA, the Stewards, or other persons authorised by a PRA, must be analysed by an Official Racing Laboratory.
- (3) All samples taken from horses for the purposes of these Australian Rules are the property of the PRA of the State or Territory in which the sample was taken.
- (4) A sample may be stored, frozen, or otherwise dealt with in a manner a PRA or the Stewards consider appropriate, and may be disposed of as a PRA or the Stewards think fit.

### **Division 2 – Sample analysis and facilitation of proof**

#### **AR 259 Sample analysis and facilitation of proof**

- (1) A sample taken from a horse ("relevant sample") may be provided by or at the direction of a PRA or the Stewards to an Official Racing Laboratory ("First Laboratory").
- (2) A portion or aliquot of the relevant sample analysed by the First Laboratory will be referred to as the "A Portion".
- (3) As soon as practicable after analysis of the A Portion is complete, the First Laboratory must notify its findings to the PRA or the Stewards from whom the relevant sample was received, by providing a written record in the nature of a Certificate of Analysis ("First Certificate of Analysis").
- (4) A second portion or aliquot of the relevant sample, together with any control of the relevant sample, may be provided by the First Laboratory to another Official Racing Laboratory ("Second Laboratory") for confirmatory analysis by it. Where that is done, the second portion or aliquot of the relevant sample provided to the Second Laboratory will be referred to as the "Reserve Portion".
- (5) As soon as practicable after analysis of the Reserve Portion is complete, the Second Laboratory must notify its findings, by providing a written record in the nature of a Certificate of Analysis ("Second Certificate of Analysis"), to:
  - (a) the PRA or the Stewards that provided the relevant sample to the First Laboratory; or
  - (b) the First Laboratory, which must then provide a copy of that certificate to the PRA or the Stewards that provided the relevant sample to the First Laboratory.
- (6) If the results stated in the Second Certificate of Analysis confirm that:



- (a) the prohibited substance detected in the Reserve Portion is the same as the prohibited substance detected in the A Portion; and
  - (b) the prohibited substance detected in the A Portion and the Reserve Portion is not detected and quantified in any control of the relevant sample,
- then the provision of the Second Certificate of Analysis will, together with the First Certificate of Analysis, constitute *prima facie* evidence that the relevant sample contains a prohibited substance.
- (7) If only one Official Racing Laboratory is either able, or available, to analyse both the A Portion and the Reserve Portion, then that laboratory can analyse both the A Portion and the Reserve Portion, provided that they are each analysed by separate qualified analysts or groups of analysts (so that no one analyst or group of analysts participates in the analysis of both the A Portion and the Reserve Portion).
  - (8) If a Certificate of Analysis states that a prohibited substance was detected in a sample, the PRA or the Stewards which receive the result must communicate that to the trainer of the relevant horse as soon as reasonably practicable.
  - (9) Nothing in AR 258 or subrules (1) to (8), including a PRA, the Stewards and/or an Official Racing Laboratory not following any procedures set out in those subrules, precludes a PRA and/or the Stewards from charging a person with breaching these Australian Rules and/or establishing:
    - (a) that a horse was administered a prohibited substance; or
    - (b) that a horse was not presented to start in a race, official trial, jump-out or attend another form of test free of prohibited substances; or
    - (c) that a horse had at a particular time a prohibited substance in its system,
 in ways other than through relying on the *prima facie* evidentiary effect of two Certificates of Analysis which is stated in subrule (6).
  - (10) A PRA or the Stewards may retain a sample, or portion or aliquot of a sample, taken from a horse for their own purposes, including without limitation to conduct their own testing or analyses (including screening tests). It is a matter of the discretion of a PRA or the Stewards as to whether they communicate the results of their own internal analyses within a reasonable time of them being received, or at all. Those analyses may be used at the discretion of a PRA or the Stewards, including for the purpose of investigations, inquiries, intelligence and/or prosecuting breaches of these Australian Rules. If an internal analysis is used to prosecute a breach of these Australian Rules, the relevant PRA or the Stewards must communicate the results of that analysis to the person/s the subject of the prosecution.
  - (11) Retesting of a sample, or portion or aliquot of a sample, is permitted to occur under these Australian Rules. Where that is done, the evidentiary effect stated in subrule (6) is able to be relied on where the results of two Certificates of Analysis record that a prohibited substance is detected in a sample.
  - (12) If a prohibited substance is detected in a stored sample submitted or resubmitted for testing and that sample was taken from a horse prior to or following its running in any

race, whether or not the horse is to be disqualified from a race it took part in is a matter for the discretion of a PRA or the Stewards.

- (13) Any sample taken from a horse prior to the date on which this rule takes effect which has not been analysed as at that date must be dealt with in accordance with subrules (1) to (12), provided that if a portion or aliquot of the sample has been analysed prior to this rule taking effect, the rules in force immediately prior to that date apply in respect of analysing the sample and proving that it contains a prohibited substance.

***Note:** By way of example, if, as at 1 March 2019, the A Portion has been analysed but the Reserve Portion has not been analysed, a PRA or the Stewards must rely on the rules in force prior to that date to analyse the sample taken from the horse and prove that it contains a prohibited substance.*

## **PART 13 – DISCIPLINARY PROCESSES, PENALTIES & RESTRICTIONS**

### **Division 1 – Evidentiary and procedural provisions in relation to disciplinary matters**

#### **AR 260 Publication of penalties**

A PRA or the Stewards may accept as *prima facie* evidence of a penalty (unless the contrary is proved) either:

- (a) written confirmation from a PRA to the effect that it has imposed or adopted a penalty; or
- (b) the authorised publication (electronically or otherwise) by Racing Australia or a PRA to the effect that a penalty has been imposed or adopted.

#### **AR 261 Recognition of penalties imposed overseas**

- (1) The recognition in Australia of written confirmation or notice from an Overseas Racing Authority in relation to the imposition by the Overseas Racing Authority of a suspension, disqualification, or other penalty on a person (“Notice of Penalty”) must proceed in accordance with this rule.
- (2) If the PRA that receives a Notice of Penalty from an Overseas Racing Authority is not the PRA that most recently licensed (for a continuous period of not less than 3 months) the person identified in the notice, the recipient PRA must forward a copy of the Notice of Penalty to the PRA which most recently licensed the person for not less than 3 months.
- (3) If the person named in the Notice of Penalty has not previously been licensed by a PRA for a continuous period of 3 months or more, the PRA that receives the Notice of Penalty must deal with it.
- (4) As soon as practicable after receiving the Notice of Penalty, and not later than 7 days after receipt, the relevant PRA must:
  - (a) serve a copy of it on the person named in it; and
  - (b) advise the person of the provisions of this rule.
- (5) Unless an application is made by a person under subrule (7), the PRA who served the Notice of Penalty under subrule (4) must:
  - (a) apply the penalty set out in the Notice of Penalty within the State or Territory which that PRA administers;
  - (b) inform all other PRAs of the application of the penalty under subrule (5)(a).
- (6) After receiving the information referred to in subrule (5)(b), all recipient PRAs must immediately apply the penalty within the State or Territory administered by it.
- (7) The person named in a Notice of Penalty served under subrule (4) (“applicant”) may apply to the PRA which most recently licensed the person for a declaration that the penalty set out in the Notice of Penalty:
  - (a) not be applied at all by that PRA within its State or Territory; or
  - (b) be applied only in part by that PRA within its State or Territory, (“application”).

- (8) Subject to subrule (11)(a), any application must:
- (a) be made within 14 days of the date of service of a Notice of Penalty under subrule (4);
  - (b) be accompanied by a statement confirming that the applicant has exhausted all avenues of appeal provided for under the rules of the Overseas Racing Authority which imposed the initial penalty;
  - (c) set out the ground/s on which the application is made; and
  - (d) set out, including by reference to subrules (7(a) and (b)), the terms of any orders or declarations sought.
- (9) On receipt of an application, the PRA who receives the application may, in its absolute discretion, determine that the penalty set out in the Notice of Penalty is not to be applied within the State or Territory it administers, pending the hearing of the application.
- (10) Within 7 days of the receipt of an application, the PRA which receives the application must hear and determine the matter.
- (11) At the hearing of an application:
- (a) the PRA may, if requested by the applicant, waive compliance with the provisions of all or some of subrule (8) as it thinks fit;
  - (b) the applicant may:
    - (i) with the permission of the PRA, be represented by a legal practitioner or agent;
    - (ii) give oral evidence;
    - (iii) adduce other oral or written evidence;
    - (iv) make oral or written submissions in support of the application.
- (12) At the conclusion of the hearing of an application, the PRA must:
- (a) if satisfied that there are exceptional circumstances, order that the application be granted and make the orders or declarations sought;
  - (b) otherwise order that the application be dismissed.
- (13) For the purposes of subrule (12), the onus of establishing exceptional circumstances is upon the applicant.
- (14) If any order/s or declaration/s under subrule (12) are made, the PRA to which the application was made is required to notify all other PRAs of the terms of the order/s or declaration/s made.
- (15) Once the notice referred to in subrule (14) is given, the order/s or declaration/s set out in that notice will apply within each of the States and Territories of the PRAs who receive that notice.

#### **AR 262 Records of disqualifications, suspensions, and warning offs**

Each PRA must retain, and from time to time publish either on its website or in an official publication authorised by it:

- (a) a list of persons suspended, warned off or disqualified by it, or whose suspension or disqualification (as applicable) has been adopted by it;
- (b) a list of horses disqualified by it, or whose disqualification has been adopted by it.

**Division 2 – Effects of penalties and restrictions imposed on persons and horses**

**AR 263 Prohibitions on persons and their conduct while disqualified**

- (1) Unless otherwise authorised by the PRA which imposed a disqualification (and upon such conditions as that PRA may in its discretion impose), a person disqualified under these Australian Rules must not, during the period of that disqualification:
  - (a) enter upon a racecourse or training track owned, operated or controlled by a PRA or Club or on any land used in connection with those properties;
  - (b) enter upon any training premises, complex or establishment of a PRA, Club or licensed person;
  - (c) be an office holder, official, member or employee of any PRA or Club or participate in the business of any PRA, Club, or any other racing disciplinary body;
  - (d) be employed by, or otherwise engaged to provide any service in any capacity to any thoroughbred racing stable;
  - (e) ride any horse in any race, official trial, jump-out or test;
  - (f) enter or nominate a horse for a race or official trial, whether acting as agent or principal or in any other capacity;
  - (g) subscribe to any sweepstakes;
  - (h) race or have trained any horse, whether as owner, lessee or in any other capacity;
  - (i) share in the winnings of any horse;
  - (j) participate in any way in the preparation for racing or training of any horse;
  - (k) open a betting account, operate an existing betting account, transact a bet or have a bet transacted on his or her behalf, have any interest in or share in any bet, and/or receive a benefit from any bet placed with a licensed wagering operator in connection with any thoroughbred race meeting held in Australia;
  - (l) conduct or assist with thoroughbred breeding in Australia;
  - (m) attend or participate in thoroughbred horse sales or related events;
  - (n) permit or authorise any other person to conduct any activity associated with thoroughbred racing, thoroughbred horse sales and/or breeding for or on behalf of the disqualified person; and/or
  - (o) receive any direct or indirect financial or other benefit derived from thoroughbred racing and/or breeding in Australia.
- (2) In addition to any of the restrictions that may apply in respect of a disqualified person, including those set out in subrule (1), the PRA or the body which imposed the disqualification may order the disqualified person:
  - (a) not to participate in social or mainstream media in relation to any matter in connection with racing or wagering;

- (b) to adhere to such other restrictions as may be necessary or desirable to prevent conduct by the disqualified person that could be prejudicial to the image, interests, integrity or welfare of racing, and the disqualified person must comply with any such order.
- (3) Except with the consent of the PRA that imposed a disqualification, a person who in the opinion of the relevant PRA or the Stewards is a close associate of a disqualified person, must not train or race any horse.
- (4) Unless otherwise determined by the PRA that imposed or adopted a penalty, if a person breaches subrule (1), the period of disqualification imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.
- (5) The provisions of subrule (4) apply to any person to whom subrule (1) applies, regardless of when the penalty that gives rise to the application of the rule was imposed.
- (6) Notwithstanding the provisions of this rule:
  - (a) if a lessor is a disqualified person, or in the opinion of a PRA or the Stewards is a close associate of a disqualified person, a PRA may in its discretion waive the operation of the provisions of this rule in favour of a person who leases a horse from that lessor either in respect of a particular race meeting or otherwise during the currency of the lease; and
  - (b) if the discretion referred to in subrule (6)(a) is exercised in favour of a lessee then:
    - (i) if the lessor's horse wins any or prize money, the amount of the stake or prize money will be reduced by the amount or proportion of it to which the lessor would otherwise be entitled pursuant to any written or oral agreement entered into between the lessor and the lessee in respect of the horse; and
    - (ii) no part of a stake or prize money as referred to in subrule (6)(b)(i) is to be payable to the lessor nor be recoverable by the lessor from any PRA, Club, the lessee, or any other person.

### **LR 263**

- (1) Where a person is disqualified or warned off under the RWWA Rules of Greyhound Racing or the RWWA Rules of Harness Racing then, thereupon, the person is taken to be a disqualified or warned off person under these Rules.*
- (2) Where a person is declared a defaulter under the RWWA Rules of Greyhound Racing or placed on the unpaid forfeit list under the RWWA Rules of Harness Racing, then, immediately thereupon, the person is taken to be declared to be placed on the forfeit list under these Rules.*
- (3) When imposing a period of suspension under the RWWA Rules of Greyhound Racing or the RWWA Rules of Harness Racing the Stewards imposing such penalty may impose the same period of suspension with respect to all licences held by the person under these Rules.*

### **LR 263A**

- (1) The period of disqualification or warning off of any person, who is disqualified or warned off, who contravenes AR263, shall automatically be deemed to recommence as from the most recent date of such contravention and may also be subject to further*

*penalty.*

- (2) The provisions of sub-rule (1) shall apply to any person to which AR263 applies, regardless of when such penalty that gives rise to the application of the rule was imposed.*

#### **LR 263B**

- (1) In the event of a disqualified person failing to -*

- (a) pay any fine or costs imposed by the Controlling Body or Stewards; or*
- (b) return any prizemoney or trophy won by a horse which has been disqualified; or*
- (c) comply with any direction issued by Stewards or the Controlling Body as a result of their disqualification*

*Within the period of time as prescribed or otherwise approved by the Controlling Body or Stewards, then the period of disqualification shall cease to efflux until such time as they have complied in full with their obligations in this regard.*

- (2) Where the matters referred to above are pending the outcome of an appeal or subject to a formal order of a stay of proceedings, the operation of this rule shall not apply until that appeal is determined.*

#### **LR 263C**

*Except with the consent of the Principal Racing Authority or Stewards that imposed the disqualification or warning off, any person that is disqualified or warned off from the date of effect of this rule, shall not be eligible to receive any awards, breeders bonus payments or other such financial payments or prizes that they would otherwise be entitled to in relation to any races from the date of imposition of such penalty.*

#### **AR 264 No betting by a bookmaker with disqualified persons**

A bookmaker must not bet with a disqualified person, whether in person, online, by telephone, or using any other device or medium.

#### **AR 265 Restrictions that apply to those warned off the same as those disqualified**

A person warned off by a PRA is subject to the same restrictions or consequences applicable to a person disqualified in accordance with the Rules.

#### **AR 266 Prohibitions on conduct of riders during period of suspension**

- (1) Unless otherwise ordered, during the period of a rider's suspension the rider cannot ride in any race, official trial, jump-out or trackwork, except if the terms of the rider's suspension are that the rider is suspended from riding in races only.*
- (2) Except with the consent of a PRA or the Stewards who imposed a suspension, a rider is not permitted to be registered as a stablehand or be employed or work in any racing stable during the period of that rider's suspension.*

#### **AR 267 Prohibitions on conduct of trainers during suspension** *(amended 1/2/21)*

Unless otherwise authorised by the PRA or the Stewards in whose territory a suspension was imposed on a trainer (and upon such conditions as the PRA or the Stewards may in their discretion impose), a suspended trainer must not, during the period of that suspension:

- (a) as a trainer or permit holder, nominate a horse for a race, official trial or jump-out;*
- (b) train, or participate in any way in the training or preparation for racing of, a horse (including without limitation the giving of instructions);*
- (c) be registered as a stablehand;*

- (d) be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable; or
- (e) enter the mounting yard, scales area or horse stall area at a racecourse, save that a suspended trainer may enter such an area if he or she is the owner of a horse in that area.

#### **AR 268 Prohibitions on conduct of bookmakers during suspension**

A bookmaker suspended by a PRA or the Stewards (or any relevant supervising body) must not field at or in respect of any race meeting conducted under the Rules, or be in any way concerned with the operations of a bookmaker during the period of suspension.

#### **AR 269 Prohibitions on conduct of stablehands during suspension**

Unless otherwise permitted by a PRA or the Stewards, and on conditions they think fit, a suspended stablehand must not work in any racing stable during the period of that person's suspension.

#### **AR 270 Orders that can be made in relation to a suspended person**

In addition to any of the restrictions that may apply to a suspended person under the Rules, the PRA or the body which imposed the suspension may order the suspended person:

- (1) not to enter designated places at racecourses except at times or on conditions as may be specified in the order;
- (2) not to participate in social or mainstream media in relation to any matter in connection with racing or wagering; and
- (3) to comply with such conditions as may be necessary or desirable to prevent conduct by the suspended person that could be prejudicial to the image, interests, integrity or welfare of racing,

and the suspended person must comply with any such order.

#### **AR 270A Penalty for breach of terms of suspension** *(added 1/1/2020)*

- (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.

#### **AR 271 Effect of court proceeding on disqualifications or suspensions**

- (1) If, in relation to a disqualification or suspension imposed under these Australian Rules, a court makes an order or declaration which affects the fact of or operation of such a disqualification or suspension, then the time during which the disqualification or suspension would but for the court order or declaration have been effective will not be included in calculating the duration of the disqualification or suspension.
- (2) The provisions of subrule (1) apply in relation to court orders or declarations which include:
  - (a) that the disqualification or suspension is, or is not, operative; or



- (b) that the disqualification or suspension is not to be enforced or acted upon either generally or for any specified period of time; or
  - (c) that the disqualification or suspension is to be for a limited period of time.
- (3) If an order of a court ceases to have effect for any reason, then, subject to any order a court may make or may have made, the duration of a disqualification or suspension is to commence to run, or resume running, from the date when that order ceases to have effect.

#### **AR 272 Effect of bonus payable to a disqualified person**

A horse is not to be disqualified from a race by reason only of a bonus payable under the conditions of the race to a disqualified person as breeder or nominator of the sire, and in the event of that horse winning or being placed, any bonus applicable is to be withheld and paid to the nominator of the horse.

#### **AR 273 A horse cannot participate while disqualified**

A horse disqualified by a PRA or the Stewards cannot be entered or run in any race held under these Australian Rules or be trained on any racecourse, training track or training facility where these Australian Rules are in force.

#### **LR 273**

- (a) No disqualified horse shall except by leave of the Principal Racing Authority remain under the training, care, management or superintendence of any licensed trainer for a longer term than seven days after the disqualification has been incurred.*
- (b) Any infringement of this Rule shall render the trainer of such horse and the owner or nominator thereof liable to be penalised at the discretion of the Stewards in accordance with the Rules.*

#### **AR 274 Effect of prize otherwise awarded if a horse is disqualified**

If a horse is disqualified from a particular race, or for anything occurring in a race, the prize or money (including any proportion the horse's rider would have been entitled to) is to be awarded as though that horse had not started in the race.

#### **AR 275 Effect on a horse of disqualification of a person associated with the horse**

- (1) If a PRA disqualifies a person, it may disqualify any horse the disqualified person has an interest in for the same or any other period of time.
- (2) Notice of every general disqualification of horses and their names (when they can be ascertained) is required to be included in the List of Disqualifications, but the omission of any horse's name does not affect the restrictions which are part of that disqualification.

#### **AR 276 Effect of disqualified or suspended trainer on horses**

- (1) The disqualification of a trainer or the suspension of a trainer's licence does not of itself render ineligible for racing a horse which at the time of the disqualification or suspension was being trained by the trainer, and in which the trainer had no interest other than as trainer, provided that the horse is removed as soon as practicable to the possession of another trainer who is expressly approved by a PRA to train that horse.
- (2) For the purposes of this rule, "being trained" includes any horse the disqualified or suspended trainer was responsible for the care and control of, and/or any horse for which a current Stable Return has been lodged declaring the horse to be trained by the disqualified or suspended trainer.

**AR 277 Discretion in relation to suspensions**

- (1) A PRA or the Stewards may suspend any licence, right or privilege granted under the Rules for any term they think fit so far as it relates to the racecourses or race meetings controlled by them.
- (2) A suspension referred to in subrule (1) may be disallowed or removed by a PRA.

**AR 278 Disqualified person bound by the Rules during disqualification**

- (1) Subject to subrule (2), if a licensed person is disqualified, that person's licence immediately ceases and becomes void, and the person must make application to a PRA to be relicensed in order to be granted a new licence.
- (2) For the duration of a period of disqualification, a disqualified person is and remains bound by, and subject to, the Rules.

**AR 279 No damages for decisions made under the Rules** *(amended 6/4/22)*

- (1) A person is not entitled to make any claim for damages by reason or in consequence of the imposition, annulment, removal, variation, or remission of any decision made, or penalty, restriction or sanction imposed or purporting to be imposed, under the Rules.
- (2) Neither Racing Australia (including the Australian Stud Book), a PRA, a Steward, a Club, or an official shall be liable to any person for any loss or damage sustained by that person as a result of, or in any way (either directly or indirectly) arising out of the exercise of, any right, privilege, power, duty, function or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the Rules.

**Division 3 – Stewards' hearings and appeal rights****AR 280 Appeals to a PRA**

- (1) Subject to subrule (2) and the Rules, a person to whom a decision relates may appeal to a PRA in respect of:
  - (a) a penalty imposed by a PRA or the Stewards; or
  - (b) a restriction imposed by a PRA or the Stewards in relation to a horse in which the person has an interest.
- (2) There is no right of appeal against a decision of the Stewards in relation to:
  - (a) a protest against placed horses arising out of an incident or incidents occurring during the running of a race;
  - (b) a restriction imposed on a horse which provides that the horse is required to pass a specified trial, test or examination;
  - (c) the eligibility of any horse to run in any race;
  - (d) a declaration under AR 204(1).

**AR 281 Legal representation at Stewards' inquiries or hearings**

- (1) A person attending or required to attend an inquiry or hearing conducted by the Stewards is not entitled to be represented by any other person, whether a member of the legal profession or otherwise.

- (2) Notwithstanding subrule (1), an apprentice jockey may be represented at an inquiry or hearing conducted by the Stewards by the apprentice jockey's master or other trainer acting for his or her master.

#### **AR 282 Consequences of findings can be suspended pending an appeal**

When an appeal has been instituted against a disqualification or suspension imposed under these Australian Rules, the PRA concerned and any persons holding powers delegated by a PRA under AR 15(d) may, on terms they think fit, suspend or stay the operation in whole or in part of any restrictions upon disqualified or suspended persons and disqualified horses until the determination of the appeal.

*LR 282 Any person who is aggrieved by a determination or finding of the Principal Racing Authority, the Committee of any Club or the Stewards;*

*(a) shall have the right of appeal to the Racing Penalties Appeal Tribunal under the terms and conditions of the Racing Penalties (Appeals) Act 1990,*

*(b) may make application to the Racing Penalties Appeal Tribunal for a stay of proceedings under the terms and conditions of the Racing Penalties (Appeals) Act 1990.*

#### **Division 4 – Penalties**

##### **AR 283 Penalties**

- (1) Subject to subrule (3), a person or body authorised by the Rules to penalise any person may, unless the contrary is provided, impose:
  - (a) a disqualification;
  - (b) a suspension;
  - (c) a reprimand; or
  - (d) a fine not exceeding \$100,000.
- (2) Further to subrule (1), a disqualification or suspension may be supplemented by a fine.
- (3) In respect of a breach of AR 132, the Stewards may, in addition to the penalties identified in subrules (1) and (2), order the forfeiture of the rider's riding fee and/or forfeiture of all or part of the rider's percentage of prize money, notwithstanding that the amount exceeds \$100,000.
- (4) Unless otherwise ordered by the person or body imposing the penalty, a disqualification or suspension imposed under subrules (1) to (3) is to be served cumulatively to any other suspension or disqualification.
- (5) Any person or body authorised by the Rules to penalise a person may in respect of any penalty imposed in relation to the conduct of a person and other than in relation to a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding 2 years, on terms they think fit.
- (6) Where a person breaches any of the rules listed below, a disqualification for a period of not less than the period specified for that rule must be imposed unless there is a finding that a special circumstance exists, in which case that penalty may be reduced:
  - (a) AR 115(1)(e): 2 years;

- (b) AR 116(1): 2 years;
  - (c) AR 129(5): 3 years;
  - (d) AR 229(1)(b): 5 years;
  - (e) AR 231(2)(a): 2 years.
  - (f) AR 243(1): 2 years;
  - (g) AR 244(1): 3 years;
  - (h) AR 248(1): 2 years;
  - (i) AR 249(1): 6 months; and
  - (j) AR 255(1) (subject to the conditions in AR 255(2)): 12 months
- (7) A person or body authorised by these Australian Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than 7 clear days following the day the suspension or disqualification was imposed, and upon terms and conditions considered fit.
- (8) Notwithstanding that the commencement of a period of disqualification may be deferred under subrule (7), a trainer must not start a horse in any race from the time of the decision to disqualify that trainer until the expiration of the period of disqualification.

***LR 283** The Stewards shall have the power to defer, for a period of no longer than nine (9) days, the commencement of any suspension imposed by them upon a rider provided that such rider has been engaged as the rider of a horse on one of those days.*

***LR 283A** For the purposes of these Rules and the imposition of a penalty under AR283(6) a special circumstance may apply, if in the opinion of the Stewards, it is in the interests of justice given the special circumstances and conduct of the person in relation to the commission and investigation of the offence.*

#### **AR 284 Defaulters in bets**

A person found by a PRA or the Stewards to be a defaulter in bets may be disqualified until his or her default is cleared.

#### **LR 284 Restrictions on Bookmakers**

- (1) Any person who is a holder of a valid Bookmakers or Bookmaker Clerk's licence shall not;*
- (a) enter any place reserved by a Club for the use of jockeys during the conduct of a meeting and for the period of one hour prior to the commencement thereof.*
  - (b) handle, in any way, any horse drawn to compete at the meeting at which they are fielding.*
  - (c) be entitled to be granted an owner-trainers permit or any other permit to train.*
  - (d) lend money or give credit to or become surety for any owner, lessee, jockey, or trainer of a runner, or do or permit any act or thing whereby such owner, lessee, jockey or trainer shall become indebted or be under any financial obligation to the bookmaker other than a legitimate betting transaction.*

- (e) accept a bet from any disqualified person or from any person who is betting on behalf of a disqualified person.*
- (f) Accept a bet from a jockey, apprentice or approved rider.*
- (2) (a) The Stewards may at their sole discretion, upon application, consent to a variation of the restrictions in sub-rule (1)(b) and/or (c) of this rule that apply to a Bookmakers Clerk under such terms and conditions as they may determine from time to time.*
- (b) A Bookmakers Clerk that has been granted a trainer's licence pursuant to this rule, shall not operate as a Bookmakers Clerk at any race meeting at which he has a runner(s) engaged.*

**PART 14 – TRACEABILITY RULES** (*rules 285-312 added 1/5/21*)**Division 1 – Unnamed horses****AR 285 Lodgment of Mare Return (live foals)**

- (1) A Mare Return must be lodged with the Australian Stud Book by the manager of a broodmare or his or her authorised agent within 30 days of the broodmare giving birth to a live foal.
- (2) A Mare Return lodged under subrule (1) must:
  - (a) comply with the requirements set out in the Australian Stud Book Rules;
  - (b) disclose the foaling location;
  - (c) disclose the location of the broodmare at the date of the lodgment;
  - (d) be in the form prescribed by the Australian Stud Book;
  - (e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
  - (f) contain any other information the Australian Stud Book considers necessary.
- (3) For the purposes of this rule, the “manager” includes the breeder where the broodmare has not yet been registered for breeding in accordance with AR 301.
- (4) For the sake of clarity, nothing in this rule affects a person’s Mare Return obligations under the Australian Stud Book Rules, save that lodgment of a Mare Return in accordance with this rule constitutes lodgment of a Mare Return under the Australian Stud Book Rules.

**AR 286 Lodgment of Foal Ownership Declaration**

- (1) A Foal Ownership Declaration must be lodged with Racing Australia by the manager of a foal or his or her authorised agent within 30 days of the foal’s birth.
- (2) A Foal Ownership Declaration must:
  - (a) disclose the name of each person with a beneficial interest in the foal from its birth to the date of the declaration;
  - (b) disclose the location of the foal at the date of the declaration;
  - (c) be in the form prescribed by Racing Australia;
  - (d) be accompanied by the fee prescribed by Racing Australia (if any); and
  - (e) contain any other information Racing Australia considers necessary.
- (3) It is a condition precedent to any lodgment under this rule that the manager or his or her authorised agent lodging the Foal Ownership Declaration undertakes to be bound by the Rules and, upon action being taken in compliance with this rule (including by a Syndicate as applicable), the unnamed horse and its owners become subject to, and agree to be bound by, the Rules for the following purposes only as a consequence of, and relating to, the lodgment of the Foal Ownership Declaration:
  - (a) the testing of a named horse which has not been retired from racing under AR 297 for the presence of substances that are prohibited at any time by the Rules;
  - (b) the testing of an unnamed horse for the presence of anabolic androgenic steroids;
  - (c) the observation of other horses for health and welfare reasons only where there is concern for their health and welfare based on reasonable grounds; and
  - (d) the rules that relate to traceability (any rule under this Part 14 and any relevant Local Rules).
- (4) Nothing in this rule affects, or releases any person from, any requirement to be bound by the Rules that arises other than by the lodgment of the Foal Ownership Declaration, including but not limited to any requirement to be bound by the Rules that arises as a

result of the lodgment of any other form, the making of any other notification, disclosure or declaration, or the operation of any of the Rules.

**AR 287 Failure to lodge Mare Return and/or Foal Ownership Declaration**

- (1) Except where Racing Australia, in its sole and absolute discretion, permits otherwise, an unnamed horse cannot be registered for racing under these Australian Rules unless a Mare Return and a Foal Ownership Declaration have been lodged in accordance with AR 285 and AR 286 respectively.
- (2) The discretion in subrule (1) may be exercised by Racing Australia in respect of matters occurring at any time, including prior to the commencement of that subrule.
- (3) Where a Mare Return and/or a Foal Ownership Declaration have not been lodged in accordance with AR 285 and AR 286 respectively, an owner of the horse must disclose that fact to any potential buyers prior to any sale of the horse.

**AR 288 Unnamed horse transfer of ownership**

- (1) If an unnamed horse is transferred to a new owner/s, the transfer must be registered with Racing Australia in accordance with this rule.
- (2) Between the time specified in AR 286(1) and the time an unnamed horse is first registered for racing in accordance with AR 294, all transfers of ownership of that horse must be lodged with Racing Australia by both the outgoing owners and the incoming owners within 7 days of each transfer taking place. For the sake of clarity, where an unnamed horse has multiple owners, the outgoing owners are only required to sign transfer documents to the extent required of them by the applicable agreement governing the horse ownership venture (e.g. the COA).
- (3) If a person breaches subrule (2), a PRA or the Stewards may restrict the relevant horse from being entered for a race, official trial or jump-out for a period not exceeding 1 month from identification of the breach.
- (4) Any unnamed horse transfer of ownership application lodged by a Syndicate under subrule (2) shall be sufficient if signed by a majority of the members or by the Syndicate manager.
- (5) An unnamed horse transfer of ownership application must:
  - (a) disclose the location of the horse at the time of the application and the intended location and use of the horse following the transfer;
  - (b) disclose the seller's and the buyer's name and contact details;
  - (c) disclose the sale price;
  - (d) be in the form prescribed by Racing Australia;
  - (e) be accompanied by the fee prescribed by Racing Australia (if any); and
  - (f) contain any other information Racing Australia considers necessary.
- (6) Racing Australia, a PRA or the Stewards may conduct inquiries into the circumstances of the transfer of an unnamed horse as they see fit, whether or not the transfer has been effected.
- (7) Racing Australia may:
  - (a) accept an unnamed horse transfer of ownership application; or
  - (b) on proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horse concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules:
    - (i) reject an unnamed horse transfer of ownership application; or

- (ii) if an unnamed horse transfer of ownership has been effected, set aside the transfer.
- (8) If an unnamed horse transfer of ownership application is accepted or set aside, Racing Australia must as soon as practicable amend the official ownership records.

**AR 289 Unnamed horse change of location**

- (1) The manager of an unnamed horse or his or her authorised agent, or any other person with the relevant knowledge, must disclose:
  - (a) any change in the previously notified location of the unnamed horse to Racing Australia within 3 days of the day on which that change is finalised, by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia; and
  - (b) the location of the unnamed horse upon request by Racing Australia and/or the relevant PRA, including as required by any registration, transfer of ownership, or other form.
- (2) A person is not required to comply with subrule (1)(a) if:
  - (a) the unnamed horse is away from its previously notified location for no more than 30 days and during that period the horse is:
    - (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
    - (ii) under the direct care of a qualified veterinary surgeon, for the purpose of obtaining treatment from a qualified veterinary surgeon; or
  - (b) the unnamed horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.
- (3) Nothing in this rule affects a trainer's Stable Return obligations under AR 296.

**AR 290 Decision to not commence racing unnamed horse**

- (1) Within 7 days of a decision to not commence racing an unnamed horse, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.
- (2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to race or be trained unless it is reinstated to race or be trained in accordance with this rule.
- (3) If a horse ceases to be eligible to race or be trained under this rule, a person must not reinstate the horse to race or be trained without the express permission of a PRA or the Stewards.
- (4) Without limiting their powers to refuse to reinstate a horse to race or be trained in their absolute discretion, for the purposes of subrule (3) a PRA or the Stewards must not grant permission for a horse to be reinstated to race or be trained unless:
  - (a) the horse has passed a veterinary examination conducted by a qualified veterinary surgeon to the satisfaction of the relevant PRA or the Stewards;
  - (b) all relevant transfers of ownership in respect of the horse have been registered with Racing Australia or the relevant PRA (as applicable) in accordance with the Rules;
  - (c) the horse, the trainer and/or the manager have satisfied any other reinstatement requirements of the relevant PRA or the Stewards; and
  - (d) the relevant PRA or the Stewards have considered the wishes of the last owner/s of the horse prior to the decision to not commence racing in respect of any future



reinstatement, as notified on the relevant form (including a Stable Return where applicable).

#### **AR 291 Unraced unnamed horse into care of industry participant**

- (1) This rule applies where:
  - (a) a decision to not commence racing an unnamed horse is made in accordance with AR 290 (for the purposes of this rule, “unraced horse”);
  - (b) the unraced horse is not registered for breeding in accordance with AR 301; and
  - (c) the person responsible for the unraced horse is a participant in racing (as defined in AR 2) or is otherwise licensed or registered under the Rules (for the purposes of this rule, “responsible person”).
- (2) During the period in which the responsible person is responsible for the care of the unraced horse, within 7 days of any of the following occurring that person must notify Racing Australia by lodging the relevant form prescribed by Racing Australia:
  - (a) the transfer of the unraced horse to any other person;
  - (b) the change of the unraced horse’s location;
  - (c) the decision to retire the unraced horse from any non-racing career, including but not limited to equestrian pursuits; or
  - (d) the death of the unraced horse.
- (3) A person is not required to comply with subrule (2)(b) if:
  - (a) the unraced horse is away from its previously notified location for no more than 30 days and during that period the horse is:
    - (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
    - (ii) under the direct care of a qualified veterinary surgeon, for the purpose of obtaining treatment from a qualified veterinary surgeon; or
  - (b) the unraced horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

#### **AR 292 Death of unnamed horse**

- (1) Within 48 hours of the death of an unnamed horse, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.
- (2) A person must not dispose of a deceased unnamed horse without the written approval of Racing Australia or the relevant PRA unless a veterinary certificate as to cause of death is provided to Racing Australia or the relevant PRA.
- (3) Any person who fails to comply with subrule (1) is not guilty of a breach of that subrule if he or she proves to the satisfaction of the Stewards that he or she was not aware, and could not reasonably have been aware, of the death of the horse.

#### **AR 293 Status update for unnamed horse**

- (1) Within 7 days of an unnamed horse not having been the subject of any activity with Racing Australia or a PRA for a period of 6 consecutive months, the manager or his or her authorised agent must notify Racing Australia of the following matters by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia:
  - (a) the current status of the horse;
  - (b) the location of the horse; and

- (c) any other matters in respect of which a form should have been lodged or a notification should have been made under any rule in this Part 14 in the 6 month period.
- (2) Prior to the horse reaching the 6 month period of inactivity referred to in subrule (1), Racing Australia will notify the manager or his or her authorised agent of the upcoming notification requirement.
- (3) For the purposes of this rule, “activity” includes but is not limited to the lodgment or notification of a Stable Return, registration for racing, transfer of ownership, change of location, decision to not commence racing, or death.

### **Division 2 – Named horses**

#### **AR 294 Registration of horse for racing**

- (1) An application to register a horse for racing (which has complied with AR 285 and AR 286) must be lodged by the owner/s (or the lessee/s) with Racing Australia at least 5 business days before the horse is entered for a race or official trial, and must:
  - (a) disclose the details of the horse, including without limitation its age, sex, colour, sire, dam, microchip number, Foal Identification Card, any brands and markings, and any disqualifications or restrictions incurred;
  - (b) disclose the name of each owner (or lessee) and their ownership (or lease) share;
  - (c) disclose the location of the horse at the time of the application;
  - (d) be in the form prescribed by Racing Australia;
  - (e) be accompanied by the fee prescribed by Racing Australia (if any); and
  - (f) contain any other information Racing Australia considers necessary.
- (2) Racing Australia may require that any of the information identified in subrule (1) be verified by statutory declaration.
- (3) Racing Australia may in its discretion accept or reject any application for registration of any horse for racing.
- (4) Upon registration of a horse under this rule, Racing Australia will issue the manager with a Certificate of Registration (Racing).
- (5) Until a horse has been registered for racing as required by this rule, the horse cannot start in:
  - (a) a race; or
  - (b) an official trial without the permission of a PRA or the Stewards (whom may impose conditions as they see fit on any permission granted).

#### **AR 295 Named horse transfer of ownership**

- (1) If a named horse is transferred to a new owner/s, the transfer must be registered with Racing Australia or the relevant PRA (as applicable) in accordance with this rule.
- (2) All transfers of ownership of a named horse must be lodged with the Racing Australia or the relevant PRA (as applicable) by both the outgoing owners and the incoming owners:
  - (a) within 7 days of each transfer taking place; or
  - (b) at least 24 hours before the horse is entered for a race or official trial,
 whichever is earlier. For the sake of clarity, where a named horse has multiple owners, the outgoing owners are only required to sign transfer documents to the extent required of them by the applicable agreement governing the horse ownership venture (e.g. the COA).

- (3) Any named horse transfer of ownership application lodged by a Syndicate under subrule (2) shall be sufficient if signed by a majority of the members or by the Syndicate manager.
- (4) A named horse transfer of ownership application must:
  - (a) disclose the location of the horse at the time of the application and the intended location and use of the horse following the transfer;
  - (b) disclose the seller's and the buyer's name and contact details;
  - (c) disclose the sale price;
  - (d) be in the form prescribed by Racing Australia or the relevant PRA;
  - (e) be accompanied by the fee prescribed by Racing Australia or the relevant PRA (if any); and
  - (f) contain any other information Racing Australia or the relevant PRA considers necessary.
- (5) A PRA or the Stewards may conduct inquiries into the circumstances of the transfer of a named horse as they see fit, whether or not the transfer has been effected.
- (6) A PRA may:
  - (a) accept a named horse transfer of ownership application; or
  - (b) on proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horse concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules:
    - (i) reject a named horse transfer of ownership application; or
    - (ii) if a named horse transfer of ownership has been effected, set aside the transfer.
- (7) If a named horse transfer of ownership application is accepted or set aside, the relevant PRA must as soon as practicable amend the official ownership records.
- (8) Until a named horse transfer of ownership is registered as required by this rule, the horse cannot start in a race or official trial without the permission of a PRA or the Stewards (whom may impose conditions as they see fit on any permission granted).

#### **AR 296 Named horse change of location**

- (1) Except where stated otherwise, this rule applies to all named and unnamed horses, provided that in respect of an unnamed horse nothing in this rule shall limit the requirements set out in AR 289.
- (2) A trainer must:
  - (a) disclose the location of a horse under his or her care upon request by a PRA and/or the Stewards (for any purpose) and/or Racing Australia (for retirement purposes only);
  - (b) lodge a Stable Return immediately upon a horse joining the trainer's stable;
  - (c) notify the Stewards immediately upon a horse which has been retired from racing joining the trainer's stable;
  - (d) lodge an amendment to a Stable Return immediately if:
    - (i) any particulars on the Stable Return have changed; or
    - (ii) a horse leaves or joins the trainer's stable, or moves to another of the trainer's premises (where the trainer's stable is comprised of more than one premises), with the amendment to disclose the precise location of the horse.
- (3) For the purposes of subrule (2):

- (a) if a trainer's stable is comprised of more than one premises, the trainer must disclose at which premises the horse is located;
  - (b) when a horse leaves a trainer's stable to spell or otherwise the trainer must disclose the location of the property at which the horse will be located.
- (4) Where a horse has been entered for a race, from the time of entry to arrival on course prior to racing:
- (a) except with the permission of the Stewards, the horse must be stabled only at the premises from which the horse's trainer is licensed to train;
  - (b) if the horse is travelling to participate in the race, the horse's trainer must inform the Stewards of the horse's proposed travel plans prior to the horse's departure from the trainer's stable and/or lodge a Stable Return disclosing the location of the horse (as required by the relevant PRA).
- (5) Where a horse is entered for a race in which the entries close more than 60 days prior to the advertised date for the running of the race, subrule (4) shall not apply from the time of entry, but shall apply from the period commencing 6 days prior to the advertised date for the running of the race.
- (6) If a trainer fails to lodge, in whole or in part, a Stable Return or any amendment thereof, or fails to provide details of the location or movements of a horse, in accordance with the provisions of this rule, the entry of the horse for any race, official trial or jump-out may be rejected or cancelled.
- (7) The manager of a named horse or his or her authorised agent must, unless otherwise contained in a Stable Return lodged by a trainer in accordance with this rule, disclose:
- (a) any change in the previously notified location of the named horse to the relevant PRA by midnight of the day on which that change is finalised, by lodging the relevant form prescribed by Racing Australia or the relevant PRA; and
  - (b) the location of that horse upon request by Racing Australia and/or a PRA, including as required under any registration, transfer of ownership, or other form.
- Note:** By way of example, the notification obligation on a manager would arise under subrule (7)(a) if a named horse was transferred from one spelling property to another spelling property.
- (8) The requirement referred to in subrule (7)(a) does not apply where the named horse is under the care of a trainer and the manager proves to the satisfaction of the Stewards 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.

**AR 297 Decision to retire named horse** *(section (4) (d) amended GG 27/7/21)*

- (1) Within 7 days of a decision to retire a named horse from racing, the manager or his or her authorised agent must notify Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.
- (2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to race or be trained unless it is reinstated to race or be trained in accordance with this rule.
- (3) If a horse ceases to be eligible to race or be trained under this rule, a person must not reinstate the horse to race or be trained unless he or she complies with the Racing Australia Code of Practice: *Reinstatement of a retired racehorse* (as amended from time to time) and obtains the express permission of a PRA or the Stewards. *(amended 1/6/23)*

- (4) Without limiting their powers to refuse to reinstate a horse to race or be trained in their absolute discretion, for the purposes of subrule (3) a PRA or the Stewards must not grant permission for a horse to be reinstated to race or be trained unless:
  - (a) the horse has passed a veterinary examination conducted by a qualified veterinary surgeon to the satisfaction of the relevant PRA or the Stewards;
  - (b) all relevant transfers of ownership in respect of the horse have been registered with Racing Australia or the relevant PRA (as applicable) in accordance with the Rules; and
  - (c) the horse, the trainer and/or the manager have satisfied any other reinstatement requirements of the relevant PRA or the Stewards; and
  - (d) the relevant PRA or the Stewards have considered the wishes of the last owner/s of the horse prior to retirement from racing in respect of any future reinstatement, as notified on the relevant form (including a Stable Return where applicable).
- (5) Notwithstanding AR 78, within 7 days of a horse turning 13 years of age, the manager or his or her authorised agent must notify Racing Australia of the horse's retirement by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

#### **AR 298 Named horse retired to industry participant**

- (1) This rule applies where:
  - (a) a named horse is retired from racing in accordance with AR 297 (for the purposes of this rule, "retired racehorse");
  - (b) the retired racehorse is not registered for breeding in accordance with AR 301; and
  - (c) the person responsible for the retired racehorse is a participant in racing (as defined in AR 2) or is otherwise licensed or registered under the Rules (for the purposes of this rule, "responsible person").
- (2) During the period in which the responsible person is responsible for the care of the retired racehorse, within 7 days of any of the following occurring that person must notify Racing Australia by lodging the relevant form prescribed by Racing Australia:
  - (a) the transfer of the retired racehorse to any other person;
  - (b) the change of the retired racehorse's location;
  - (c) the decision to retire the retired racehorse from any post-racing career, including but not limited to equestrian pursuits; or
  - (d) the death of the retired racehorse.
- (3) A person is not required to comply with subrule (2)(b) if:
  - (a) the retired racehorse is away from its previously notified location for no more than 30 days and during that period the horse is:
    - (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
    - (ii) under the direct care of a qualified veterinary surgeon, for the purpose of obtaining treatment from a qualified veterinary surgeon; or
  - (b) the retired racehorse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

#### **AR 299 Death of named horse**

- (1) Within 24 hours of the death of a named horse which has not been retired from racing in accordance with AR 297, the manager or his or her authorised agent must notify

Racing Australia of that fact by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia.

- (2) A person must not dispose of the deceased horse without the written approval of the relevant PRA unless a veterinary certificate as to cause of death is provided to the relevant PRA.
- (3) Any person who fails to comply with subrule (1) is not guilty of a breach of that subrule if he or she proves to the satisfaction of the Stewards that he or she was not aware, and could not reasonably have been aware, of the death of the horse.

### **AR 300 Status update for named horse**

- (1) Within 7 days of a named horse not having been the subject of any activity with Racing Australia or a PRA for a period of 6 consecutive months, the manager or his or her authorised agent must notify Racing Australia of the following matters by lodging the relevant form (including a Stable Return where applicable) prescribed by Racing Australia:
  - (a) the current status of the horse;
  - (b) the location of the horse; and
  - (c) any other matters in respect of which a form should have been lodged or a notification should have been made under any rule in this Part 14 in the 6 month period.
- (2) Prior to the horse reaching the 6 month period of inactivity referred to in subrule (1), Racing Australia will notify the manager or his or her authorised agent of the upcoming notification requirement.
- (3) For the purposes of this rule, “activity” includes but is not limited to the lodgment or notification of a Stable Return, nomination, scratching, transfer of ownership, change of location, retirement from racing, or death.

## **Division 3 – Breeding horses**

### **AR 301 Registration of horse for breeding**

- (1) A horse that is used for breeding must be registered with the Australian Stud Book as follows:
  - (a) horses in respect of which a Mare Return or Stallion Return has never been lodged with the Australian Stud Book prior to the commencement of this rule – within 7 days of a decision use the horse for breeding, a registration application must be lodged by the owner/s (or lessee/s) with the Australian Stud Book in accordance with this rule; or
  - (b) horses in respect of which a Mare Return or Stallion Return has previously been lodged with the Australian Stud Book prior to the commencement of this rule – when a Mare Return or Stallion Return or Declaration of Service (whichever is earlier) for the horse is next lodged, a registration application must also be lodged by the owner/s (or lessee/s) with the Australian Stud Book in accordance with this rule.
- (2) The Australian Stud Book must not accept a Mare Return, Stallion Return or Declaration of Service for a horse that has not been registered for breeding in accordance with this rule.
- (3) A horse cannot be registered for breeding unless:
  - (a) it complies with the requirements set out in AR 27, AR 28 and AR 29; and

- (b) if the horse is an unnamed horse, a decision has been made to not commence racing the horse and the relevant form has been lodged with Racing Australia in accordance with AR 290 (and the horse has subsequently been named solely for breeding purposes); or
  - (c) if the horse is a named horse, it has been retired from racing in accordance with AR 297.
- (4) An application to register a horse for breeding must:
- (a) disclose the name of the horse;
  - (b) disclose the name of each owner (or lessee) and their ownership (or lease) share;
  - (c) disclose the location of the horse at the time of the application;
  - (d) be in the form prescribed by the Australian Stud Book;
  - (e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
  - (f) contain any other information the Australian Stud Book considers necessary.
- (5) The Australian Stud Book may require that any of the information identified in subrule (4) be verified by statutory declaration.
- (6) The Australian Stud Book may in its discretion accept or reject any application for registration of any horse for breeding.
- (7) Upon registration of a horse under this rule, the Australian Stud Book will issue the manager with a Certificate of Registration (Breeding).

#### **AR 302 Lodgment of Mare Return (general)**

- (1) A Mare Return must be lodged with the Australian Stud Book by the manager of a broodmare or his or her authorised agent for every covering season the broodmare is at stud, including:
- (a) if the broodmare is not covered during a covering season, by 15 March of that season;
  - (b) if the broodmare is covered during a covering season and no live foal is produced, within 12 months of the last date the broodmare was covered;
  - (c) if the broodmare is covered during a covering season and a live foal is produced, within 30 days of the broodmare giving birth to that foal, as per the requirements in AR 285.
- (2) A Mare Return lodged under subrule (1) must:
- (a) comply with the requirements set out in the Australian Stud Book Rules;
  - (b) disclose the location of the broodmare at the date of the lodgment;
  - (c) be in the form prescribed by the Australian Stud Book;
  - (d) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
  - (e) contain any other information the Australian Stud Book considers necessary.
- (3) For the purposes of this rule, the “manager” includes the breeder where the broodmare has not yet been registered for breeding in accordance with AR 301.
- (4) For the sake of clarity, nothing in this rule affects a person’s Mare Return obligations under the Australian Stud Book Rules, save that lodgment of a Mare Return in accordance with this rule constitutes lodgment of a Mare Return under the Australian Stud Book Rules.

#### **AR 303 Lodgment of Stallion Return**

- (1) A Stallion Return must be lodged with the Australian Stud Book by the manager of a stallion or his or her authorised agent by 30 June before the covering season in which the stallion is to be used for breeding.

- (2) A Stallion Return must:
- (a) comply with the requirements set out in the Australian Stud Book Rules;
  - (b) disclose the name of each owner (or lessee) and their ownership (or lease) share;
  - (c) disclose the location where the stallion will stand that covering season;
  - (d) be in the form prescribed by the Australian Stud Book;
  - (e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
  - (f) contain any other information the Australian Stud Book considers necessary.
- (3) For the purposes of this rule, the “manager” includes the stallion proprietor where the stallion has not yet been registered for breeding in accordance with AR 301.
- (4) For the sake of clarity, nothing in this rule affects a person’s Stallion Return obligations under the Australian Stud Book Rules, save that lodgment of a Stallion Return in accordance with this rule constitutes lodgment of a Stallion Return under the Australian Stud Book Rules.

#### **AR 304 Lodgment of Declaration of Service**

- (1) Where a Stallion Return has been lodged for a particular covering season, a Declaration of Service must be lodged with the Australian Stud Book on a monthly basis by the manager or his or her authorised agent by the 15<sup>th</sup> day of the following month for each month during that covering season, including where the stallion does not cover a broodmare in a particular month.

***Note:** By way of example, if a stallion covers a broodmare in October, a Declaration of Service for that month must be lodged with the Australian Stud Book by 15 November.*

- (2) A Declaration of Service must:
- (a) comply with the requirements set out in the Australian Stud Book Rules;
  - (b) be in the form prescribed by the Australian Stud Book;
  - (c) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
  - (d) contain any other information the Australian Stud Book considers necessary.
- (3) For the purposes of this rule, the “manager” includes the stallion proprietor where the stallion has not yet been registered for breeding in accordance with AR 301.
- (4) For the sake of clarity, nothing in this rule affects a person’s Declaration of Service obligations under the Australian Stud Book Rules, save that lodgment of a Declaration of Service in accordance with this rule constitutes lodgment of a Declaration of Service under the Australian Stud Book Rules.

#### **AR 305 Breeding horse transfer of ownership**

- (1) If a breeding horse is transferred to a new owner/s, the transfer must be registered with the Australian Stud Book in accordance with this rule.
- (2) All transfers of ownership of a breeding horse must be lodged with the Australian Stud Book by both the outgoing owners and the incoming owners within 7 days of each transfer taking place. For the sake of clarity, where a breeding horse has multiple owners, the outgoing owners are only required to sign transfer documents to the extent required of them by the applicable agreement governing the horse ownership venture.
- (3) Any breeding horse transfer of ownership application lodged by a Syndicate under subrule (2) shall be sufficient if signed by a majority of the members or by the Syndicate manager.
- (4) A breeding horse transfer of ownership application must:



- (a) disclose the location of the horse at the time of the application and the intended location and use of the horse following the transfer;
  - (b) disclose the seller's and the buyer's name and contact details;
  - (c) disclose the sale price;
  - (d) be in the form prescribed by the Australian Stud Book; and
  - (e) be accompanied by the fee prescribed by the Australian Stud Book (if any); and
  - (f) contain any other information the Australian Stud Book considers necessary.
- (5) The Australian Stud Book, Racing Australia, a PRA or the Stewards may conduct inquiries into the circumstances of the transfer of a breeding horse as they see fit, whether or not the transfer has been effected.
- (6) The Australian Stud Book may:
- (a) accept a breeding horse transfer of ownership application; or
  - (b) on proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horses concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules:
    - (i) reject a breeding horse transfer of ownership application; or
    - (ii) if a breeding horse transfer of ownership has been effected, set aside the transfer.
- (7) If a breeding horse transfer of ownership application is accepted or set aside, the Australian Stud Book must as soon as practicable amend the official ownership records.
- (8) Until a breeding horse transfer of ownership is registered as required by this rule, the Australian Stud Book may refuse to accept any Mare Return, Stallion Return or Declaration of Service lodged in respect of the horse.

#### **AR 306 Breeding horse change of location**

- (1) The manager of a breeding horse or his or her authorised agent, or any other person with the relevant knowledge, must disclose:
- (a) subject to subrule (2), any change in the previously notified location of the breeding horse to the Australian Stud Book within 3 days of the day on which that change is finalised;
  - (b) the location of the breeding horse upon request by the Australian Stud Book and/or the relevant PRA, including as required by any registration, transfer of ownership, or other form.
- (2) A person is not required to comply with subrule (1)(a) if:
- (a) the breeding horse is a broodmare and it is away from its previously notified location for no more than 7 days for the purpose of being covered or foaling;
  - (b) the breeding horse is away from its previously notified location for no more than 30 days and during that period the horse is:
    - (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
    - (ii) under the direct care of a qualified veterinary surgeon, for the purpose of obtaining treatment from a qualified veterinary surgeon; or
  - (c) the breeding horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

#### **AR 307 Decision to retire breeding horse**

- (1) Within 7 days of a decision to retire a breeding horse, the manager or his or her authorised agent must notify the Australian Stud Book of that fact by lodging the relevant form prescribed by the Australian Stud Book.

- (2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to breed unless it is reinstated to breed.
- (3) If a horse ceases to be eligible to breed under this rule, a person must not reinstate the horse to breed without the express permission of the Australian Stud Book.

#### **AR 308 Breeding horse retired to industry participant**

- (1) This rule applies where:
  - (a) a breeding horse is retired from breeding in accordance with AR 307 (for the purposes of this rule, “retired breeding horse”); and
  - (b) the person responsible for the retired breeding horse is a participant in racing (as defined in AR 2) or is otherwise licensed or registered under the Rules (for the purposes of this rule, “responsible person”).
- (2) During the period in which the responsible person is responsible for the care of the retired breeding horse, within 7 days of any of the following occurring that person must notify the Australian Stud Book by lodging the relevant form prescribed by the Australian Stud Book:
  - (a) the transfer of the retired breeding horse to any other person;
  - (b) the change of the retired breeding horse’s location;
  - (c) the decision to retire the retired breeding horse from any post-breeding career, including but not limited to equestrian pursuits; or
  - (d) the death of the retired breeding horse.
- (3) A person is not required to comply with subrule (2)(b) if:
  - (a) the retired breeding horse is away from its previously notified location for no more than 30 days and during that period the horse is:
    - (i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or
    - (ii) under the direct care of a qualified veterinary surgeon, for the purpose of obtaining treatment from a qualified veterinary surgeon; or
  - (b) the retired breeding horse is away from its previously notified location for no more than 7 days for the purposes of being offered for sale at a physical public auction.

#### **AR 309 Death of breeding horse**

- (1) Within 48 hours of the death of a breeding horse, the manager or his or her authorised agent must notify the Australian Stud Book of that fact (and, if applicable, the loss of its foal in utero) by lodging the relevant form prescribed by the Australian Stud Book.
- (2) A person must not dispose of the deceased horse without the written approval of the Australian Stud Book or the relevant PRA unless a veterinary certificate as to cause of death is provided to the Australian Stud Book or the relevant PRA.
- (3) Any person who fails to comply with subrule (1) is not guilty of a breach of that subrule if he or she proves to the satisfaction of the Stewards that he or she was not aware, and could not reasonably have been aware, of the death of the horse.

#### **AR 310 Status update for breeding horse**

- (1) Within 7 days of a breeding horse not having been the subject of any activity with the Australian Stud Book, Racing Australia or a PRA in a period of 12 consecutive months, the manager or his or her authorised agent must notify the Australian Stud Book of the following matters by lodging the relevant form:
  - (a) the current status of the horse;
  - (b) the location of the horse; and

- (c) any other matters in respect of which a form should have been lodged or a notification should have been made under any rule in this Part 14 in the 12 month period.
- (2) Prior to the horse reaching the 12 month period of inactivity referred to in subrule (1), the Australian Stud Book will notify the manager or his or her authorised agent of the upcoming notification requirement.
- (3) For the purposes of this rule, “activity” includes but is not limited to the lodgment or notification of a Mare Return, Stallion Return, Declaration of Service, transfer of ownership, change of location, retirement from breeding, or death.
- (4) For the purposes of this rule, the “manager” includes the breeder or the stallion proprietor where the horse has not yet been registered for breeding in accordance with AR 301.

#### **AR 311 Application of the Rules to owners of breeding horses**

- (1) It is a condition precedent to any lodgment or notification under AR 285 or any of AR 301 to AR 310 inclusive that the manager or his or her authorised agent lodging the relevant document or making the relevant notification undertakes to be bound by the Rules and, upon action being taken in compliance with any of those rules (including by a Syndicate as applicable), the breeding horse and its owners become subject to, and agree to be bound by, the Rules for the following purposes only as a consequence of, and relating to, the lodgment of the relevant document or the making of the relevant notification:
  - (a) the observation of other horses for health and welfare reasons only where there is concern for their health and welfare based on reasonable grounds; and
  - (b) the rules that relate to traceability (any rule under this Part 14 and any relevant Local Rules).
- (2) Nothing in this rule affects, or releases any person from, any requirement to be bound by the Rules that arises other than by the lodgment or notification under AR 285 or any of AR 301 to AR 310 inclusive, including but not limited to any requirement to be bound by the Rules that arises as a result of the lodgment of any other form, the making of any other notification, disclosure or declaration, or the operation of any of the Rules.

#### **Division 4 – Access to property**

##### **AR 312 Stewards’ access to property on welfare grounds**

- (1) Without limiting any other rules or powers under these Australian Rules, the Stewards may enter the property of a person in possession of a horse:
  - (a) in respect of which a Mare Return and Foal Ownership Declaration have been lodged under AR 285 and AR 286 respectively;
  - (b) which has been registered for racing under AR 294;
  - (c) which has been registered for breeding under AR 301; or
  - (d) which has been retired into the care of an industry participant under AR 291, AR 298 or AR 308,
 for the purposes of observing and/or assessing the health and welfare of the horse where there is concern for its health and welfare based on reasonable grounds.
- (2) Stewards who enter a property under subrule (1) may bring with them persons or items they consider necessary to assist in observing and/or assessing the health and welfare of the relevant horse.

#### **Division 5 – Breach of traceability rules**

**AR 313 Breach of traceability rules**

- (1) Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 14 the person may be penalised by a PRA or the Stewards.
- (2) If a person provides any false or misleading information in respect of any form lodged or notification made under any rule in this Part 14, the person may be penalised by a PRA or the Stewards.
- (3) Without limiting any other rules in this Part 14, if a person fails to lodge any document or provide any notification in accordance with any rule in this Part 14, Racing Australia, the Australian Stud Book, a PRA and/or the Stewards may:
  - (a) restrict that person or any relevant horse from participating in the thoroughbred racing and breeding industry; and/or
  - (b) restrict the payment (including payments under bonus schemes) or awarding of any prize to that person,

until the relevant form has been properly lodged or the relevant notification has been properly made.

**Note:** By way of example, Racing Australia may refuse to register a horse, or a PRA may refuse to accept a nomination for a horse, which is owned by a person who has failed to lodge a retirement notification form in respect of another horse owned by that person in accordance with AR 297.

- (4) Without limiting any other rules in this Part 14, if a person fails to lodge any document or provide any notification in accordance with AR 302, AR 303 or AR 304, the Australian Stud Book may refuse to accept any future Mare Return, Stallion Return or Declaration of Service (as applicable) from the relevant person or in respect of the relevant horse.

**LR 313. RWWA Local Rule of Retirement** (added GG 27/7/21 effective 1/8/21)

- (1) *(a) The managing owner shall be liable for all costs associated with compliance with this rule. Any proven failure to pay such costs in accordance with the terms of payment when invoiced by the Trainer or other service provider, may at the sole discretion of the Stewards, result in:*
  - (i) Stewards ordering that any prizemoney payable to the managing owner be withheld and redirected to the relevant party until such account is paid; and/or*
  - (ii) Refusal of nominations for any horses of the same ownership; and/or*
  - (iii) Cancellation of registration of the managing owner in any other horses; and/or*
  - (iv) Other such action as may be taken under the RWWA Rules of Racing**(b) Where the managing owner can demonstrate to the satisfaction of the Stewards that they have been unable to recover such costs attributable to any part-owner, then any action outlined in sub rule (1)(a) shall not apply and action will be taken in accordance with the rules against only any defaulting part owner.*
- (2) *The last registered managing owner or the person in control of the horse at the relevant time, shall, unless the result of accident or illness requiring immediate euthanasia, ensure that any non-emergency euthanasia of the horse, must only be performed by a registered Veterinary Surgeon or an appropriately registered service provider complying with all relevant welfare standards;*
  - (a) on humane grounds where the horse is seriously ill or injured; or*
  - (b) where a Veterinary surgeon has, assessed the horse as being unsuitable for rehoming on medical grounds; or*

- (c) where written direct evidence is received to the satisfaction of the Stewards from at least 2 persons who have direct personal knowledge of the horse's unsuitability for rehoming due to past demonstrated dangerous behaviours.*
- (3) Where any horse has been euthanased pursuant to part (2) of this rule, documentary evidence of compliance to the satisfaction of the Stewards, must be lodged with the Controlling Body by the prescribed time as specified by the relevant national rule and/or no later than within 7 days.*
- (4) Should part (2) of this rule not apply, the last registered managing owner or the person in control of the horse at the relevant time, must to the satisfaction of the Stewards make reasonable effort to rehome the horse over a period of not less than 6 weeks\* following the decision to retire/deregister the horse from the racing industry by undertaking at least two of the following options;*
  - (a) publicly advertising the horse in no less than two recognised media platforms for the sale or availability of horses for a period of no less than 6 weeks;*
  - (b) making application to re-home the horse through a credible animal adoption or re-homing agency, including Industry Retirement Programs;*
  - (c) consigning the horse to a public auction.*
  - (d) consigning the horse to an industry auction*
- (5) Documentary evidence of unsuccessful attempts to rehome the horse in accordance with the requirements prescribed in subsection (4) of this rule must be provided to Stewards when lodging the required documentation to retire/deregister the horse.*
- (6) An owner or person responsible at the relevant time who, in the opinion of the Stewards, fails to comply with any provision of this rule shall be guilty of an offence and liable to penalty.*
- (7) It shall not be mandatory for any horse that has been retired for the purposes of Breeding for a period of at least twelve months or that is over 15 years of age to be subject to sub-rule (4) of this rule.*

## **SCHEDULES TO THE AUSTRALIAN RULES OF RACING**

Schedule 1 – Prohibited Substances Lists

Schedule 2 – Trainer and Owner Reform Rules (TOR Rules)

Schedule 3 – Syndicate Rules (SR)

Schedule 4 – List of Restricted Races

Schedule 5 – Table of comparative provisions

## **SCHEDULE 1 – PROHIBITED SUBSTANCES LISTS**

### **PART 1 – SUBSTANCES PROHIBITED AT ALL TIMES**

#### **Division 1 – Prohibited List A**

The substances set out below in this Division 1 are specified as prohibited substances.

1. Erythropoiesis-stimulating agents, including but not limited to erythropoietin (**EPO**), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta (*Mircera*).
2. Non-erythropoietic EPO-receptor agonists.
3. Hypoxia-inducible factor (HIF) stabilisers, including but not limited to cobalt and FG-4592.
4. HIF activators, including but not limited to argon and xenon.
5. Allosteric effectors of haemoglobin, including but not limited to ITPP (myo-inositol trispyrophosphate).
6. Oxygen carriers including but not limited to perfluorochemicals, efaproxiral and modified haemoglobin products.
7. Haematopoietic growth factors, including but not limited to filgrastim.
8. Insulins.
9. Growth hormones and their releasing factors.
10. Insulin-like growth factor-1.
11. Synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use in Australia.
12. Corticotrophins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide), and corticotrophin releasing factors.
13. Anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant thresholds set out in Schedule 1, Part 1, Division 3)
14. Selective androgen receptor modulators (SARMS).
15. Selective estrogen receptor modulators (SERMS).
16. Selective opioid receptor modulators (SORMS).
17. Peroxisome proliferator activated receptor  $\delta$  (PPAR $\delta$ ) agonists, including but not limited to GW 1516.
18. AMPK activators, including but not limited to AICAR (5-amino-1- $\beta$ -D-ribofuranosyl-imidazole-4-carboxamide).
19. Other agents that directly or indirectly affect or manipulate gene expression.
20. Agents modifying myostatin function, including but not limited to myostatin inhibitors.
21. Thymosin beta.
22. Venoms of any species or derivatives of them.
23. Zoledronic acid and any other bisphosphonate drugs not registered for veterinary use in Australia.

24. Substances listed in Schedule 8 and Schedule 9 of the *Standard for the Uniform Scheduling of Medicines and Poisons* contained in the *Australian Poisons Standard*.
25. Metabolites, artefacts and isomers of any of the substances identified in this list.

**Note:** The above list needs to be read with the exemptions and thresholds set out below in Part 1, Divisions 2 and 3.

### **Division 2 – Prohibited List A exemptions**

The substances set out below in this Division 2, and their metabolites, artefacts and isomers, are exempt from Prohibited List A. (However, for the sake of clarity, those substances are specified as prohibited substances for the purposes of AR 240, AR 241, AR 244, AR 245, AR 246 and AR 251.)

1. Bufotenine.
2. Butorphanol.
3. 3-(2-dimethylaminoethyl)-4-hydroxyindole.
4. N,N-dimethyltryptamine.
5. Ketamine.
6. Methadone.
7. Morphine.
8. Pethidine.
9. Quinalbarbitone.

### **Division 3 – Prohibited List A thresholds (anabolic androgenic steroids)**

The prohibited substances set out below in this Division 3 when present at or below their respective threshold are exempt from Prohibited List A.

1. In male horses other than geldings, free and glucuroconjugated 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol at a mass concentration of 45 micrograms per litre in urine when, at the screening stage, the free and glucuroconjugated 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol exceeds the free and glucuroconjugated 5, 10 estrane-3 $\beta$ , 17 $\alpha$ -diol in the urine. *(amended 01/06/19)*
2. Testosterone:
  - (a) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
  - (b) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;
  - (c) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma; *(amended 01/06/19)*
  - (d) in fillies and mares that have been notified as pregnant under AR 84(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine, or free testosterone at any concentration in plasma. *(amended 01/06/19)*

3. Boldenone in male horses other than geldings (including both free boldenone and boldenone liberated from its conjugates) at a mass concentration of 15 micrograms per litre in urine.



**PART 2 – SUBSTANCES PROHIBITED ON RACE DAYS, CERTAIN TRIALS ETC****Division 1 – Prohibited List B**

The substances set out below in this Division 1 are specified as prohibited substances.

1. Substances capable at any time of causing either directly or indirectly an action and/or effect within one or more of the following mammalian body systems:
  - (a) the nervous system;
  - (b) the cardiovascular system;
  - (c) the respiratory system;
  - (d) the digestive system;
  - (e) the musculo-skeletal system;
  - (f) the endocrine system;
  - (g) the urinary system;
  - (h) the reproductive system;
  - (i) the blood system; and
  - (j) the immune system.
2. Substances within, but not limited to, the following categories:
  - (a) acidifying agents;
  - (b) adrenergic blocking agents;
  - (c) adrenergic stimulants;
  - (d) agents affecting calcium and bone metabolism;
  - (e) agents that directly or indirectly affect or manipulate gene expression;
  - (f) alcohols;
  - (g) alkalinising agents;
  - (h) anabolic agents;
  - (i) anaesthetic agents;
  - (j) analgesics;
  - (k) antiangina agents;
  - (l) antianxiety agents;
  - (m) antiarrhythmic agents;
  - (n) anticholinergic agents;
  - (o) anticoagulants;
  - (p) anticonvulsants;
  - (q) antidepressants;
  - (r) antiemetics;
  - (s) antifibrinolytic agents;
  - (t) antihistamines;
  - (u) antihypertensive agents;

- (v) anti-inflammatory agents;
- (w) antinauseants;
- (x) antineoplastic agents;
- (y) antipsychotic agents;
- (z) antipyretics;
- (aa) antirheumatoid agents;
- (bb) antispasmodic agents;
- (cc) antithrombotic agents;
- (dd) antitussive agents;
- (ee) blood coagulants;
- (ff) bronchodilators;
- (gg) bronchospasm relaxants;
- (hh) buffering agents;
- (ii) central nervous system stimulants;
- (jj) cholinergic agents;
- (kk) corticosteroids;
- (ll) depressants;
- (mm) diuretics;
- (nn) erectile dysfunction agents;
- (oo) fibrinolytic agents;
- (pp) haematopoietic agents;
- (qq) haemostatic agents;
- (rr) hormones (including trophic hormones) and their synthetic counterparts;
- (ss) hypnotics;
- (tt) hypoglycaemic agents;
- (uu) hypolipidaemic agents;
- (vv) immunomodifier;
- (ww) masking agents;
- (xx) muscle relaxants;
- (yy) narcotic analgesics;
- (zz) neuromuscular agents;
- (aaa) oxygen carriers;
- (bbb) plasma volume expanders;
- (ccc) respiratory stimulants;
- (ddd) sedatives;
- (eee) stimulants;
- (fff) sympathomimetic amines;

- (ggg) tranquillisers;
- (hhh) vasodilators;
- (iii) vasopressor agents; and
- (jjj) vitamins administered by injection.

3. Metabolites, artefacts and isomers of the substances set out in paragraphs 1 and 2 of this Division 1.

**Note:** The above list needs to be read with the exemptions and thresholds set out below in Part 2, Divisions 2 and 3.

### **Division 2 – Prohibited List B exemptions**

The substances set out below in this Division 2 are exempt from Prohibited List B.

1. Antimicrobials (antibiotics) and other anti-infective agents but not including procaine penicillin.
2. Antiparasitics approved and registered for use in horses.
3. Ranitidine.
4. Omeprazole.
5. Ambroxol.
6. Bromhexine.
7. Dembexine.
8. Registered vaccines against infectious agents.
9. Orally administered glucosamine.
10. Orally administered chondroitin sulphate.
11. Altrenogest when administered to fillies and mares.

### **Division 3 – Prohibited List B thresholds**

The prohibited substances set out below in this Division 3 when present at or below their respective threshold are exempt from Prohibited List B.

1. Alkalinising agents, when evidenced by total carbon dioxide (TCO<sub>2</sub>) at a concentration of 36.0 millimoles per litre in plasma.
2. Arsenic at a mass concentration of 0.30 milligrams per litre in urine.
3. Dimethyl sulphoxide at a mass concentration of 15 milligrams per litre in urine or 1.0 milligrams per litre in plasma.
4. In male horses other than geldings, free and glucuroconjugated 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol at a mass concentration of 45 micrograms per litre in urine when, at the screening stage, the free and glucuroconjugated 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol exceeds the free and glucuroconjugated 5, 10 estrane-3 $\beta$ , 17 $\alpha$ -diol in the urine. *(amended 01/06/19)*
5. Salicylic acid at a mass concentration of 750 milligrams per litre in urine or 6.5 milligrams per litre in plasma.
6. Hydrocortisone at a mass concentration of 1.00 milligrams per litre in urine;

7. Testosterone:
  - (a) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
  - (b) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;
  - (c) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma; *(amended 01/06/19)*
  - (d) in fillies and mares that have been notified as pregnant under AR 84(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine, or free testosterone at any concentration in plasma. *(amended 01/06/19)*
8. 3-Methoxytyramine (including both free 3-methoxytyramine and 3-methoxytyramine liberated from its conjugates) at a mass concentration of 4.0 milligrams per litre in urine.
9. Boldenone in male horses other than geldings (including both free boldenone and boldenone liberated from its conjugates) at a mass concentration of 15 micrograms per litre in urine.
10. Not used. *(amended 1/2/21 previously Theobromine)*
11. Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.
12. Prednisolone (free prednisolone) at a mass concentration of 10 micrograms per litre in urine. *(added 01/06/19)*

## **SCHEDULE 2 – TRAINER & OWNER REFORM RULES (TOR RULES)**

### **TOR Rule 1 – Commencement and operation of the TOR**

- (1) The TOR, including the TOR Rules, will commence pursuant to these Australian Rules on the TOR Commencement Date.
- (2) From the TOR Commencement Date:
  - (a) persons bound by these Australian Rules must comply with the TOR Rules;
  - (b) all trainers and owners (except exempt trainers and exempt owners) must comply with the STA and the STA is deemed to apply as between those trainers and owners subject to TOR Rule 1(4); and
  - (c) all co-owners, except for co-owners who have obtained their interest in a horse through a Promoter Syndicate and who do not own their interest in the horse with other owners who are not in a Promoter Syndicate, must comply with the COA and the COA is deemed to apply as between those co-owners subject to TOR Rule 1(5).
- (3) Notwithstanding TOR Rule 1(2):
  - (a) specific terms of the STA can be excluded, varied or limited by agreement in writing between a trainer and an owner, provided that a trainer and owner cannot exclude, vary or limit the operation of any provision of these Australian Rules (including any of the TOR Rules); and
  - (b) specific terms of the COA can be excluded, varied or limited by agreement in writing by the co-owners of a horse if that is done in accordance with the terms of the COA, provided that co-owners cannot exclude, vary or limit the operation of any provision of these Australian Rules (including any of the TOR Rules).
- (4) If a trainer and an owner:
  - (a) are, as at the TOR Commencement Date, party to a separate written agreement in relation to training services, they can in writing agree that the other agreement continues to operate after the TOR Commencement Date in conjunction with, or instead of, the STA; or
  - (b) enter, after the TOR Commencement Date, into a separate written agreement in relation to training services, they can in writing agree that the other agreement operates in conjunction with, or instead of, the STA,

provided that they are bound by, and must comply, with these Australian Rules (including the TOR Rules).
- (5) If one or more of the co-owners:
  - (a) is, as at the TOR Commencement Date, party to a separate written agreement with other co-owners in respect of the horse ownership venture, the co-owners can agree in writing that the other agreement continues to operate after the TOR Commencement Date in conjunction with, or instead of, the COA; or
  - (b) enter, after the TOR Commencement Date, into a separate written agreement with other co-owners in respect of the horse ownership venture, the co-owners can in writing agree that the other agreement operates in conjunction

with, or instead of, the COA, provided that they are bound by, and must comply with, these Australian Rules (including the TOR Rules).

- (6) The TOR applies equally to a training partnership licensed pursuant to the Rules as it does to individually licensed trainers.
- (7) These TOR Rules, the STA and the COA apply equally to a lessee of a horse as an owner, unless a particular provision of these TOR Rules, the STA and/or the COA expressly states that it only relates to a person with an ownership interest (rather than a lease interest) in a horse.
- (8) Any company or other business structure through which a trainer provides training services (including the billing of training services) is bound by these TOR Rules and must comply with them (to the intent that the requirements of the TOR cannot be avoided on account of a trainer providing training services through a corporate entity or other business structure which is not licensed or registered by Racing Australia or a PRA).
- (9) The COA does not apply to Promoter Syndicates which own the whole of the ownership of a horse. Promoter Syndicates must however comply with the STA (subject to TOR Rules 1(2)(b), 1(3)(a) and 1(4)).
- (10) If an owner's ownership interest in a horse is as a member of a registered Syndicate, including as a member of a Promoter Syndicate, then for the purposes of the TOR:
  - (a) the Syndicate Manager is responsible for representing the Syndicate;
  - (b) the Syndicate is deemed to be the only owner of the combined ownership interest held by the Syndicate, as if it was a separate legal entity, and the Syndicate Manager will be its expressly authorised legal representative; and
  - (c) all actions and decisions made by the Syndicate Manager will be taken to be made on behalf of the relevant Syndicate.
- (11) To the extent that there is any conflict or inconsistency between a provision of these Australian Rules (including any of the TOR Rules) and a term of the STA or the COA (including as amended, whether in accordance with TOR Rule 1(3) or otherwise), or a term of any other separate agreement made in relation to training services or a horse ownership venture (whether made in accordance with TOR Rule 1(4) or 1(5) or otherwise), these Australian Rules (including the TOR Rules) prevail to the extent of the conflict or inconsistency.
- (12) Racing Australia (including its officers and employees), each PRA (including its officers and employees) and each TDT (including its members), shall not be liable to any person, and no person shall be entitled to make any claim for damages, for any loss or damage sustained as a result of, or in any way (either directly or indirectly) arising out of, the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the TOR Rules.
- (13) If a dispute between a trainer and an owner arises under the TOR Rules:
  - (a) neither party may commence external proceedings in respect of the matters the subject of the dispute, save as to proceedings seeking urgent interlocutory relief, until all processes set out in the TOR Rules through which training fees and/or

training disbursements can be recovered, or disputes in relation to them resolved or determined, have been followed; and

- (b) if a party commences external proceedings in respect of the matters the subject of the dispute, this subrule may be relied upon or pleaded by the other party as a bar to any such proceedings.

#### **TOR Rule 2 – Powers of PRAs in relation to the TOR**

- (1) A PRA shall, in addition to the powers conferred by these Australian Rules, have power, in its discretion, to put in place Local Rules, regulations, policies or procedures, and/or take steps incidental or conducive to trainers and owners of horses complying with the TOR.
- (2) Without limiting TOR Rule 2(1), a PRA has power:
  - (a) to appoint a person/s, who must have relevant experience in dealing with commercial disputes, as a TDT member for the purpose of determining disputes in relation to training fees and/or training disbursements;
  - (b) to make and enforce policies or procedures in respect of the role, powers and functions of the TDT, and any member of it;
  - (c) to freeze the payment of prize money to which an Owner would otherwise be entitled and pay that prize money to a trainer in payment of training fees and/or training disbursements due and payable to the trainer;
  - (d) to take whatever action it thinks fit (including to refuse to accept the nomination of a horse to race, or to take disciplinary action permitted by the Rules) against a person who breaches any provision of these TOR Rules or any regulations, policies or guidelines made by or pursuant to a direction of Racing Australia in relation to them;
  - (e) to require fees (including administrative, or transaction processing fees) to be paid to Racing Australia or to a PRA in connection with the TOR, including in connection with the operation of the TDT.
- (3) If there is any inconsistency between a rule contained in these TOR Rules and that contained in a PRA's Local Rules, to the extent of any conflict or inconsistency, the provision in these TOR Rules will prevail (except where a PRA makes a local rule in relation to the TDT's role and/or processes under TOR Rule 8(8)).

#### **TOR Rule 3 – Requirement for trainers to issue a Fees Notice**

- (1) (a) Subject to TOR Rule 3(3), a trainer must issue a Fees Notice to the manager within 7 days of the date on which he or she is appointed as the trainer of a horse.
- (b) The manager must provide a copy of the Fees Notice to each owner within 5 days of being issued the Fees Notice by the trainer.
- (c) If the manager does not object to the trainer within 14 days of being issued the Fees Notice, the basis for providing training services set out in that notice is deemed to have been accepted by the owner/s.

- (2) The Fees Notice must set out:
  - (a) the training fees itemised by category of service or item provided;
  - (b) the anticipated training disbursements by name of service and anticipated provider (if known);
  - (c) the anticipated direct payment disbursements by name of service and anticipated provider (if known);
  - (d) any additional fees the trainer proposes to charge the owner, including bonuses for winning races, or commissions on the sale of a horse; and
  - (e) whether a trainer proposes to charge interest on any unpaid training fees and/or training disbursements. The trainer is entitled to do so from the day after an amount falls due and payable, at an interest rate not more than the rate prescribed from time to time for pre-judgment interest in the Supreme Court of the State or Territory of the TDT at which any dispute in relation to training fees and/or training disbursements would be heard pursuant to TOR Rule 5(4).
- (3) If a trainer fails to issue a Fees Notice in accordance with TOR Rule 3(1)(a), the only consequence of such failure is that the trainer is not permitted to rely on the presumption of a training debt in respect of training fees and/or training disbursements relating to training services provided prior to the date on which a Fees Notice was issued.

**TOR Rule 4 – Circumstances in which the presumption of a training debt arises**

- (1) As a condition precedent to a trainer being able to rely on the presumption of a training debt, the trainer must provide the trainer's invoice/s in relation to training fees and/or training disbursements to the owner of the relevant horse by the 15<sup>th</sup> day of any calendar month following a period of time in which training services were provided by the trainer to the owner.
- (2) A trainer who fails to issue an invoice by the end of the 15<sup>th</sup> day of a month following a period of time in which training services were provided must wait until the subsequent month to seek to rely on the presumption of a training debt, and can then only do so if an invoice has been provided to the owner by the end of the 15<sup>th</sup> day of that subsequent month.
- (3) If an invoice is issued in accordance with TOR Rule 4(1), the owner may formally dispute the invoice (or part of it) by serving a Dispute Notice which complies with the requirements in TOR Rule 5(1) on the trainer. A copy of the Dispute Notice must also be provided to Racing Australia.
- (4) If a trainer issues an invoice in accordance with TOR Rule 4(1) and the invoice is not fully paid by the end of the month in which it is issued, then unless a Dispute Notice is provided by the owner to the trainer by the last day of the month in which the invoice is issued, the invoice is deemed to be due and payable to the trainer at the end of that month. (That is known as the presumption of a training debt against the owner).
- (5) The provision of a Dispute Notice by an owner to a trainer by the last day of the month in which the invoice the subject of the dispute is issued has the effect that the



presumption of a training debt does not arise. In that instance, unless the dispute is settled by consent, the trainer and owner each may apply in accordance with TOR Rule 5 to have the dispute heard and determined by the TDT.

**TOR Rule 5 – Requirements in relation to, and the effect of, a Dispute Notice**

- (1) A Dispute Notice:
  - (a) must be in a form prescribed by Racing Australia from time to time, and must provide the information required by that form;
  - (b) must clearly identify the invoice/s (or part of the invoice/s) disputed by the owner, the amount in dispute, and the grounds for the dispute;
  - (c) must be provided by an owner to a trainer with supporting documentation (to be enclosed with the Dispute Notice) that the owner intends to rely on in relation to the dispute;
  - (d) must be served on the trainer, with a copy also required to be provided by the owner to Racing Australia:
    - (i) subject to TOR Rule 5(1)(e) and TOR Rule 6(2), within 6 months of the date of the relevant invoice; and
    - (ii) by the last day of the month in which the relevant invoice is issued if the owner wishes to prevent the presumption of a training debt arising; and
  - (e) must not be served on the trainer after an EAA is filed with Racing Australia by the trainer under TOR Rule (6)(1), and any purported service of a Dispute Notice after that time will not be valid.
- (2) If a Dispute Notice challenges part, but not the whole of an invoice issued by a trainer to an owner, the owner must pay to the trainer the part not in dispute by the last day of the relevant month in which the invoice is issued in accordance with TOR Rule 4(1). Failing that, the part not in dispute is deemed due and payable to the trainer at the end of the month in which the invoice is issued.
- (3) Once a Dispute Notice is served by an owner on a trainer in accordance with TOR Rule 5(1), each has the right to elect to have the dispute determined by a TDT by filing a Notice of Election of Hearing with Racing Australia within 14 days of the Dispute Notice being served, with a copy also required to be served on the other party to the dispute.
- (4) Once a Notice of Election of Hearing is filed with Racing Australia, it will allocate the matter to the TDT of the relevant PRA as follows:
  - (a) the matter is to be allocated to the PRA of the State or Territory in which the trainer who is party to the dispute is licensed to train horses;
  - (b) if the trainer is licensed in more than one State or Territory of Australia, the matter is to be allocated to the PRA of the State or Territory in which the horse the subject of the dispute (or a majority of the horses where there is more than one horse the subject of the dispute) is predominantly located, based on the most recent Stable Return/s lodged by the trainer with Racing Australia in respect of the horse/s; and
  - (c) if the trainer is licensed in more than one State or Territory and has an equal

number of horses the subject of the dispute predominantly located in more than one State or Territory, the matter is to be allocated to the PRA that Racing Australia thinks fit.

**TOR Rule 6 – Consequences if the presumption of a training debt arises**

- (1) Once the presumption of a training debt arises, a trainer may file an EAA with Racing Australia (with a copy also required to be served on the relevant owner) seeking that one or more of the following consequences be applied against the owner:
  - (a) if the defaulting owner owns 50% or more of the total of the ownership of the relevant horse, that Racing Australia will not process any Stable Return seeking to transfer the horse to another trainer;
  - (b) that Racing Australia and/or the relevant PRA responsible for any registration function in respect of the relevant horse will not register any transfer of the owner's share or ownership interest in the horse; and
  - (c) that Racing Australia will notify the relevant PRA/s and the PRA/s will, other than in an exceptional circumstance determined in its discretion, freeze the payment of prize money to which the Owner would otherwise be entitled, and direct payment of that prize money to the trainer owed the training fees and/or training disbursements. Subject to any exceptional circumstance determined by a PRA, the defaulting owner expressly waives any right to objecting to a PRA's payment of that prizemoney to the trainer.
- (2) Once an EAA is filed with Racing Australia by a trainer under TOR Rule 6(1), an owner is not permitted to serve a Dispute Notice on the trainer and any purported service of a Dispute Notice after that time will not be valid.
- (3) Once an EAA is filed with Racing Australia by a trainer under TOR Rule (6)(1), unless Racing Australia or the relevant PRA, as applicable, considers that an exceptional circumstance warrants another course, each of the consequences stated in TOR Rule 6(1)(a) to 6(1)(c) which were applied for by the trainer will apply until:
  - (a) the relevant training fees and/or training disbursements which are due and payable are paid to the trainer;
  - (b) the trainer notifies Racing Australia that the trainer has come to a settlement with the owner in relation to the disputed amount; or
  - (c) the owner notifies Racing Australia that the owner has come to a settlement with the trainer in relation to the disputed amount and provides sufficient evidence (as determined by Racing Australia in its sole discretion) of such settlement.
- (4) A trainer must notify Racing Australia in writing within 24 hours of becoming aware of having received payment from an owner of any training fees and/or training disbursements referred to in an EAA, and/or of becoming aware of the settlement with the owner of a dispute in respect of training fees and/or training disbursements the subject of an EAA.
- (5) If, in respect of a horse owned or part owned by an owner:
  - (a) the horse is transferred from one trainer to another trainer;
  - (b) the owner owes training fees and/or training disbursements to both trainers; and
  - (c) both trainers have filed an EAA/s pursuant to TOR Rule 6(1)(c),
 the earlier of the EAA/s filed will take precedence in respect of freezing the payment of prizemoney to which the owner would otherwise be entitled and directing payment of that prizemoney to the trainers.

- (6) Subject to subrule (7), if an EAA has been applied by Racing Australia and/or a PRA against an owner under this rule at any time (including prior to the commencement of this subrule), while that EAA remains in place: *(added GG 27/7/21 effective 1/8/21)*
- (a) that owner must not, either directly or indirectly, acquire an interest in another horse and/or lodge with Racing Australia or a PRA in respect of another horse:
    - (i) a Foal Ownership Declaration;
    - (ii) a registration application;
    - (iii) a transfer of ownership application, except for the purpose of that owner selling his or her interest in another horse; or
    - (iv) a lease application; and
  - (b) Racing Australia and/or a PRA must not process any such application or lodgment.
- (7) Racing Australia and/or a PRA (as applicable) may waive any prohibitions in subrule (6) if they are of the opinion that such waiver will assist in reducing the relevant owner's training fees and/or training disbursements debt. *(added GG 27/7/21 effective 1/8/21)*

**TOR Rule 7 – Further trainer rights (when the presumption of a training debt has not arisen)**

- (1) If, despite the presumption of a training debt not having arisen, a trainer contends that training fees and/or training disbursements are due and payable to the trainer in respect of a horse, the trainer may object by written notice provided to Racing Australia to the transfer of the horse from the trainer to another trainer, or to the transfer of an ownership interest in the horse from one owner to another. A copy of that written objection must also be served on the relevant owner.
- (2) If a trainer objects pursuant to TOR Rule 7(1):
  - (a) the following consequences apply:
    - (i) Racing Australia will notify the relevant owner of the objection;
    - (ii) if the owner owns 50% or more of the total ownership of the relevant horse, Racing Australia will not process any Stable Return seeking to transfer the horse to another trainer; and
    - (iii) Racing Australia and/or the relevant PRA responsible for any registration function in respect of the relevant horse will not register any transfer of an owner's ownership interest in the horse.
  - (b) the consequences stated in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will cease after 5 business days unless the trainer provides Racing Australia with copies of the invoice/s outstanding to the trainer (clearly identifying the parts of them alleged to be due and payable to the trainer) within 5 business days of the proposed transfer (which period is not to be extended in any circumstance);
  - (c) upon receipt of that information, Racing Australia will notify the relevant owner who may then either:
    - (i) pay the amount of the invoice/s to Racing Australia (in which case Racing Australia will pay those funds to the trainer and Racing Australia and/or the relevant PRA, as applicable, will process the relevant transfer request); or
    - (ii) serve a Dispute Notice on the trainer (with a copy also required to be provided to Racing Australia). Once that is done, either party may elect to have the matter determined by the TDT by filing a Notice of Election of Hearing with Racing Australia within 14 days of the date of issue of the Dispute Notice (with a copy also required to be served on the other party). However, a Notice of Election of Hearing will only be valid and accepted by Racing Australia if the

Dispute Notice related to the dispute was served within 6 months of the date of the invoice the subject of the dispute.

- (3) If an owner serves a Dispute Notice in the circumstances referred to in TOR Rule 7(2)(c)(ii), and the owner still wishes for the relevant transfer to proceed without delay, the owner can pay the amount of the disputed invoice/s into the Training Disputes Trust Account pending determination of the dispute, at which point Racing Australia and/or the relevant PRA, as applicable, will process the relevant transfer.

#### **TOR Rule 8 – Training Disputes Tribunal**

- (1) If an owner has served a Dispute Notice on a trainer in accordance with TOR Rule 5(1), either of them may, within 14 days of the service of the Dispute Notice, elect to have the dispute determined by a TDT by paying the filing fee to Racing Australia and at the same time filing a Notice of Election of Hearing with Racing Australia and serving it on the other party to the dispute. Once a valid Notice of Election of Hearing is filed with Racing Australia, it will transfer the filing fee to the PRA allocated the dispute in accordance with TOR Rule 5(4).
- (2) A Notice of Election of Hearing will only be valid and accepted by Racing Australia if the Dispute Notice related to the dispute was served within 6 months of the date of the invoice the subject of the dispute and before any EAA was filed by the trainer.
- (3) When a valid Notice of Election of Hearing is received by Racing Australia from an owner or a trainer, then the consequences set out in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will apply unless the amount disputed in the Notice of Election of Hearing has been paid by the owner into the Training Disputes Trust Account pending resolution of the relevant dispute.
- (4) The TDT may make directions in relation to the preparation of the dispute for hearing as the TDT sees fit, except that a hearing on the papers can only take place if all parties agree to it.
- (5) In relation to an oral hearing before the TDT:
  - (a) there is no immediate right to legal representation before the TDT; and
  - (b) the TDT may grant permission to the trainer and/or owner to be legally represented if in the opinion of the TDT that is warranted having regard to one or more of the following matters:
    - (i) the complexity of the issues arising on the dispute;
    - (ii) the amount disputed;
    - (iii) whether or not the case is of general importance to the racing industry;
    - (iv) the interests of justice in the circumstances of the case.
- (6) In respect of a hearing before the TDT:
  - (a) the TDT:
    - (i) must, other than in exceptional circumstances, make all reasonable efforts to determine a dispute within 10 days of the hearing of that dispute; and
    - (ii) is only required to provide written reasons of the TDT's decision if at least one party to the dispute requests that;
  - (b) the decision of the TDT will be binding on all parties as a decision under these Australian Rules;
  - (c) the TDT may:

- (i) determine whether training fees and/or training disbursements must be paid and in what amount, including in relation to any amounts paid into the Training Disputes Trust Account; and/or
  - (ii) recommend to any PRA that the PRA/s apply the Rules against a trainer or an owner in a manner recommended by the TDT (in which case it will then be a matter for the relevant PRA as to whether it implements that recommendation);
- (d) if either party intends to challenge the decision of the TDT by way of external proceedings, it must provide written notice of that intention to the other party, the relevant PRA, and Racing Australia within 7 days of the TDT's decision. If that is done, then from that point Racing Australia and/or the relevant PRA, as applicable, must not take any action in relation to the relevant disputed training fees and/or training disbursements until, subject to TOR Rule 8(6)(e), the outcome of the external proceedings is known;
- (e) if notice of an intention to commence external proceedings is provided in accordance with TOR Rule 8(6)(d), but the notifying party has not provided Racing Australia with evidence of the commencement of external proceedings within 28 days of the TDT's decision then:
  - (i) if the TDT has ordered that an amount be paid to a trainer in respect of training fees and/or training disbursements, the owner must pay the trainer the amount determined by the TDT within 2 days of that date (that is, within 30 days of the TDT's decision);
  - (ii) Racing Australia and/or the relevant PRA, as applicable, may take any action in relation to the relevant disputed training fees and/or training disbursements that it is permitted to take under the Rules, provided it does not receive evidence of the commencement of external proceedings before taking such action; and
  - (iii) if Racing Australia receives evidence of the commencement of external proceedings more than 28 days after the TDT's decision, then from that point Racing Australia and/or the relevant PRA, as applicable, must not take any action in relation to the relevant disputed training fees and/or training disbursements until the outcome of the external proceedings is known.
- (f) if notice of an intention to commence external proceedings is not provided in accordance with TOR Rule 8(6)(d), and the TDT has ordered that an amount be paid to a trainer in respect of training fees and/or training disbursements, the owner must pay the trainer the amount determined by the TDT within 7 days of the TDT's decision;
- (g) an unsuccessful party to an application before the TDT must bear the cost of the relevant filing fee in respect of that application;
- (h) further to TOR Rule 8(6)(g), if the trainer succeeds before the TDT and the proceeding was commenced by the trainer, the unsuccessful owner must pay the successful trainer an amount equivalent to the filing fee within 7 days of the TDT's decision;

- (i) further to TOR Rule 8(6)(g), if the owner succeeds before the TDT and the proceeding was commenced by the owner, the unsuccessful trainer must pay the successful owner an amount equivalent to the filing fee within 7 days of the TDT's decision; and
- (j) other than as provided in TOR Rule 8(6)(g) to 8(6)(i), the parties to a dispute before the TDT must bear their own costs (including any legal costs) in connection with that dispute, except that the TDT retains a discretion to order that a party ("first party") pay some or all of the costs of the other party if the TDT is satisfied that:
  - (i) the first party commenced or responded to the TDT proceedings vexatiously; or
  - (ii) the first party's commencement of, or response to, the TDT proceedings had no reasonable prospect of success.
- (7) A TDT has jurisdiction to determine all issues or questions relevant to determining a dispute between a trainer and an owner/s in relation to the payment of training fees and/or training disbursements. A TDT does not have jurisdiction to determine disputes between co-owners.
- (8) Despite anything in TOR Rule 8 and TOR Rule 2(3), a PRA is entitled to make its own rules and regulations specific to its State or Territory in relation to the role and/or processes of its TDT, provided that they are procedurally fair and are not inconsistent with the overriding purpose of TOR Rule 8, being to have in place a TDT to impartially and efficiently determine disputes in respect of training fees and/or training disbursements. This subrule means that a PRA is able to make local rules inconsistent with TOR Rules 8(4) to 8(6), but only if they are procedurally fair and not inconsistent with the stated overriding purpose of TOR Rule 8.

#### **TOR Rule 9 – Facilitating payment after a TDT decision**

- (1) If a TDT makes an award in favour of a trainer:
  - (a) subject to TOR Rule 8(6)(d) and 9(2), the following consequences apply to the defaulting owner:
    - (i) if the owner owns 50% or more of the total ownership of the relevant horse, Racing Australia will not process any Stable Return seeking to transfer the horse to another trainer;
    - (ii) Racing Australia and/or relevant PRA responsible for any registration function in respect of the relevant horse will not register any transfer of the relevant owner's interest in the horse; and
    - (iii) the relevant PRA/s must, other than in an exceptional circumstance to be determined in its discretion, freeze the payment of any prize money to which the owner would otherwise be entitled.
- (2) The consequences in TOR Rule 9(1)(a) will apply until the training fees and/or training disbursements the subject of the TDT's award are paid by the owner to the trainer.

- (3) If 14 days have passed after a decision of a TDT and the trainer has not been paid by the owner as required by the decision of the TDT and informs Racing Australia of that, in addition to the consequences stated in TOR Rule 9(2):
- (a) Racing Australia will notify the owner, the trainer and the relevant PRA/s of that, after which the relevant PRA/s must, other than in an exceptional circumstance to be determined in its discretion, pay any prize money to which the owner would otherwise be entitled to the trainer in payment of any training fees and/or training disbursements outstanding to the trainer. Subject to any exceptional circumstance determined by a PRA, the defaulting owner expressly waives any right to objecting to a PRA's payment of that prize money to the trainer;
  - (b) the relevant PRA/s will retain its powers under the Rules to take action against the defaulting owner (including to refuse to accept a nomination for a horse to race); and
  - (c) the trainer will retain the trainer's rights under the STA and at general law.
- (4) For the purposes of TOR Rule 9(1)(a)(iii) and 9(3), if the PRA of the TDT in which the decision was made notifies Racing Australia that it is not in possession of an amount of prize money to which the owner would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any training fees and/or training disbursements outstanding to the trainer:
- (a) Racing Australia will notify the owner, the trainer and any other PRA/s which may be in possession of such prize money; and
  - (b) if:
    - (i) one of those PRAs is in possession of an amount of prize money to which the owner would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any training fees and/or training disbursements outstanding to the trainer, that PRA is a relevant PRA and Racing Australia may direct that PRA to pay any outstanding training fees and/or training disbursements to the trainer from that prize money; and
    - (ii) if more than one of those PRAs is in possession of an amount of prize money to which the owner would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any training fees and/or training disbursements outstanding to the trainer, those PRAs are each a relevant PRA and Racing Australia may determine the order in which one or more of those PRAs are, on Racing Australia's direction, to pay any outstanding training fees and/or training disbursements to the Trainer from that prize money.
- (5) If Racing Australia or a PRA directs prize money to which an owner would otherwise be entitled be paid to a trainer pursuant to TOR Rule (3)(a), but the disputed amount has already been paid or settled as between trainer and owner by the time that payment is made to the trainer, the trainer must refund to the owner the amount paid to the trainer by that PRA within 7 days.
- (6) A trainer must inform Racing Australia within 24 hours of becoming aware of having received payment from an owner of any training fees and/or training disbursements ordered by a TDT to be paid to the trainer.

## **SCHEDULE 3 – SYNDICATE RULES (SR)**

### **SR 1 Members of Syndicates**

A person is deemed to be a member of a Syndicate if the person has an ownership or lease interest with not more than 20 persons in total (or not more than 50 in total in the case of a Promoter Syndicate) in any undertaking, common enterprise, arrangement or scheme relating to the racing of one or more horses.

### **SR 2 Requirement of manager of a Syndicate**

In order to enter or race a horse, a Syndicate must appoint a natural person as its Syndicate manager, with that person authorised to act for and on behalf of the Syndicate (to the extent permitted by the Rules and any agreement or instrument governing the Syndicate).

### **SR 3 PRAs may make rules or regulations in relation to Syndicates**

- (1) Any person who wishes to register a Syndicate must apply to a PRA to do so, providing information required by that PRA and as required by these Australian Rules.
- (2) A PRA must approve a Syndicate's name before it can be registered and used.
- (3) Racing Australia may make or amend rules (and regulations or policies) in relation to the formation, conduct and termination of Syndicates, including but not limited to:
  - (a) the number of Syndicates that a person may have an interest in;
  - (b) the information to be provided to a PRA in relation to the registration of a Syndicate;
  - (c) the form of the written confirmation to be issued by it or a PRA in relation to a Syndicate, the person to whom it is to be issued, and the person required to retain possession of the record;
  - (d) the representation of a Syndicate for the purposes of the Rules;
  - (e) the name in which a Syndicate can be registered and the powers of a PRA to register, refuse to register, or require the alteration of the name of, a Syndicate;
  - (f) the information to be provided to a PRA in relation to any additional horse to be raced by a Syndicate
  - (g) the renewal or registration of a Syndicate and related matters;
  - (h) the details in relation to a Syndicate which are to be published from time to time;
  - (i) when and how the registration of a Syndicate can be cancelled;
  - (j) how notices are to be served on a Syndicate, or its members;
  - (k) the termination of a Syndicate;
  - (l) procedures in relation to any change in membership of a Syndicate; and
  - (m) the fees to be paid in relation to a Syndicate.

### **SR 4 Syndicate members bound by these Australian Rules**

Every member of a Syndicate is bound by these Australian Rules (irrespective of the nature or extent of the interests or rights of the member/s in the Syndicate) and the provisions of



any rules or constitution governing the Syndicate, or any agreement between the members of the Syndicate.

#### **SR 5 No responsibility of a PRA for the actions of a Syndicate or its members**

Neither Racing Australia nor any of the PRAs have any responsibility or liability for the actions of the persons in a Syndicate or who are party to any Syndicate agreement or any other instrument relating to a Syndicate, or for the performance of any legal or equitable obligations of the members of a Syndicate.

#### **SR 6 Limits on the registration or continued operation of a Syndicate**

- (1) A Syndicate cannot be registered or continue to be registered:
  - (a) if a horse owned or leased by the Syndicate is disqualified;
  - (b) if any member of the Syndicate is a person whose interest in any horse would under these Australian Rules operate to prohibit the horse from being entered for or started in any race.
- (2) A PRA may at any time call upon the Syndicate manager or the Syndicate members to show cause why the registration of the Syndicate should not be cancelled or suspended.
- (3) If, but for this subrule, a horse would under these Australian Rules be ineligible for a race by reason of the interest of a Syndicate member, and the horse has started in or is nominated for a race, a PRA or the Stewards may (after considering the circumstances associated with the ownership, leasing or membership of the horse and any other circumstances they think fit) rule that the horse was eligible for the race in which it started or for which it is nominated.
- (4) In circumstances where a PRA or the Stewards rule a horse eligible under subrule (3), if the horse has won or wins prize money, the proportion of the prize to which the relevant Syndicate member would otherwise have been entitled will be retained by and become the property of the Club holding the meeting.

#### **SR 7 Penalties for breach of Syndicate Rules**

Without limiting any other powers or rules in these Australian Rules, if a person breaches any rule in this Schedule 3 a PRA or the Stewards may:

- (a) penalise the person; and
- (b) disqualify any horse owned or leased by the Syndicate of which the person was, at the relevant time, a member.

#### **SR 8 Additional horses to be owned or leased by a Syndicate**

If a Syndicate which wholly or partly owns or leases a horse wishes to wholly or partly own or lease an additional horse/s, a separate registration form must be lodged with the relevant PRA for each additional horse, and be accompanied by any fee prescribed by a PRA from time to time to be paid in relation to that registration.

**SR 9 Promoter Syndicates**

- (1) Any person who wants to make an offer to promote shares in a horse/s must:
  - (a) hold an Australian Financial Services Licence (“AFSL”) issued by ASIC;
  - (b) comply with any provision of the Corporations Act in relation to the promotion, offering, or issue of shares in horses; and
  - (c) comply with the provisions and requirements of any applicable ASIC Class Order or instrument (including *ASIC Corporations (Horse Schemes) Instrument 2016/790*, or any successor to it) in relation to the promotion, offering, or issue of shares in horses.
- (2) Before an offer of shares in a horse/s is made, an AFSL holder must be recorded as a registered Promoter in the Register of Promoters held by a PRA.
- (3) Promoters must obtain approval from a PRA for each Product Disclosure Statement prior to an offer of shares in a horse being made.

**SR 10 Applications for Syndicates**

- (1) An application to a PRA for approval for a Syndicate to race a horse must be in writing in the form required by a PRA and:
  - (a) signed by all members of the Syndicate if the Syndicate is not a company; and
  - (b) where a company is an applicant or member of a Syndicate, signed by an authorised officer of that company.
- (2) An application to a PRA for approval for a Syndicate to race a horse must be accompanied by:
  - (a) a copy of the Syndicate agreement (except where a company is the sole applicant);
  - (b) an address to be the registered address for the Syndicate;
  - (c) the prescribed fee;
  - (d) details of registration of the Syndicate by any other PRA;
  - (e) in the case of an applicant which is an unincorporated organisation, a copy of the certificate of registration of business name and any renewal of it.

**SR 11 Requirements for Syndicate agreements and their registration**

- (1) A Syndicate agreement must be in a form prescribed or approved by a PRA.
- (2) A PRA may require that matters including the following be included in a Syndicate agreement:
  - (a) the name, address and date of birth of each member, and the share of each member in the horse;
  - (b) a statement setting out all financial arrangements agreed between the members and in particular the method of calculating and the timing of payment of any contributions due from members toward racing, training and other expenses;
  - (c) provision for the appointment of a Syndicate manager in whom the legal possession of the horse is to be vested on behalf of the Syndicate;
  - (d) a declaration that each member has read these Australian Rules (including these Syndicate Rules) and any Local Rules of the PRA to which the application is made

in relation to Syndicates and interests in horses, and that except for traffic convictions involving a fine, has not been convicted of any criminal offence;

- (e) a term imposing on a Syndicate manager in whom legal possession of the horse is vested on behalf of the Syndicate an obligation to keep proper books of account and to send to each member of the Syndicate a copy of the Syndicate's accounts each and every 3 months, and to send each member an audited copy of the annual accounts;
  - (f) any other provisions that the relevant PRA considers fit.
- (3) All Syndicate agreements, and any other instrument in relation to the Syndicate that a PRA considers necessary, must be approved and registered by a PRA.
- (4) A PRA which approves a Syndicate must:
- (a) register and record the name of:
    - (i) every company approved as a Syndicate;
    - (ii) every person approved to be a Syndicate manager;
  - (b) publish the information referred to in subrule (4)(a); and
  - (c) issue a Certificate of Registration in relation to the Syndicate to the Syndicate manager.

#### **SR 12 Applications for companies to race horses as a Syndicate**

- (1) An application for approval for a company to race a horse as a Syndicate must be made in a form prescribed from time to time by a PRA together with any prescribed fee. An application must be accompanied by information including:
- (a) the Certificate of Incorporation of the company;
  - (b) if the company has a Constitution, its Constitution;
  - (c) the name, address and date of birth of each director of the company;
  - (d) the name and address of each member of the company; and
  - (e) the address of the registered office of the company.
- (2) The PRA to which an application by a company to race a horse as a Syndicate is made may in its discretion and to the extent it thinks fit, dispense with any requirement to submit the names and addresses of persons who are directors or members of the company.

#### **SR 13 PRA's powers to approve and register a Syndicate**

- (1) A PRA has complete discretion whether to approve any Syndicate as the owner or lessee of a horse, or any members of it as lessees or as Syndicate manager.
- (2) Notwithstanding subrule (1), a PRA must refuse to approve a Syndicate where any member is a disqualified person.
- (3) A PRA has the absolute discretion at any time and without assigning any reason, to suspend or cancel the registration of a Syndicate.
- (4) Notwithstanding subrule (3), registration of a Syndicate must be cancelled if:

- (a) any member, Syndicate manager, director or officer of the Syndicate is or becomes a disqualified person or a person whose interest in a horse would, under these Australian Rules, operate to prohibit the horse from being entered for or starting in a race;
  - (b) the manager or any member of the Syndicate fails to supply information required by a PRA or the Stewards within a stipulated time frame;
  - (c) in relation to a company registered as a Syndicate:
    - (i) a winding up order is made or a receiver, receiver and manager, or official manager is appointed in respect of the company; or
    - (ii) any manager for or officer of the company fails to supply information required by a PRA or the Stewards within a stipulated time frame.
- (5) The registration of a Syndicate will not be affected by the fact that a member of the Syndicate, other than the Syndicate manager, has disposed of the whole or part of his or her share in the horse since the relevant Syndicate agreement was registered, provided no share of any member is disposed of more than once in any period of 28 days and provided that:
- (a) notification of each disposition is signed by the transferor and the transferee and is lodged with the relevant PRA within 7 days of the disposition; and
  - (b) that notification contains a declaration by the transferee that he or she possesses a copy of the Syndicate agreement for the Syndicate and has read these Australian Rules (including these Syndicate Rules) and any Local Rules of the PRA which registered the Syndicate in relation to Syndicates and interests in horses.
- (6) The registration of a Syndicate will not be affected by the fact that a member of the Syndicate has died, provided that:
- (a) written notification of that person's death is lodged with the relevant PRA within 28 days of death; and
  - (b) if the PRA has previously sent to the registered address of the Syndicate notice of a new formal agreement being required to be lodged with it, then at the expiration of 28 days after the date of the notice or any other period that the notice may prescribe, the registration of the agreement previously lodged will be cancelled.
- (7) The registration of a Syndicate will not be affected by the fact that there has been a change of the directors and/or the shareholders of a company registered as a Syndicate (or of the members of a Syndicate not being a company), provided that notification of those changes is made to the relevant PRA within 28 days of each change. The relevant PRA may publish those changes to the extent it considers appropriate.
- (8) A PRA may cancel the registration of a Syndicate on written application by the Syndicate manager if the PRA is satisfied that:
- (a) the Syndicate manager has given written notice of the application to each member of the Syndicate; and
  - (b) after the expiration of one month from a notice having been given, the members of the Syndicate holding an ownership interest of at least 25% in the Syndicate have not given notice in writing to the PRA of their objection to the application.

- (9) The registration of a Syndicate will be cancelled by a PRA if the Syndicate has so resolved by resolution passed by members holding an ownership interest of at least 75% in the Syndicate.
- (10) A PRA must publish notice of the suspension, cancellation or reinstatement of the registration of a Syndicate, and such publication shall be deemed sufficient notice to all members and other persons.

#### **SR 14 Renewal of the registration of a Syndicate**

- (1) Application for renewal of registration of a Syndicate must be made annually or at any other renewal frequency required by a PRA.
- (2) An application for renewal of a Syndicate must be accompanied by information required by a PRA and payment of the relevant prescribed fee.

#### ***LRSR 14***

- (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; (amended GG 17/12/19)*
  - (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.*
- (2) Notification of a change in the composition or details of the syndicate shall be made on the prescribed form and include such fee as determined by the Principal Racing Authority from time to time.*

## **SCHEDULE 4 – LIST OF RESTRICTED RACES**

### **1. Maiden and Trophy Races**

- (1) A “Maiden Race” is a race restricted to horses which at the time of starting have never won a race on the flat at a registered meeting or any advertised race in any country.
- (2) A “Trophy Race” is a race in which the prize money and/or value of any trophy to the winner does not exceed \$5,000.

### **2. Class A and Class B Races**

- (1) A “Class A Race” is a race restricted to horses which, at the time of starting, have not earned prizes in total worth more than \$6,000 for wins in races on the flat, and have never won a race on the flat outside Australia.
- (2) A “Class B Race” is a race restricted to horses which, at the time of starting, have not earned prizes in total worth more than \$12,500 for wins in races on the flat, and have never won a race on the flat outside Australia.
- (3) The value of the prize to the winner of a Class A Race must not exceed \$6,000.
- (4) The value of the prize to the winner of a Class B Race must not exceed \$12,500.
- (5) Class A and/or Class B Races are not permitted to be programmed for TAB meetings, except in the Northern Territory, King Island and approved country areas of Western Australia.
- (6) Each PRA should restrict Class A and Class B Races to “remote/minor” race meetings, as determined by the PRA.
- (7) For the purpose of determining the value of the prize to the winner and the eligibility of any horse for a Class A or Class B Race, no account is required to be taken of prizes which were not, at the time of entry for a race or series of races, available to be won by every horse eligible to be entered in that race.

### **3. Class 1 to Class 6 Races**

- (1) A “Class 1 Race” is a race restricted to horses which, at the time of starting, have not won more than 1 race on the flat, provided that:
  - (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and
  - (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.
- (2) A “Class 2 Race” is a race restricted to horses which, at the time of starting, have not won more than 2 races on the flat, provided that:
  - (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and
  - (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.
- (3) A “Class 3 Race” is a race restricted to horses which, at the time of starting, have not won more than 3 races on the flat, provided that:

- (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse;
  - (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.
- (4) A "Class 4 Race" is a race restricted to horses which, at the time of starting, have not won more than 4 races on the flat, provided that:
- (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and
  - (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.
- (5) A "Class 5 Race" is a race restricted to horses which, at the time of starting, have not won more than 5 races on the flat, provided that:
- (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and
  - (b) the winner of the following races will be ineligible:
    - (i) any Group Race;
    - (ii) any Listed Race or Restricted Listed Race in which horses older than 2 years old could run; or
    - (iii) more than one Listed Race or Restricted Listed Race in which 2 year olds only could run.
- (6) A "Class 6 Race" is a race restricted to horses which, at the time of starting, have not won more than 6 races on the flat, provided that:
- (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races, other than a win as a Maiden horse; and
  - (b) the winner of the following races will be ineligible:
    - (i) any Group Race;
    - (ii) any Listed Race or Restricted Listed Race in which horses older than 2 years old could run; or
    - (iii) more than one Listed Race or Restricted Listed Race in which 2 year olds only could run.

## SCHEDULE 5 – TABLE OF COMPARATIVE PROVISIONS

### 1. Comparison between Australian Rules of Racing as at 7 January 2019 (old rules) and 1 March 2019 (new rules)

Australian Rules & <b>Local Rules</b> of Racing as at 28 February 2019 (old rules)	Australian Rules & <b>Local Rules</b> of Racing as at 1 March 2019 (new rules)
<b>Dictionary</b>	
AR 1	AR 2
<b>LR 1</b>	<b>LR 1</b>
<b>Restricted races</b>	
AR 1A	Schedule 4
<b>Application of these Rules</b>	
AR 2	AR 3
AR 3	AR 7
<b>LR 3</b>	<b>LR2</b>
AR 4	AR 6
AR 5	AR 8
<b>LR 5</b>	<b>LR 8</b>
AR 6	AR 4
<b>LR 6, 6A &amp; 6B</b>	<b>LR 4. 4A &amp; 4B</b>
<b>Powers of a Principal Racing Authority</b>	
AR 7(i)	AR 9(3) & AR 12(d)
AR 7(ii)	AR 12(a)
AR 7(iii)(a)	AR 15(e)
AR 7(iii)(b)	AR 13(a)&(c)
AR 7(iii)(c)	AR 15(a)
AR 7(iii)(d)	AR 16(b)
AR 7(iii)(e)	AR 12(b)
AR 7(iii)(f)	AR 16(d)
AR 7(iii)(g)	Deleted
AR 7(iii)(h)	AR 16(d)
AR 7(iii)(i)	AR 16(e)
AR 7(iii)(j)	AR 16(f)
AR 7(iii)(k)	AR 14(d)
AR 7(iii)(l)	AR 13(b)
AR 7(iii)(m)	AR 14(b)
AR 7(iii)(n)	AR 12(c)
AR 7(iii)(o)	Deleted
AR 7(iii)(p)	AR 12(e)
AR 7(iii)(q)	AR 15(f)



AR 7(iii)(r)	AR 15(d)
AR 7(iii)(s)	AR 15(b) & AR 16(b)
AR 7(iii)(t)	AR 14(a)
AR 7(iii)(u)	AR 17(a)
AR 7(iii)(v)	AR 17(b)
AR 7A	AR 16(c)
LR 7	LR 12
LR 7A	Deleted
<b>Stewards</b>	
AR 8(a)	AR 20(b)
AR 8(b)	AR 22(1)(d)
AR 8(c)	AR 20(f)
AR 8(d)	AR 20(a)
AR 8(e)	AR 24(a)
AR 8(f)	AR 21(a)
AR 8(g)	AR 22(1)(e)
AR 8(h)	AR 21(b)
AR 8(i)	AR 21(c)
AR 8(j)	AR 20(c) & 22(1)(g)&(j)
AR 8(jj)	AR 22(1)(h)&(j)
AR 8(jjj)	AR 22(1)(i)
AR 8(jjjj)	AR 22(1)(j)
AR 8(k)(i)	AR 22(1)(f)
AR 8(k)(ii)	AR 22(1)(k)
AR 8(l)	AR 21(d)
AR 8(ll)	AR 20(j)
AR 8(m)	AR 20(d)
AR 8(n)	AR 20(h)
AR 8(o)	AR 21(e)
AR 8(p)	AR 21(g)
AR 8(q)	AR 21(f)
AR 8(r)	AR 21(h)
AR 8(s)	AR 21(i)
AR 8(t)	AR 20(e)
AR 8(u)	AR 21(j)
AR 8(v)	AR 20(i)
AR 8(w)	Deleted
AR 8(x)	AR 24(b)
AR 8(y)	AR 20(k)

AR 8(z)	AR 23
AR 8A	Deleted
AR 8B	AR 22(1)(l)&(3)
AR 8C	AR 21(2)
AR 8D	AR 232(c)
AR 8E	AR 15(c) & AR 232(d)
LR 8 & LR 8A	LR 20 & LR 20A
LR 8B	LR 22A
AR 9	AR 25
AR 10	AR 22(1)(a)-(b)
LR 10	LR 22
AR 10A	AR 22(1)(a)-(c)
<b>Registration of clubs and meetings</b>	
AR 11	AR 18(1)-(2)
AR 12	Deleted
AR 13	AR 18(3)
LR 13	New Rule
<b>Registration of horses</b>	
AR 14	AR 26
AR 14A	AR 32
AR 14B	AR 34
AR 15	AR 30
AR 15A	AR 27
AR 15B	Deleted
AR 15C	AR 28
AR 15D	AR 253
AR 16	AR 29
AR 17	AR 31
AR 18	AR 41
AR 18A	AR 40
AR 19	AR 42
AR 20	AR 43(1)-(3)
AR 21	AR 43(4)
AR 22	AR 38
AR 23	AR 44
AR 24	AR 37
AR 25	Deleted
AR 26	AR 33
AR 27	AR 39
<b>Sale of a horse</b>	

AR 28	AR 48
<b>Leases</b>	
AR 32	AR 45
AR 33	AR 46
AR 34	AR 47
LR 34	LR 45
<b>Race meetings</b>	
AR 35	AR 150
AR 36	AR 151
AR 36A	AR 152
AR 36B	AR 153
AR 37	AR 154(1)
AR 38	AR 14(c) & AR 155
LR 38	Deleted
AR 39	AR 156
LR 39	LR 156
AR 40	AR 157
LR 40	LR 157
AR 41	AR 158
AR 42	AR 159
LR 42	LR 159
AR 43	AR 160
AR 44	AR 76
LR 45	LR 77
AR 45A	AR 77
AR 45B	AR 78
AR 46	AR 161
AR 46A	AR 162
AR 46B	AR 163
AR 47	AR 53
LR 47	LR 53
AR 48	AR 54
LR 48	LR 54
LR 48A	LR 60
AR 49	AR 36
AR 50	AR 55
AR 51	AR 56
LR 51	LR 56
AR 51A	AR 58

LR 51A	LR 57
AR 52	Deleted
AR 53	AR 59
AR 53A	AR 79(1)-(4)&(6)-(8)
AR 53B	AR 79(5)
AR 53C	AR 102
AR 54	AR 103
AR 54A	AR 50
AR 55	AR 57
AR 56	AR 60
LR 56	Deleted
AR 56A	AR 61
LR 56A	LR 61
AR 56AA	AR 97
AR 56B	AR 62
LR 56B	LR 61A
AR 57	AR 63
AR 58	AR 64
AR 59	AR 99
AR 59A	AR 65
AR 59B	AR 66
AR 60	AR 67
LR 60	Deleted
AR 61	AR 68(1)
AR 62	AR 68(2)-(5)
AR 63	AR 69
AR 64	AR 75
LR 64	LR 75
AR 64A	AR 80
AR 64B	AR 81
AR 64C	AR 82
AR 64D	AR 83
AR 64E	AR 84
AR 64F	AR 85
AR 64G	AR 255
AR 64H	AR 86
AR 64J	AR 52
AR 64JA	AR 51
AR 64K	AR 89

AR 64L	AR 90
AR 64M	AR 87
AR 64N	AR 88
AR 65	AR 70
AR 66	AR 71
AR 67	AR 72
AR 68	AR 73
AR 68A	AR 74
<b>Syndicates</b>	
AR 69	AR 35
AR 69A	AR 2
AR 69B	Schedule 3, SR 1
AR 69C	Schedule 3, SR 2
AR 69D	Schedule 3, SR 2
AR 69E	Schedule 3, SR 3(3)(a)
AR 69G	Schedule 3, SR 3(1)-(2)
AR 69H	Schedule 3, SR 3(3)(b)-(m)
AR 69I	Schedule 3, SR 6(1)
AR 69J	Schedule 3, SR 6(2)
AR 69K	Schedule 3, SR 7
AR 69L	Schedule 3, SR 4
AR 69M	Schedule 3, SR 5
AR 69N	Schedule 3, SR 6(3)-(4)
AR 69O	Schedule 3, SR 8
AR 69P	Schedule 3, SR 9
<b>Syndicate regulations</b>	
Synd Regn (a)	Schedule 3, SR 10
Synd Regn (b)	Schedule 3, SR 10
Synd Regn (c)	Schedule 3, SR 11(1)-(2)
Synd Regn (d)	Schedule 3, SR 12
Synd Regn (e)	Schedule 3, SR 13(1)-(2)
Synd Regn (f)	Schedule 3, SR 11(3)-(4)
Synd Regn (g)	Schedule 3, SR 13(3)-(4)
Synd Regn (h)	Schedule 3, SR 13(5)-(7)
Synd Regn (i)	Schedule 3, SR 13(8)-(9)
Synd Regn (j)	Schedule 3, SR 13(10)
Synd Regn (k)	Schedule 3, SR 14
<b>Death of nominator</b>	
AR 71	AR 91

<b>Stakes and forfeits</b>	
AR 72	AR 92
LR 72	LR 92
AR 73	AR 93
LR 73	LR 93
AR 74	AR 94
<b>The forfeit list</b>	
AR 75	AR 95
AR 76	AR 96(1)-(2)
AR 77	AR 96(3)
<b>Sale with engagements</b>	
AR 78	AR 49(4)
AR 79	AR 49(1)-(3)
<b>Trainers</b>	
AR 80	AR 109(1)
LR 80	LR 97
AR 80A	AR 109(2)
LR 80A	LR 97A
AR 80B	AR 109(3)-(4)
LR 80B	LR 97B
AR 80C	AR 166
LR 80C	LR 97C
AR 80D	AR 108
LR 80D	LR 97D
AR 80E	AR 252 & 256
LR 80E	LR 97E
AR 80F	AR 101
LR 80F	LR 97F
AR 80G	AR 98
LR 80G	LR 97G
LR 80H	Deleted
LR 80I	LR 97H
LR 80J	LR 98
LR 80K	LR 98A
LR 80L	LR 98B
LR 80M	LR 98C
LR 80N	LR 98D
LR 80O	LR 98E
LR 80P	LR 98F

Jockeys and riders	
AR 81	AR 110
LR 81	LR 110
AR 81A	AR 139
LR 81A	LR 110A
AR 81AA	AR 140
LR 81AA	LR 110H
AR 81B	AR 136(1)
LR 81B	LR 110B
AR 81BB	AR 137(1)
AR 81C	AR 136(2) & AR 137(2)
LR 81C	Deleted
AR 81D	AR 141
LR 81D	LR 110C
AR 81E	AR 142
LR 81E	LR 110D
AR 81F	AR 111
LR 81F	Deleted
AR 81G	AR 112
LR 81G	LR 110E
LR 81I	Deleted
LR 81J	LR 110F
AR 82	AR 113
AR 83	AR 115
AR 84	AR 116
AR 85	AR 117
LR 85	LR 110G
AR 85A	AR 119 & AR 120
AR 85B	AR 127
AR 85C	AR 118
AR 86	AR 121(1)
LR 86	LR 110I
AR 86A	AR 121(2)
AR 86B	AR 121(2)
AR 87	AR 122(1)
AR 87A	AR 124
LR 87A	LR 124
AR 87AA	AR 122(2)-(4)
AR 87AAA	AR 122(5)

AR 87B	AR 123
AR 87C	AR 122(6) & AR 123(5)
AR 87D	AR 123(3)
LR 87D	LR 123
AR 88	AR 125
LR 88	LR 125
AR 89	AR 236
AR 90	AR 126
LR 90	LR 126
LR 90A	LR 126A
LR 90B	LR 126B
LR 90C	LR 126C
AR 91	AR 128
<b>Apprentices allowances</b>	
AR 92	AR 143
LR 92	LR 143
<b>Riding skills panel</b>	
AR 92A	AR 144
<b>Stablehands and apprentices</b>	
AR 93	AR 145
LR 93	LR 145
LR 93B	LR 145A
LR 93C	LR 145B
LR 93D	LR 145C
LR 93E	LR 145D
LR 93F	LR 145E
LR 93G	LR 145F
AR 94	AR 146(1)
AR 95	AR 146(2)-(3)
AR 96	Deleted
<b>Retainers</b>	
AR 97	AR 147(1)(a)
AR 98	AR 147(2)
AR 99	AR 147(1)(b)
AR 100	AR 147(1)(c)
<b>Amateurs</b>	
AR 101	Deleted
AR 101A	AR 148
AR 101B	AR 149



AR 102	Deleted
<b>Weights, penalties and allowances</b>	
AR 103	AR 167
LR 103	LR 167
AR 104	AR 168
AR 104A	AR 169
AR 105	AR 170
AR 106	AR 171
AR 107	AR 172
AR 108	AR 173
AR 109	AR 174
AR 110	AR 175
AR 111	AR 176
AR 111A	AR 177
AR 112	AR 154(2), AR 178 & AR 179
AR 113	AR 180
<b>Scratching</b>	
AR 114	AR 181
LR 114	LR 181
LR 114A	LR 181A
AR 115	AR 182
AR 116	AR 183
AR 117	AR 165
LR 117	LR 165
<b>Weighing-out</b>	
AR 118	AR 184
AR 118A	AR 185
LR 118A	LR 185
AR 118AA	AR 186
LR 118AA	LR 186
AR 118B	AR 187
AR 118C	AR 188
LR 118C	LR 188
AR 119	AR 189
LR 119	Deleted
AR 120	AR 190
AR 121	AR 191
AR 122	AR 192
AR 123	AR 193

LR 123	LR 193
<b>Starting</b>	
AR 124	AR 194
LR 124	LR 194
LR 124A	LR 194A
AR 125	AR 195
AR 126	AR 196
LR 126	LR 55
AR 127	AR 197
AR 128	AR 198
AR 129	AR 199
AR 130	AR 200
AR 131	AR 201
AR 132	AR 202(1)
AR 132A	AR 202(2)
AR 133	Deleted
AR 134	AR 203
AR 134A	AR 204(1)
AR 134B	AR 204(2)
<b>Running</b>	
AR 135	AR 129
AR 135A	AR 100
AR 136	AR 130
AR 137	AR 131
AR 137A	AR 132
AR 137AB	AR 133
AR 137B	AR 134
AR 138	AR 135
AR 139	AR 205
AR 140	AR 105 & AR 114
AR 140A	AR 106
AR 140B	AR 206
LR 140B	LR 206 ((LR 206 (a) & (b) Deleted)
LR 140C	Deleted
LR 140D	Deleted
LR 140E	LR 206A
AR 141	AR 207
LR 141	LR 107
AR 141A	AR 107

<b>LR 141A</b>	<b>LR 107A</b>
AR 141B	AR 107(1)
<b>Weighing-in</b>	
AR 142	AR 208
AR 143	AR 209(1)-(2)
AR 144	AR 210
AR 145	AR 211
AR 146	AR 209(3)
AR 150	AR 212
<b>Dead-heats</b>	
AR 151	AR 213(1)
AR 152	AR 213(2)
AR 153	AR 213(3)
<b>Judge's decision</b>	
AR 154	AR 214(1)
AR 155	AR 214(2)
AR 156	AR 214(4)-(6)
AR 157	AR 214(3)
<b>Walk-over</b>	
AR 158	AR 2
AR 159	AR 215
AR 160	AR 216
<b>Course telecasts</b>	
AR 160A	AR 217
AR 160B	AR 218(1)-(4)
AR 160C	AR 218(5)
<b>Objections and complaints</b>	
AR 161	AR 219(1)
AR 162	AR 220(2)
AR 163	AR 164
AR 164	AR 219(2)
AR 165	AR 219(3)-(6)
AR 166	AR 220(1)
AR 168	AR 221
AR 169	AR 219(7)-(8)
AR 170	AR 219(9)
AR 171	AR 222
AR 172	AR 223
AR 173	AR 224

LR 173	LR 224
AR 174	AR 219(10)
<b>Offences</b>	
LR 175	LR 250
AR 175(a)	AR 229(1)(a)
AR 175(aa)	AR 229(1)(b)
AR 175(b)	AR 229(1)(c)
AR 175(c)	AR 229(1)(d)
AR 175(d)	AR 229(1)(e)
AR 175(e)	AR 229(1)(f)-(g)
AR 175(f)	AR 232(h)
AR 175(g)	AR 232(i)
AR 175(gg)	AR 229(1)(h)
AR 175(h)(i)	AR 244
AR 175(h)(ii)	AR 245(1)
AR 175(hh)	AR 231(2)-(3)
AR 175(i)	AR 229(1)(i)-(j)
AR 175(j)	AR 228(c)
AR 175(k)	AR 227(a)
AR 175(l)	AR 227(b)
AR 175(m)	AR 232(a)
AR 175(n)	AR 231(1)(a)
AR 175(o)	AR 231(1)(b)
AR 175(p)	AR 232(b)
AR 175(q)	AR 228(b)
AR 175(qq)	AR 228(d)
AR 175(r)	AR 232(e)
AR 175(s)	AR 232(f)
AR 175(t)	AR 232(c)
AR 175(u)	AR 232(g)
AR 175(v)	AR 233(a)
AR 175(w)	AR 231(4)
AR 175(x)	AR 233(b)
AR 175(y)	AR 233(c)
AR 175(z)	AR 228(e)
AR 175A	AR 228(a)
LR 175A	LR 233
AR 175AA	AR 230
AR 175B	AR 237(1)-(6)

<b>LR 175B</b>	<b>LR 233A</b>
AR 175C	AR 237(7)
AR 175D	AR 238
AR 176	AR 234
<b>Prohibited substances</b>	
AR 177	AR 240(1)
AR 177A	AR 241
<b>LR 177A</b>	<b>LR 241</b>
AR 177B(1)	AR 242
AR 177B(2)	Schedule 1, Part 1, Division 1 – Prohibited List A
AR 177B(3)	AR 9(2)
AR 177B(4)	Schedule 1, Part 1, Division 2 – Prohibited List A exemptions
AR 177B(5)	AR 250
AR 177B(6)	AR 243
AR 177B(7)	AR 256
AR 177C	AR 240(3), AR 245(2)
AR 178	AR 240(2)
AR 178A(1)	AR 251(1)
AR 178A(2)	AR 251(2)
AR 178A(3)	AR 246
AR 178A(4)(a)	AR 251(3)-(4)
AR 178A(4)(b)	AR 246
AR 178AA	AR 247
AR 178AB	AR 254
AR 178B	Schedule 1, Part 2, Division 1 – Prohibited List B
AR 178C(1)	Schedule 1, Part 1, Division 3 – Prohibited List A thresholds (anabolic androgenic steroids) & Schedule 1, Part 2, Division 3 – Prohibited List B thresholds (as applicable)
AR 178C(2)	Schedule 1, Part 2, Division 2 – Prohibited List B exemptions
AR 178D	AR 259
AR 178DD	AR 259
AR 178E	AR 249
AR 178EA	AR 257
AR 178F	AR 104
AR 178H	AR 248
<b>Penalties</b>	
AR 179	AR 260

AR 179A	AR 261
AR 181	AR 262
AR 182	AR 263(1)-(5)
LR 182	LR 263
AR 182A	AR 264
LR 182A	LR 263A
LR 182B	LR 263B
LR 182C	LR 263C
AR 183	AR 265
AR 183A	AR 266
AR 183B	AR 267
AR 183C	AR 268
AR 183D	AR 269
AR 183E	AR 263(1)(c)
AR 183F	AR 270
AR 184	AR 271
AR 185	AR 263(6)
AR 186	AR 272
AR 187	AR 273
LR 187	LR 273
AR 188	Deleted
AR 189	AR 274
AR 190	AR 275
AR 191	AR 276
AR 192	AR 284
AR 193	AR 277
AR 194	Deleted
AR 195	Deleted
AR 195A	AR 278
AR 196	AR 283
LR 196	LR 283
LR 196A	LR 283A
AR 197	AR 279(1)
AR 198	AR 279(2)
AR 199	AR 280(1)
AR 199A	AR 280(2)
AR 199B	AR 281
AR 200	AR 282
LR 200	LR 282

AR 200A	Deleted
<b>Destruction of horse</b>	
AR 201	AR 225
<b>Notices</b>	
AR 202	AR 10(1)&(2)
AR 203	AR 10(1)&(2)
AR 204	AR 10(3)
AR 205	AR 10(4)
AR 206	Deleted
<b>Facsimile transmissions</b>	
AR 207	AR 10(1)(d)
<b>Australian Racing Board</b>	
AR 208	AR 11(1)
AR 209	AR 11(2)
AR 214	Deleted
<b>New rules</b>	
AR 215	AR 9(1)
<b>Schedule 1</b>	
TOR Rules	Schedule 2

## 2. Comparison between Australian Rules of Racing as at 1 March 2019 (new rules) and 28 February 2019 (old rules)

Australian and <b>Local Rules</b> of Racing as at 1 March 2019 (new rules)	Australian Rules of Racing as at 28 February 2019 (old rules)
<b>PART 1 – INTERPRETATION, DICTIONARY &amp; APPLICATION OF THESE AUSTRALIAN RULES AND <b>LOCAL RULES</b></b>	
<b>Division 1 – Interpretation</b>	
AR 1 Interpretation principles	
<b>LR 1</b>	<b>LR 1</b>
AR 1(1)-(2)	N/A
AR 1(3)-(5)	AR 1
<b>Division 2 – Dictionary</b>	
AR 2 Dictionary	AR 1
<b>LR 3</b>	<b>LR 2</b>
<b>Division 3 – Application of these Australian Rules</b>	
AR 3 Application of these Australian Rules	AR 2
AR 4 Races and race meetings subject to these Australian Rules	AR 6
<b>LR 4, 4A &amp; 4B</b>	<b>LR 6, 6A &amp; 6B</b>
AR 5 Breaches of these Australian Rules and their consequences	N/A
AR 6 Exercise of rights, powers or authorities to be final and conclusive	AR 4
AR 7 Calculation of time periods	AR 3
AR 8 Commencement of these Australian Rules	AR 5
<b>LR 8 Transition</b>	<b>LR 5</b>
<b>Division 4 – New rules</b>	
AR 9 Only Racing Australia to make new rules	
AR 9(1)	AR 215
AR 9(2)	AR 177B(3)
AR 9(3)	AR 7(i)
<b>Division 5 – Notices and communications</b>	
AR 10 Service of notices	
AR 10(1)	AR 202 & AR 203
AR 10(2)	AR 202 & AR 203
AR 10(3)	AR 204
AR 10(4)	AR 205
<b>Division 6 – Racing Australia</b>	
AR 11 Role of Racing Australia	
AR 11(1)	AR 208
AR 11(2)	AR 209
<b>PART 2 – POWERS OF PRAS &amp; REGISTRATION OF CLUBS</b>	



<b>Division 1 – Powers of PRAs</b>	
AR 12 General powers	
LR 12	LR 7
Deleted	LR 7A
AR 12(a)	AR 7(ii)
AR 12(b)	AR 7(iii)(e)
AR 12(c)	AR 7(iii)(n)
AR 12(d)	AR 7(i)
AR 12(e)	AR 7(iii)(p)
AR 13 Licensing and registration of persons	
LR 13	-
AR 13(a)	AR 7(iii)(b)
AR 13(b)	AR 7(iii)(l)
AR 13(c)	AR 7(iii)(b)
AR 14 Functioning of race meetings and Clubs	
AR 14(a)	AR 7(iii)(t)
AR 14(b)	AR 7(iii)(m)
AR 14(c)	AR 38
AR 14(d)	AR 7(iii)(k)
AR 15 Investigations, inquiries and hearings	
AR 15(a)	AR 7(iii)(c)
AR 15(b)	AR 7(iii)(s)
AR 15(c)	AR 8E(1)
AR 15(d)	AR 7(iii)(r)
AR 15(e)	AR 7(iii)(a)
AR 15(f)	AR 7(iii)(q)
AR 16 Disciplinary action	
AR16(a)	N/A
AR16(b)	AR 7(iii)(d)&(s)
AR16(c)	AR 7A
AR16(d)	AR 7(iii)(f)
AR16(e)	AR 7(iii)(i)
AR16(f)	AR 7(iii)(j)
AR 17 Taking samples at horse sales	
AR 17(a)	AR 7(iii)(u)
AR 17(b)	AR 7(iii)(v)
<b>Division 2 – Application to hold race meetings</b>	
AR 18 Applications to hold race meetings	
AR 18(1)-(2)	AR 11

AR 18(3)	AR 13
<b>PART 3 – ROLE &amp; POWERS OF STEWARDS</b>	
<b>Division 1 – Source of Stewards’ powers</b>	
AR 19 Source of Stewards’ powers	N/A
<b>Division 2 – Stewards’ powers</b>	
AR 20 General powers	
<b>LR 20 &amp; LR 20A</b>	<b>LR 8 &amp; LR 8A</b>
AR 20(a)	AR 8(d)
AR 20(b)	AR 8(a)
AR 20(c)	AR 8(j)
AR 20(d)	AR 8(m)
AR 20(e)	AR 8(t)
AR 20(f)	AR 8(c)
AR 20(g)	AR 8(n)
AR 20(h)	AR 8(v)
AR 20(i)	AR 8(ll)
AR 20(j)	AR 8(y)
AR 21 Race days, official trials and jump-outs	
AR 21(a)	AR 8(f)
AR 21(b)	AR 8(h)
AR 21(c)	AR 8(i)
AR 21(d)	AR 8(l)
AR 21(e)	AR 8(o)
AR 21(f)	AR 8(q)
AR 21(g)	AR 8(p)
AR 21(h)	AR 8(r)
AR 21(i)	AR 8(s)
AR 21(j)	AR 8(u)
AR 22 Investigations and inquiries	
<b>LR 22A</b>	<b>LR 8B</b>
<b>LR 22</b>	<b>LR 10</b>
AR 22(1)(a)	AR 10 & AR 10A
AR 22(1)(b)	AR 10 & AR 10A
AR 22(1)(c)	AR 10A
AR 22(1)(d)	AR 8(b)
AR 22(1)(e)	AR 8(g)
AR 22(1)(f)	AR 8(k)(i)
AR 22(1)(g)	AR 8(j)
AR 22(1)(h)	AR 8(jj)

AR 22(1)(i)	AR 8(jjj)
AR 22(1)(j)	AR 8(j),(jj)&(jjj)
AR 22(1)(k)	AR 8(k)(ii)
AR 22(1)(l)	AR 8B
AR 22(2)	AR 8C
AR 22(3)	AR 8B
AR 23 Suspension pending the hearing and determination of a charge	AR 8(z)
AR 24 Disciplinary action	
AR 24(a)	AR 8(e)
AR 24(b)	AR 8(x)
AR 25 Panel decisions	AR 9
<b>PART 4 – HORSE REGISTRATION, OWNERSHIP, LEASING &amp; TRACEABILITY</b>	
<b>Division 1 – Horse registration</b>	
AR 26 Registration of a horse	AR 14
AR 27 Stud Book requirement for horse registration	AR 15A
AR 28 Biological constitution requirement for horse registration	AR 15C
AR 29 Branding and microchip requirement for horse registration	AR 16
AR 30 Information to be provided with horse registration application	AR 15
AR 31 Provision of incorrect information	AR 17
AR 32 Endorsement of certificates of registration for overseas horses	AR 14A
AR 33 Registration of a horse foaled outside of Australia	AR 26
<b>Division 2 – Horse ownership</b>	
AR 34 Registration as an owner	AR 14B
AR 35 Limitation on the number of persons who can own or race a horse	AR 69
AR 36 Age restriction on persons who can own or race a horse	AR 49
AR 37 Applications for transfer of ownership of a horse	AR 24
AR 38 Registration of a new owner of a transferred horse	AR 22
<b>Deleted</b>	<b>LR 38</b>
AR 39 Replacement of horse identification documents	AR 27
AR 40 Use by owners of intellectual property associated with a horse	AR 18A
AR 41 Refusal to register certain horse names	AR 18
AR 42 Use of names previously used by horses	AR 19
AR 43 Applications to change horse names	
AR 43(1)-(3)	AR 20
AR 43(4)	AR 21
AR 44 Naming of hacks/ponies	AR 23
<b>Division 3 – Leasing of horses</b>	
AR 45 Formal documentation required for racing leased horses	AR 32
<b>LR 45</b>	<b>LR 34</b>

AR 46 Obligation to inform a PRA of the termination of a lease	AR 33
AR 47 PRA may impose conditions in respect of leases	AR 34
<b>Division 4 – Sale or gifting of a horse</b>	
AR 48 Prohibition on secret commissions in connection with the sale of a horse	AR 28
AR 49 Horses sold, leased or gifted to retain engagements	
AR 49(1)-(3)	AR 79
AR 49(4)	AR 78
<b>Division 5 – Traceability of horses (including reporting requirements)</b>	
AR 50 Manager to disclose the location of an unnamed horse	AR 54A
AR 51 Manager to notify Racing Australia of the retirement of a horse	AR 64JA
AR 52 Deaths of named and unnamed horses to be reported	AR 64J
<b>PART 5 – ELIGIBILITY OF HORSES TO RACE</b>	
<b>Division 1 – Entry and participation of horses in races</b>	
AR 53 Horses can only run in races they are qualified to run in	AR 47
LR 53	LR 47
AR 54 Process of nominating a horse for a race	AR 48
LR 54	LR 48
AR 55 Nominations for races subject to approval	AR 50
LR 55	LR 126
AR 56 Timing for making declarations in relation to races	AR 51
Deleted	LR 56
LR 56	LR 51
AR 57 Entry of horses in multiple races	AR 55
LR 57 Limit on Acceptances	LR 51A
AR 58 Emergency acceptors	AR 51A
AR 59 PRA's discretion in relation to nominations for races	AR 53
AR 60 Requirements of nominations, entry forms and Stable Returns	AR 56
LR 60	LR 48A
Deleted	LR 60
AR 61 Only horses trained by a licensed trainer to race, official trial, or jump-out	AR 56A
LR 61	LR 56A
LR 61A Pre-training	LR 56B
AR 62 Failure to provide information etc in relation to interests in a horse	AR 56B
AR 63 Removal of manager of a horse	AR 57
AR 64 Provision of details in relation to changes in ownership interests	AR 58
AR 65 Production of horse identification documents on request	AR 59A
AR 66 Requirements on licensed persons in relation to interstate racing	AR 59B
AR 67 Provision of information in relation to overseas racing	AR 60
AR 68 Alteration and rejection of nominations	

AR 68(1)	AR 61
AR 68(2)-(5)	AR 62
AR 69 Scratching of horses for Group or Listed races	AR 63
AR 70 Disqualified horses can be struck from engagements	AR 65
AR 71 Limits on ability to withdraw from a stake	AR 66
AR 72 A race with only one entry is void	AR 67
AR 73 Name of nominator to be used	AR 68
AR 74 Entry of horses in races for improper purposes is prohibited	AR 68A
<b>Division 2 – Restrictions/exclusions in relation to participation of horses in races etc</b>	
AR 75 Stewards may prevent/ban horses from participating in races etc	AR 64
LR 75	LR 64
AR 76 Yearlings	AR 44
AR 77 2 year old horses	AR 45A
LR 77	LR 45
AR 78 12+ year old horses	AR 45B
AR 79 Horses with bleeding	
AR 79(1)-(4)&(6)-(8)	AR 53A
AR 79(5)	AR 53B
AR 80 Horses with impaired vision	AR 64A
AR 81 Horses with injury to limbs	AR 64B
AR 82 Horses with a tracheostomy	AR 64C
AR 83 Horses with fitness concerns	AR 64D
AR 84 Pregnant horses	AR 64E
AR 85 Horses that have had a firing procedure	AR 64F
AR 86 Horses that have had shockwave therapy	AR 64H
AR 87 Horses that have had an intra-articular corticosteroid treatment	AR 64M
AR 88 Horses that have had a vaccination	AR 64N
<b>Division 3 – Notifiable diseases</b>	
AR 89 Diseases or conditions which must be notified to a PRA	AR 64K
AR 90 Horses with an infectious disease not to be brought to racecourse etc	AR 64L
<b>Division 4 – Death of a nominator</b>	
AR 91 Effect of death of a nominator	AR 71
<b>Division 5 – Stakes and forfeits</b>	
AR 92 Liability for stakes or forfeits	AR 72
LR 92	LR 72
AR 93 Horses may be scratched by Stewards if monies due and payable	AR 73
LR 93	LR 73
AR 94 Responsibility of a Club for stakes or forfeits	AR 74

AR 95 Forfeit List to be kept by PRAs	AR 75
AR 96 Consequence of being on the Forfeit List	AR 76
<b>PART 6 – TRAINERS</b>	
<b>Division 1 – Licensing of trainers by PRAs</b>	
AR 97 Only licensed trainers to train horses	AR 56AA
LR 97	LR 80
LR 97A Dual Licences	LR 80A
LR97B	LR 80B
LR 97C	LR 80C
LR 97D	LR 80D
LR 97E	LR 80E
LR 97F	LR 80F
LR 97G	LR 80G
Deleted	LR 80H
LR 97H	LR 80I
AR 98 Training partnerships	AR 80G
LR 98	LR 80J
LR 98A	LR 80K
LR 98B	LR 80L
LR 98C	LR 80M
LR 98D	LR 80N
LR 98E	LR 80O
LR 98F	LR 80P
<b>Division 2 – Rights and obligations of trainers</b>	
AR 99 Obligation to ensure an identified horse is presented and races	AR 59
AR 100 Notifications in relation to changed riding instructions	AR 135A
AR 101 Stabling of horses at trainer's registered stable address	AR 80F
AR 102 Notification to Stewards of gelding or spaying of a horse	AR 53C
AR 103 Stable Returns required for race entries	AR 54
AR 104 Trainers must keep treatment records	AR 178F
AR 105 Matters that may affect the running of a horse in a race	AR 140
AR 106 Saddling a horse	AR 140A
AR 107 Plates and tips	
LR 107	LR 141
LR 107A	LR 141A
AR 107(1)	AR 141A(1) & AR 141B
AR 107(2)-(5)	AR 141A
AR 108 Horse's clothing before sunrise	AR 80D
AR 109 Training in non-resident States or Territories	

AR 109(1)	AR 80
AR 109(2)	AR 80A
AR 109(3)-(4)	AR 80B
<b>PART 7 – RIDERS &amp; HORSE HANDLERS</b>	
<b>Division 1 – Licensing of riders</b>	
AR 110 Only licensed riders to ride in races	AR 81
LR 110	LR 81
LR 110A	LR 81A
LR 110B	LR 81B
LR 110C	LR 81D
LR 110D	LR 81E
LR 110E	LR 81G
LR 110F	LR 81J
LR 110G	LR 85
LR 110H	LR 81AA
LR 110I	LR 86
Deleted	LR 81C
Deleted	LR 81F
Deleted	LR 81I
<b>Division 2 – Rights and obligations of riders</b>	
AR 111 Physical fitness to ride	AR 81F
AR 112 Limitations on pregnant riders being able to ride	AR 81G
AR 113 Electronic devices not permitted while riding	AR 82
AR 114 Reporting occurrences or incidents	AR 140
AR 115 Jockey and apprentice jockey misconduct	AR 83
AR 116 Jockeys and apprentice jockeys not to have an interest in horses	AR 84
AR 117 Ineligibility of horses that a jockey or apprentice jockey has an interest in	AR 85
AR 118 Jockeys and apprentice jockeys not to have an interest in horse transactions	AR 85C
AR 119 Engagements for apprentice jockeys to be approved by master	AR 85A
AR 120 Rider's agents	AR 85A
<b>Division 3 – Safety equipment of riders</b>	
AR 121 Clothes, footwear and equipment	
AR 121(1)	AR 86
AR 121(2)	AR 86A & 86B
AR 122 Helmets	
AR 122(1)	AR 87
AR 122(2)-(4)	AR 87AA
AR 122(5)	AR 87AAA
AR 122(6)	AR 87C

AR 123 Safety vests	
AR 123(1)-(2)&(4)	AR 87B
LR 123	LR 87D
AR 123(3)	AR 87D
AR 123(5)	AR 87C
AR 124 Proper bridle and saddle for horses	AR 87A
LR 124	LR 87A
AR 125 Riders permitted to use blunt and approved spurs	AR 88
LR 125	LR 88
<b>Division 4 – Requirements of riders in relation to riding in races</b>	
AR 126 Fees for jockeys and riders to be determined by PRAs	AR 90
LR 126	LR 90
LR 126A	LR 90A
LR 126B	LR 90B
LR 126C	LR 90C
AR 127 Failing to fulfil a riding engagement	AR 85B
AR 128 Rider to be present in jockeys' room at race meetings	AR 91
AR 129 Running and handling	AR 135
AR 130 Consequences if a horse and/or jockey causes interference	AR 136
AR 131 Riding offences	AR 137
AR 132 Limits on the use of a whip by a rider	AR 137A
AR 133 Possession of stockwhip	AR 137AB
AR 134 Excessive, unnecessary or improper use of spurs	AR 137B
AR 135 Races around markers	AR 138
<b>Division 5 – Substances banned for use by riders and horse handlers</b>	
AR 136 Banned substances in relation to riders	
AR 136(1)	AR 81B
AR 136(2)	AR 81C
AR 137 Banned substances in relation to horse handlers	
AR 137(1)	AR 81BB
AR 137(2)	AR 81C
<b>Division 6 – Banned substance offences for riders and horse handlers</b>	
AR 138 Penalty for breach	N/A
AR 139 Offences where riders use banned substances	AR 81A
AR 140 Offences where horse handlers use banned substances	AR 81AA
AR 141 Stewards may impose a stay on a banned substance offence penalty	AR 81D
AR 142 Banned substances exemption	AR 81E
<b>Division 7 – Apprentice jockey allowances</b>	
AR 143 Weight allowances for apprentice jockeys	AR 92



LR 143	LR 92
<b>Division 8 – Riding Skills Panel</b>	
AR 144 Function of Riding Skills Panel	AR 92A
<b>Division 9 – Other provisions relating to workers in the thoroughbred racing industry</b>	
AR 145 Employment in the thoroughbred racing industry	AR 93
LR 145 Apprentices	LR 93
LR 145A	LR 93B
LR 145B	LR 93C
LR 145C	LR 93D
LR 145D	LR 93E
LR 145E	LR 93F
LR 145F	LR 93G
AR 146 Leaving employment without consent of master	
AR 146(1)	AR 94
AR 146(2)-(3)	AR 95
AR 147 Retainers with riders	
AR 147(1)(a)	AR 97
AR 147(1)(b)	AR 99
AR 147(1)(c)	AR 100
AR 147(2)	AR 98
<b>Division 10 – Approved riders</b>	
AR 148 Prohibition on betting activity of approved riders	AR 101A
AR 149 Approved riders owning horses	AR 101B
<b>PART 8 – RACE MEETINGS</b>	
<b>Division 1 – Race meetings</b>	
AR 150 Discretion of a PRA to exempt a race meeting or race from the Rules	AR 35
AR 151 PRA approval of races, race names and conditions	AR 36
AR 152 Change of venue not to affect status of race meeting	AR 36A
AR 153 No changes to weight of horses after acceptances	AR 36B
AR 154 Non-monetary prizes	
AR 154(1)	AR 37
AR 154(2)	AR 112(c)
AR 155 Abandonment or cancellation of race meetings with PRA approval	AR 38
AR 156 Prohibition on officials with a pecuniary interest in a race result	AR 39
LR 156 Appointment of Officials	LR 39
AR 157 Clubs to provide reports of race meetings to PRAs	AR 40
LR 157	LR 40
AR 158 Stewards' reports following race meetings	AR 41

AR 159 Races can be divided into divisions	AR 42
<b>LR 159</b>	<b>LR 42</b>
AR 160 Minimum distance for all races	AR 43
AR 161 Method of reckoning the age of a horse	AR 46
AR 162 Nature of Group and Listed races	AR 46A
AR 163 Official results of races are those recorded by Racing Australia	AR 46B
AR 164 Immaterial defect in registration or entry	AR 163
AR 165 Horses in the saddling paddock	AR 117
<b>LR 165 Time for horses to be brought on course</b>	<b>LR 117</b>
AR 166 Horses must be attended to at all times while on course	AR 80C
<b>LR 166 Restricted Areas</b>	<b>LR 124A</b>
<b>Division 2 – Weights, penalties and allowances</b>	
AR 167 Maximum and minimum weights for handicap races	AR 103
<b>LR 167</b>	<b>LR 103</b>
AR 168 Table of standard weight-for-age measures	AR 104
AR 169 Allowances for fillies and mares	AR 104A
AR 170 Allowances for weight-for-age races	AR 105
AR 171 Limitation on allowances	AR 106
AR 172 Additional weight not to be required for running 2 <sup>nd</sup> or lower	AR 107
AR 173 Allowances/extra weights not affected by matches/sweepstakes	AR 108
AR 174 Penalties not to be cumulative	AR 109
AR 175 No penalties for winners of jumping races or flat races	AR 110
AR 176 Handicapper to identify time of declaration of weights	AR 111
AR 177 Stewards may permit handicapper to amend weights	AR 111A
AR 178 Consequence for weights of a dead-heat race	AR 112
AR 179 Calculating equivalent prize money earned in other countries	AR 112
AR 180 Eligibility or weight not affected by subsequent disqualification	AR 113
<b>Division 3 – Scratchings</b>	
AR 181 Notice of scratching of a horse from a race	AR 114
<b>LR 181</b>	<b>LR 114</b>
<b>LR 181A</b>	<b>LR 114A</b>
AR 182 Scratchings void if a race or race meeting postponed to another day	AR 115
AR 183 Horses may be scratched 15 minutes before a re-run race	AR 116
<b>Division 4 – Weighing-out</b>	
AR 184 Method of weighing-out and weighing-in	AR 118
AR 185 No equipment change after weighing-out	AR 118A
<b>LR 185</b>	<b>LR 118A</b>
AR 186 Securing lead or other weights	AR 118AA
<b>LR 186</b>	<b>LR 118AA</b>

AR 187 1kg adjustment to rider's actual weight	AR 118B
AR 188 Riders' obligations in relation to safety vests	AR 118C
LR 188	LR 118C
AR 189 Riders may be substituted in particular circumstances	AR 119
Deleted	LR 119
AR 190 Riders riding overweight	AR 120
AR 191 Responsibilities in relation to weight and penalties	AR 121
AR 192 Departure from jockeys' room and mounting enclosure prior to race	AR 122
AR 193 Limits on a rider in relation to race communications	AR 123
LR 193	LR 123
<b>Division 5 – Starting</b>	
AR 194 Horse to be in mounting yard 15 minutes before start time	AR 124
LR 194 Displaying advertising	LR 124
LR 194A	LR 124A
AR 195 Parading and proceeding to the start of a race	AR 125
AR 196 Races to be started by Starter	AR 126
AR 197 Discretion of the Starter in relation to starting races	AR 127
AR 198 Requirement of starting at allotted barrier	AR 128
AR 199 Open barrier and flag starts	AR 129
AR 200 Discretion for Stewards to scratch a horse if it does not enter stall	AR 130
AR 201 Discretion of Stewards if race started from incorrect starting position	AR 131
AR 202 Discretion of Starter to signal false start	
AR 202(1)	AR 132
AR 202(2)	AR 132A
AR 203 Decision of Stewards about starts of races to be final	AR 134
AR 204 Riderless and disadvantaged horses at the start of a race	
AR 204(1)	AR 134A
AR 204(2)	AR 134B
<b>Division 6 – Running of a race</b>	
AR 205 Stewards may declare a race void and require it to be re-run	AR 139
AR 206 Horses must only race in approved gear	AR 140B
LR 206	LR 140B
LR 206A	LR 140E
Deleted	LR 140C
Deleted	LR 140D
AR 207 Horses must carry saddlecloths identifying their number	AR 141
<b>Division 7 – Weighing-in</b>	
AR 208 Requirement to weigh-in	AR 142
AR 209 Consequence of a horse carrying less weight than it should	

AR 209(1)-(2)	AR 143
AR 209(3)	AR 146
AR 210 Consequence if a rider does not weigh-in properly	AR 144
AR 211 Horse overweight by more than 0.5kg	AR 145
AR 212 Declaration of correct weight by Stewards	AR 150
<b>Division 8 – Dead-heats</b>	
AR 213 Dead-heats	
AR 213(1)	AR 151
AR 213 (2)	AR 152
AR 213 (3)	AR 153
<b>Division 9 – Judge’s determination</b>	
AR 214 Placings in a race to be determined by Judge	
AR 214(1)	AR 154
AR 214(2)	AR 155
AR 214(3)	AR 157
AR 214(4)-(6)	AR 156
<b>Division 10 – Walk-over</b>	
AR 215 A walk-over and its consequences	AR 159
AR 216 Allocation of prize money if no 2 <sup>nd</sup> or other place	AR 160
<b>Division 11 – Restrictions on course telecasts</b>	
AR 217 No course telecast without approval	AR 160A
<b>Division 12 – Restrictions on the use of communication devices</b>	
AR 218 No transmission of certain information in certain areas at racecourses	
AR 218(1)-(4)	AR 160B
AR 218(5)	AR 160C
<b>Division 13 – Protests</b>	
AR 219 Making protests	
AR 219(1)	AR 161
AR 219(2)	AR 164
AR 219(3)-(6)	AR 165
AR 219(7)-(8)	AR 169
AR 219(9)	AR 170
AR 219(10)	AR 174
AR 220 Certain protests can be made up to 30 days after a race	
AR 220(1)	AR 166
AR 220(2)	AR 162
AR 221 Consequence of a protest being upheld	AR 168
AR 222 Protest to the qualification of a horse	AR 171
AR 223 Withholding of prizes pending consideration of a protest or inquiry	AR 172

AR 224 Prizes to be repaid/returned following disqualification	AR 173
<b>Division 14 – Humane euthanasia of a horse</b>	
AR 225 Circumstances in which a horse may be humanely euthanised	AR 201
<b>PART 9 – MISCONDUCT &amp; OTHER OFFENCES</b>	
<b>Division 1 – Penalty for breach</b>	
AR 226 Penalty for breach	N/A
<b>Division 2 – Powers in relation to misconduct and other offences</b>	
AR 227 Breaches of the Rules	
AR 227(a)	AR 175(k)
AR 227(b)	AR 175(l)
<b>Division 3 – Conduct detrimental to the interests of racing</b>	
AR 228 Conduct detrimental to the interests of racing	
AR 228(a)	AR 175A
AR 228(b)	AR 175(q)
AR 228(c)	AR 175(j)
AR 228(d)	AR 175 (qq)
AR 228(e)	AR 175(z)
<b>Division 4 – Corruption, dishonesty and misleading behaviour</b>	
AR 229 Corruption, dishonesty and misleading behaviour	
AR 229(1)(a)	AR 175(a)
AR 229(1)(b)	AR 175 (aa)
AR 229(1)(c)	AR 175(b)
AR 229(1)(d)	AR 175(c)
AR 229(1)(e)	AR 175(d)
AR 229(1)(f)	AR 175(e)
AR 229(1)(g)	AR 175(e)
AR 229(1)(h)	AR 175(gg)
AR 229(1)(i)	AR 175(i)
AR 229(1)(j)	AR 175(i)
AR 229(2)	AR 196(5)
AR 230 Duty to provide information in relation to corrupt etc conduct	AR 175AA
<b>Division 5 – Misconduct in relation to the care and welfare of horses</b>	
AR 231 Care and welfare of horses	
AR 231(1)(a)	AR 175(n)
AR 231(1)(b)	AR 175(o)
AR 231(2)-(3)	AR 175(hh)
AR 231(4)	AR 175(w)
AR 231(5)	AR 196(5)
<b>Division 6 – Misconduct by failure to observe official processes and directions</b>	

AR 232 Failure to observe processes and directions of PRAs or Stewards	
AR 232(a)	AR 175(m)
AR 232(b)	AR 175(p)
AR 232(c)	AR 8D & AR 175(t)
AR 232(d)	AR 8E(2)
AR 232(e)	AR 175(r)
AR 232(f)	AR 175(s)
AR 232(g)	AR 175(u)
AR 232(h)	AR 175(f)
AR 232(i)	AR 175(g)
<b>Division 7 – Other misconduct offences</b>	
AR 233 Other misconduct offences	
<b>LR 233 Disqualification by Conviction</b>	<b>LR 175A</b>
<b>LR 233A</b>	<b>LR 175B</b>
AR 233(a)	AR 175(v)
AR 233(b)	AR 175(x)
AR 233(c)	AR 175(y)
AR 234 Disqualification where certain misconduct has occurred	AR 176
<b>PART 10 – BETTING &amp; LAYING PROHIBITIONS FOR CERTAIN PERSONS</b>	
<b>Division 1 – Penalty for breach</b>	
235 Penalty for breach	N/A
<b>Division 2 – Prohibition on betting with or for jockeys</b>	
AR 236 Betting with or for a jockey	AR 89
<b>Division 3 – Prohibition in relation to laying horses</b>	
AR 237 Prohibition on persons laying horses	
AR 237(1)-(6)	AR 175B
AR 237(7)	AR 175C
<b>Division 4 – Prohibition on betting with non-approved wagering operators</b>	
AR 238 Prohibition on betting with non-approved wagering operators	AR 175D
<b>PART 11 – PROHIBITED SUBSTANCES &amp; PROHIBITED METHODS OFFENCES</b>	
<b>Division 1 – Penalty for breach</b>	
AR 239 Penalty for breach	N/A
<b>Division 2 – Prohibited substance in a sample taken from a horse</b>	
AR 240 Prohibited substance in sample taken from horse at race meeting	
AR 240(1)	AR 177
AR 240(2)	AR 178
AR 240(3)	AR 177C
AR 241 Prohibited substance in sample taken from horse at trial etc	AR 177A
<b>LR 241</b>	<b>LR 177A</b>

AR 242 Prohibited substance in sample taken from horse at any time	AR 177B(1)
<b>Division 3 – Administration offences</b>	
AR 243 Administration of prohibited substance (general administration provision)	AR 177B(6)
AR 244 Administration of prohibited substance to affect race performance	AR 175(h)(i)
AR 245 Administration of prohibited substance in sample taken from horse before/after running in race	
AR 245(1)	AR 175(h)(ii)
AR 245(2)	AR 177C
AR 246 Administration of prohibited substance after running of race	AR 178A(3) & (4)(b)
AR 247 Administration of alkalinising agents	AR 178AA
AR 248 Administration of anabolic androgenic steroids	AR 178H
AR 249 Administration of medication on race day	AR 178E
<b>Division 4 – Possession offences</b>	
AR 250 Possession of prohibited substance	AR 177B(5)
<b>LR 250</b>	<b>LR 175</b>
AR 251 Possession of a prohibited substance/equipment at race meeting	
AR 251(1)	AR 178A(1)
AR 251(2)	AR 178A(2)
AR 251(3)-(4)	AR 178A(4)(a)
AR 252 Possession of medication/substance/preparation in breach of legislation	AR 80E
<b>Division 5 – Testing for anabolic androgenic steroids before registration</b>	
AR 253 Testing for anabolic androgenic steroids before registration	AR 15D
<b>Division 6 – Injections</b>	
AR 254 Injections prohibited at certain times	AR 178AB
<b>Division 7 – Stomach-tubing</b>	
AR 255 Stomach-tubing prohibited at certain times	AR 64G
<b>Division 8 – Supply and procurement offences</b>	
AR 256 Prohibition on supply and procurement of certain substances	
AR 256(1)(i)-(ii)	AR 177B(7)(a)
AR 256(1)(iii)	AR 80E(3)(a)
AR 256(2)(i)-(ii)	AR 177B(7)(b)
AR 256(2)(iii)	AR 80E(3)(b)
AR 256(3)	AR 80E(3)(d) & AR 177B(7)(d)
<b>Division 9 – Therapeutic substances</b>	
AR 257 Therapeutic substances	AR 178EA
<b>PART 12 – SAMPLE ANALYSIS &amp; FACILITATION OF PROOF</b>	
<b>Division 1 – General</b>	
AR 258 General rules	N/A

<b>Division 2 – Sample analysis and facilitation of proof</b>	
AR 259 Sample analysis and facilitation of proof	AR 178D & AR 178DD
<b>PART 13 – DISCIPLINARY PROCESSES, PENALTIES &amp; RESTRICTIONS</b>	
<b>Division 1 – Evidentiary and procedural provisions in relation to disciplinary matters</b>	
AR 260 Publication of penalties	AR 179
AR 261 Recognition of penalties imposed overseas	AR 179A
AR 262 Records of disqualifications, suspensions, and warning offs	AR 181
<b>Division 2 – Effects of penalties and restrictions imposed on persons and horses</b>	
AR 263 Prohibitions on persons and their conduct while disqualified	
LR 263	LR 182
LR 263A	LR 182A
LR 263B	LR 182B
LR 163C	LR 182C
AR 263(1)-(5)	AR 182
AR 263(1)(c)	AR 183E
AR 263(6)	AR 185
AR 264 No betting by a bookmaker with disqualified persons	AR 182A
AR 265 Restrictions that apply to those warned off the same as those disqualified	AR 183
AR 266 Prohibitions on conduct of riders during period of suspension	AR 183A
AR 267 Prohibitions on conduct of trainers during period of suspension	AR 183B
AR 268 Prohibitions on conduct of bookmakers during suspension	AR 183C
AR 269 Prohibitions on conduct of stablehands during suspension	AR 183D
AR 270 Orders that can be made in relation to a suspended person	AR 183F
AR 271 Effect of court proceeding on disqualifications or suspensions	AR 184
AR 272 Effect of bonus payable to a disqualified person	AR 186
AR 273 A horse cannot participate while disqualified	AR 187
LR 273	LR 187
AR 274 Effect of prize otherwise awarded if a horse is disqualified	AR 189
AR 275 Effect on a horse of disqualification of a person associated with the horse	AR 190
AR 276 Effect of disqualified or suspended trainer on horses	AR 191
AR 277 Discretion in relation to suspensions	AR 193
AR 278 Disqualified person bound by the Rules during disqualification	AR 195A
AR 279 No damages for decisions made under the Rules	
AR 279(1)	AR 197
AR 279(2)	AR 198
<b>Division 3 – Stewards’ hearings and appeal rights</b>	
AR 280 Appeals to a PRA	
AR 280(1)	AR 199



AR 280(2)	AR 199A
AR 281 Legal representation at Stewards' inquiries or hearings	AR 199B
AR 282 Consequences of findings can be suspended pending an appeal	AR 200
LR 282	LR 200
<b>Division 4 – Penalties</b>	
AR 283 Penalties	AR 196
LR 283	LR 196
LR 283A	LR 196A
AR 284 Defaulters in bets	AR 192
LR 284 Restrictions on Bookmakers	LR 216
<b>SCHEDULE 1– PROHIBITED SUBSTANCES LISTS</b>	
<b>PART 1 – SUBSTANCES PROHIBITED AT ALL TIMES</b>	
Division 1 – Prohibited List A	AR 177B(2)
Division 2 – Prohibited List A exemptions	AR 177B(4)
Division 3 – Prohibited List A thresholds (anabolic androgenic steroids)	AR 178C(1)
<b>PART 2 – SUBSTANCES PROHIBITED ON RACE DAYS, CERTAIN TRIALS ETC</b>	
Division 1– Prohibited List B	AR 178B
Division 2 – Prohibited List B exemptions	AR 178C(2)
Division 3 – Prohibited List B thresholds	AR 178C(1)
<b>SCHEDULE 2 – TRAINER &amp; OWNER REFORM RULES</b>	Schedule 1
<b>SCHEDULE 3 – SYNDICATE RULES</b>	
SR 1 Members of Syndicates	AR 69B
SR 2 Requirement of manager of a Syndicate	AR 69C & AR 69D
SR 3 PRAs may make rules or regulations in relation to Syndicates	
SR 3(1)-(2)	AR 69G
SR 3(3)(a)	AR 69E
SR 3(3)(b)-(m)	AR 69H
SR 4 Syndicate members bound by these Australian Rules	AR 69L
SR 5 No responsibility of a PRA for the actions of a Syndicate or its members	AR 69M
SR 6 Limits on the registration or continued operation of a Syndicate	
SR 6(1)	AR 69I
SR 6(2)	AR 69J
SR 6(3)-(4)	AR 69N
SR 7 Penalties for breach of Syndicate Rules	AR 69K
SR 8 Additional horses to be owned or leased by a Syndicate	AR 69O
SR 9 Promoter Syndicates	AR 69P
SR 10 Applications for Syndicates	Synd regn (a) & (b)
SR 11 Requirements for Syndicate agreements and their registration	
SR 11(1)-(2)	Synd regn (c)
SR 11(3)-(4)	Synd regn (f)

SR 12 Applications for companies to race horses as a Syndicate	Synd regn (d)
SR 13 PRA's powers to approve and register a Syndicate	
SR 13(1)-(2)	Synd regn (e)
SR 13(3)-(4)	Synd regn (g)
SR 13(5)-(7)	Synd regn (h)
SR 13(8)-(9)	Synd regn (i)
SR 13(10)	Synd regn (j)
SR 14 Renewal of the registration of a Syndicate	Synd regn (k)
<b>SCHEDULE 4 – LIST OF RESTRICTED RACES</b>	AR 1A
<b>SCHEDULE 5 – TABLE OF COMPARATIVE PROVISIONS</b>	N/A

**Note:** These tables of comparative provisions are intended as a guide only.