

# AMENDMENTS TO RULES OF RACING

## Amendment No 137 – Issued 24 June 2014

The Australian Racing Board has approved the following amendments to the Australian Rules of Racing, effective from 1 July 2014.

## AMENDMENTS TO THE AUSTRALIAN RULES OF RACING

## SUMMARY OF AMENDMENTS

## Summary of new ARR on the Retirement or Death of Horses

The Australian Racing Board (ARB) has introduced important reforms for notifying racing authorities of a horse's retirement or death.

The ARB and each state's Principal Racing Authority (PRA) appreciate that the retirement of racehorses is a vitally important welfare issue and consider that improved data gained by these reforms will assist racing to better understand the post-racing pathways of horses and allow racing authorities to direct their resources accordingly.

Effective from 1 July 2014, the managing owner (Manager) of a horse will play a key role in notifying RISA of their horse's retirement. The Manager will be responsible for notifying the Registrar that their horse has been retired.

The notification is to be made by lodging a new form (available at <u>www.risa.com.au</u>) within 30 days of the horse's retirement. The new form requires the Manager to state what is going to happen to the horse post-racing (for example, equestrian, breeding, or livestock sales). Once the horse is retired, it will be de-registered and ineligible to race without the permission of the Stewards.

To complement these reforms, the rules have been amended to make it clear that where a horse has not been retired and it dies, the trainer of the horse is required to notify the relevant PRA.

The trainer is also required to lodge an amended stable return in relation to the deceased horse. When completing this stable return via Stable Assist trainers will be asked to advise the cause of death to further assist in gathering improved data.

## Summary of new ARR on Drug & Alcohol Testing of Horse Handlers

New rules concerning horse handlers stem from both a safety and integrity viewpoint following lengthy consultation from within and outside of the industry. A horse handler affected by an illicit substance or alcohol poses a significant safety risk in the work place to other workers and to horses in their care.

The major components of the new Rules are:

- 1. The power for Stewards to conduct drug and alcohol testing operations for the purpose of testing horse handlers, is set out in the new Rule **AR8(jjj)**. Further, as a condition of licence, horse handlers undertake to submit to tests that are intended to detect substances banned under these Rules.
- 2. The Rules relevant to the offence are outlined in new Rule **AR.81AA**.
- 3. **AR.81BB** categorises the banned substances when found in a urine sample of a horse handler. They are broadly grouped into the following:
  - Alcohol (at a concentration in excess of .05% on a breath analyser)
  - Cannabis

- Amphetamines
- Ecstasy
- Cocaine

<u>Summary of amended ARR on Safety Vests</u> The ARB approved changes to the Rules governing the certification of jockey safety vests following the banning of the Tipperary Vest for failing to meet its certified standard.

In the interests of rider safety, the ARB has decided to amend AR.87B to incorporate the following enhancements to Safety Vests:

- Delete the SATRA standard from the prescribed standards as it is unreliable and not used in any other major racing jurisdiction.
- 2. Continue with only two prescribed standards being the ARB Standard and the European Standard EN 13158 as proven and reliable safety standards.
- Establish a list of Approved Vests in addition to the two prescribed standards as an added 3. safeguard against self-certification or substandard vests.
- 4. Permit the use of heavier level 2 vests (raceday vests are usually the lighter level 1 category) which may provide a higher level of protection for track work.

## Amendments effective from 1 July 2014

## AR 1 DEFINITION OF 'HORSE HANDLER' BE ADDED AS FOLLOWS:

"Horse handler" means any licensed or any person who handles any horse at any meetings, trial, jump out or in training and includes but is not limited to stable hands, trainers, veterinarians, farriers and barrier attendants.

[added 1/7/14]

## AR 8(jjj) and 8 (jjjj) BE ADDED AS FOLLOWS:

AR 8 To assist in the control of racing, Stewards shall be appointed according to the Rules of the respective Principal Racing Authorities, with the following powers:

- (jjj) To take or cause to be taken any sample from any horse handler either prior to or after handling any horse at any race meeting, official trial, jump out or in training, provided that this power may only be exercised where a Steward reasonably suspects that a horse handler is affected by a substance banned by AR 81BB. Reasonably suspects means suspects on grounds which are reasonable in the circumstances. [added 1/7/14]
- (jjjj) To make or cause to be made any test to determine whether any substance banned by AR 81BB is present in a sample taken pursuant to (jjj) above. [added 1/7/14]

## AR 64J BE DELETED AND REPLACED AS FOLLOWS:

#### AR 64.

- (1) Upon the death of a horse, whether it has been included in a stable return, or has been retired, or was yet to race, the owner or trainer of the horse or their authorised agents, or any other person in charge of the horse at the time shall report the occurrence to the Stewards and the Registrar as soon as practicable.
- (2) In the event of the deceased horse being included in a current stable return the trainer shall as soon as practicable lodge an amended stable return in relation to the death.
- (3) Any person who fails to comply with the provisions of sub-rules (1) and (2) commits a breach of these Rules unless he proves to the satisfaction of the Stewards that he was not aware, and could not reasonably have been aware, of the death of the horse.

[adopted 1/7/05]

### AR 64J

- Upon the death of a horse which had not been retired, the trainer or his or her authorised agent must report the occurrence (1) to the relevant Principal Racing Authority or their agent as soon as practicable.
- In the event of the deceased horse being included in a current stable return the trainer must as soon as practicable lodge an (2) amended stable return in relation to the death.

(3) <u>Any person who fails to comply with the provisions of sub-rules (1) or (2) commits a breach of these Rules unless 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.</u>

[adopted 1/7/05, deleted and replaced 1/7/14]

## AR 64JA BE ADDED AS FOLLOWS:

#### <u>AR 64JA</u>

- (1) Where a horse has been retired from racing, the Manager (as defined in AR 1) of the horse at time of its retirement must, within one month of the horse's retirement, notify the Registrar by lodging the relevant form prescribed by the Registrar.
- (2) Where a form has been lodged in accordance with AR 64JA(1), the retired horse will cease to be registered and is ineligible to race unless it is re-registered.
- (3) <u>Where a horse ceases to be registered under this Rule, the horse may not be re-registered except with the express</u> <u>permission of the Stewards.</u>
- (4) Any person who fails to comply with AR 64JA(1) commits a breach of these Rules and may be penalised.

[added 1/7/14]

## AR 81AA BE ADDED AS FOLLOWS:

#### <u>AR 81AA</u>

- (1) Any Horse Handler commits an offence and may be penalised if:
  - (a) a sample taken from him is found upon analysis to contain a substance banned by AR 81BB; or
  - (b) <u>he refuses or fails to deliver a sample as directed by the Stewards, or tampers with or in any way hinders the collection</u> of such sample.
- (2) Any Horse Handler may be prevented by the Stewards from handling any horse in training, based on any information, their own observations or on medical or other competent advice that his faculties may be impaired by any substance banned by <u>AR 81BB</u>.
- (3) In the event of any analysis or a preliminary analysis of a sample taken from a horse handler pursuant to AR 8(jjj) indicating the presence of a substance banned by AR 81BB, or if a Horse Handler refuses or fails to deliver a sample when directed to do so, the Stewards may forthwith, pending the determination of any inquiry or other proceeding, or the result of any other analysis, stand down such person from handling horses.
- (4) In the event of a Horse Handler incurring a penalty under this rule or being stood down from handling horses he shall not unless otherwise authorised by the Stewards resume handling horses until he delivers a sample as directed by the Stewards that is found upon analysis to be free of any substance banned by AR 81BB.

[added 1/7/14]

## AR 81BB BE ADDED AS FOLLOWS:

#### <u>AR 81BB</u>

The following substances and/or their metabolites, artefacts and isomers are declared as banned substances in horse handlers when present in a urine sample (unless otherwise stated) at a concentration above the applicable cut-off level:

- Lysergic acid diethylamide (LSD) (0µg/L);
- All barbiturates (0µg/L);
- Cannabinoids (11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid) (15µg/L);
- Alcohol (at a concentration in excess of 0.05% on a breath analyser);
- All stimulants substances in this group include, but are not restricted to, Amphetamine (150µg/L);
- Methylamphetamine (150µg/L): Methylenedioxyamphetamine (MDA) (150µg/L);
- Methylenedioxymethylamphetamine (MDEA) (150µg/L): Metheledioxymethylamphetamine (MDMA) (150µg/L): Methylphenidate (0µg/L): Modafinil (0µg/L): Cocaine (100µg/L): Ephedrine (10,000µg/L).

Substances in this group excluded are: Levo-amphetamine: Levo-methylamphetamine: Phenylpropanolamine: Pseudoephedrine.

All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by AR 81C): Codeine (0µg/L, save as specified in AR.81C): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L): Buprenorphine (0µg/L).

Substances in this group excluded are: Dihydrocodeine: Dextromethorphan: Pholcodine: Propoxyphene: Tramadol.

<u>All dissociative anaesthetics and related substances – substance in this group include, but are not restricted to: Ketamine</u> (0µg/L): Phencyclidine (0µg/L): Tiletamine (0µg/L).

All benzodiazepines – substances in this group include, but are not restricted to, Diazepam (200µg/L): Nordiazepam (200µg/L): Temazepam (200µg/L): Alprazolam (100µg/L) as alphahydroxyalprazolam): Clonazepam (100µg/L, as 7-aminoclonazepam): Flunitrazepam (100µg/L, as 7-aminoflunitrazepam): Nitrazepam (100µg/L, as 7-aminonitrazepam): Bromazepam (0µg/L): Clobazam (0µg/L): Flumazenil (0µg/L): Lorazepam (0µg/L): Midazolam (0µg/L): Triazolam (0µg/L): and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon: zolpidem: zolpidem: zolpidem: zolpidem: distances).

[added 1/7/14]

## AR 81C BE DELETED AND REPLACED AS FOLLOWS:

**AR 81C** Notwithstanding the provisions of AR 81B, when codeine and/or morphine are detected in a sample taken from a rider then the sample shall be deemed not to contain codeine and morphine if:

- (a) the total codeine and morphine concentration is less than 2000 µg/L; or
- (b) the total codeine and morphine concentration achieved in confirmatory testing is in the range 2,000 to 15,000µg/L inclusive and at least one of the following applies:
  - (i) the codeine to morphine ratio contained in the sample is greater than 1.0; or
  - (ii) the rider satisfies the Stewards that there is no illegal use of opiates or opoids by the rider.

[AR 81C added 1/10/08]

**<u>AR 81C</u>** Notwithstanding the provisions of AR 81B and AR 81BB, when codeine and/or morphine are detected in a sample taken from a rider or a horse handler then the sample shall be deemed not to contain codeine and morphine if:

- (a) the total codeine and morphine concentration is less than 2,000Sg/L; or
- (b) the total codeine and morphine concentration achieved in confirmatory testing is in the range 2,000 to 15,000µg/L inclusive and at least one of the following applies:
  - (i) the codeine to morphine ratio contained in the sample is greater than 1.0; or
  - (ii) the rider or Horse Handler satisfies the Stewards that there is no illegal use of opiates or opioids by the rider or Horse Handler.

[added 1/10/08, deleted and replaced 1/7/14]

## AR 81D BE DELETED AND REPLACED AS FOLLOWS:

**AR 81D** The Stewards may stay in whole or in part, and for such period and under such terms and conditions as they think fit, the operation of any penalty imposed for a breach of AR 81A. Provided that, in the event of any failure to comply with any of the terms and conditions of the stay, the Stewards may order that the penalty take effect. [added 1/10/08]

**AR 81D** The Stewards may stay in whole or in part, and for such period and under such terms and conditions as they think fit, the operation of any penalty imposed for a breach of AR 81A or AR 81AA. Provided that, in the event of any failure to comply with any of the terms and conditions of the stay, the Stewards may order that the penalty take effect.

[added 1/10/08, deleted and replaced 1/7/14]

## AR 81E BE DELETED AND REPLACED AS FOLLOWS:

**AR 81E** Notwithstanding the provisions of AR 81A, a Principal Racing Authority may permit a rider to receive a specified banned substance, subject to the following conditions:

(a) the medication must be essential treatment for a substantial illness, condition or ailment suffered by the rider;

(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;
  - (ii) that no alternative, non-banned substance would serve the same purpose for the illness, condition or ailment concerned;
  - (iii) that the medication would not affect the 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;
- (d) the rider must if requested submit to medical examination by a specialist medical practitioner appointed by a Principal Racing Authority to advise it on the matters raised in subparagraphs (i), (ii) and (iii) of paragraph (c) of this rule.

- (e) the rider must:
  - (i) before riding any horse make application to the Principal Racing Authority for permission to ride with a specifically prescribed banned substance in his system;
  - (ii) adhere strictly to his prescribed medication, and must report to the Stewards immediately he forms the intention to discontinue or in any way vary his prescribed medication;
  - (iii) report to the Stewards immediately he believes that either his illness, condition or ailment or his medication may have some influence on his ability to ride effectively and/or safely
  - (iv) renew his application for exemption on each occasion on which he applies for the renewal of his licence or registration or permit;

(f) under no circumstances shall a person be granted retrospective exemption under this rule.

[added 1/10/08; amended 1/9/09]

**AR 81E** Notwithstanding the provisions of AR 81A and AR 81AA, a Principal Racing Authority may permit a rider or horse handler to receive a specified banned substance, subject to the following conditions:

- (a) the medication must be essential treatment for a substantial illness, condition or ailment suffered by the 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, non-banned substance would serve the same purpose for the illness, condition or ailment concerned;
  - (iii) that the medication would not affect the rider in a race, trial or trackwork to the extent that it could in any way constitute a danger to other riders;
  - (iv) that the medication would not affect the horse handler in the carrying out of his duties and/or constitute a danger to himself or to others;
- (d) The rider or the horse handler must if requested submit to medical examination by a specialist medical practitioner appointed by a Principal Racing Authority to advise it on the matters referred to in subparagraphs (i), (ii), (iii) and (iv) of paragraph (c) of this rule.
- (e) <u>The rider or horse handler must:</u>
  - (i) before riding or handling any horse make application to the Principal Racing Authority for permission to ride or handle a horse with a specifically prescribed banned substance in his system:
  - (ii) adhere strictly to his prescribed medication, and must report to the Stewards immediately he forms the intention to discontinue or in any way vary his prescribed medication;
  - (iii) report to the Stewards immediately he believes that either his illness, condition or ailment or his medication may have some influence on his ability to ride or handle a horse effectively and/or safely;
  - (iv) renew his application for exemption on each occasion on which he applies for the renewal of his licence, registration, permit or other qualification.

[added 1/10/08; amended 1/9/09, deleted and replaced 1/7/14]

## AR 87B BE DELETED AND REPLACED AS FOLLOWS:

#### AR 87B

- (1) Every rider shall when mounted on a horse wear a properly fastened safety vest the standard of which has been prescribed by Order of the Board. Provided that every such safety vest shall be in a satisfactory condition and shall have attached to it a manufacturer's label that states that it complies with the relevant standard prescribed by the Board. [added 1/3/00; numbered (1) 1/12/05; amended 14/6/07, 1/8/07]
- (2) The Stewards may confiscate or order the satisfactory repair of any safety vest that does not comply with the requirements of sub-rule (1). [adopted 1/12/05; amended 1/8/07]

**Note:** Pursuant to AR 87B, the Australian Racing Board has ordered that the following standards of safety vests are prescribed: ARB Standard 1.1998; SATRA Jockey Vest standard; European Standard EN 13158 level 1.

[amended 1/8/07]

<u>AR 87B</u>

(1) Every rider shall when mounted on a horse wear a properly fastened Approved or permitted safety vest the standard of which has been prescribed by Order of the Board. Provided that every such Approved or permitted safety vest shall be in a satisfactory condition and shall have attached to it a manufacturer's label that states that it complies with the relevant standard prescribed by the Board.

- (2) Notwithstanding compliance with subrule (1), no safety vest may be worn in a race, official trial or jumpout unless it is an Approved safety vest. Such Approved Level 1 safety vests are: Hows Racesafe, Ozvest, Racelite Pro and Vipa.
- (3) The Stewards may confiscate or order the satisfactory repair of any safety vest that does not comply with the requirements of subrules (1) and (2).

**Note:** Pursuant to AR 87B, the Australian Racing Board has ordered that the following two standards of safety vests only are prescribed: ARB Standard 1.1998 and European Standard EN 13158.

[amended 1/8/07, deleted and replaced 1/7/14]

## AR 87D BE DELETED AND REPLACED AS FOLLOWS:

**AR 87D** 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 conform with a standard which has been prescribed by the Board or which has been modified in any way. [added 1/8/99; amended 1/8/07, 1/9/09, 1/12/10]

**AR 87D** Any rider required by these rules to wear an Approved safety vest may be penalised if he wears or has in his possession any safety vest that does not conform with a standard which has been prescribed by the Board or which has been modified in any way.

[added 1/8/99; amended 1/8/07, 1/9/09, 1/12/10, deleted and replaced 1/7/14]

## AR 118C BE DELETED AND REPLACED AS FOLLOWS:

AR 118C It shall be an offence for any rider:

- (a) to in any way manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race; or
- (b) to weigh-out or attempt to weigh-out for a race or ride in any race when wearing an approved or permitted safety vest that has been modified in any way.

(c) to weigh-out or attempt to weigh-out or ride in any race unless he is wearing an approved or permitted safety vest. [amended 1/12/98, 1/10/00, 1/8/07]

AR 118C It shall be an offence for any rider -

- (a) to in any way manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race;
- (b) to weigh-out or attempt to weigh-out for a race or ride in any race when wearing an Approved safety vest that has been modified in any way; or\_\_\_\_\_\_
- (c) to weigh-out or attempt to weigh-out or ride in any race unless he is wearing an Approved safety vest.

[amended 1/12/98, 1/10/00, 1/8/07, deleted and replaced 1/7/14]

To view the current version of the Rules of Racing, please visit the following link to the Racing Victoria website: <u>http://www.racingvictoria.net.au/p\_Rules\_of\_Racing.aspx</u>