



**Racing
Victoria**

AMENDMENT TO RULES OF RACING

Amendment No 202 – Issued 10 March 2022

Racing Australia has approved the following amendment to the Australian Rules of Racing.

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| AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR279 (and AR2): |
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LIABILITY FOR DECISIONS MADE UNDER THE RULES OF RACING

SUMMARY OF AMENDMENT

Under the current AR 279(2), a PRA, Steward, race club or official cannot be liable for any loss or damage suffered by a person as a result of a decision made by any of them under the Rules of Racing.

This rule provides an important protection for racing authorities and officials which helps enable them to effectively carry out their functions and make decisions under the Rules. It can and has been relied upon by PRAs in defending litigation by participants arising from such decisions.

In circumstances where Racing Australia (including the Australian Stud Book) also makes decisions under the Rules which an aggrieved person may seek recourse in respect of, it is equally important that Racing Australia and its directors and employees have the benefit of those same protections under the Rules. AR 279(2) has been amended accordingly.

Further, the definition of “official” (which only refers to PRAs, race clubs and government bodies) in AR 2 has been amended to ensure protection is extended to Racing Australia’s directors and employees.

AR 279(2) BE DELETED AND REPLACED AS FOLLOWS:

AR 279 No damages for decisions made under the Rules

...

~~(2) No PRA, Steward, Club, or 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.~~

AR 279 No damages for decisions made 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.

AR 2 BE DELETED AND REPLACED AS FOLLOWS:

AR 2 Dictionary

...

~~official means any:~~

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

~~(b) person employed, engaged or appointed by 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 means any:

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

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

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To view the current version of the Rules of Racing, please visit the following link to the Racing Victoria website: <http://rv.racing.com/racing-and-integrity/rules-of-racing>