

## AMENDMENT TO RULES OF RACING

### Amendment No 142 – Issued 11 September 2014

The Racing Victoria Board has approved the following amendments to the Victorian Local Rules of Racing, effective from 1 October 2014.

#### AMENDMENT TO THE LOCAL RULES OF RACING: LR 6A(3)

##### SUMMARY OF AMENDMENT

The Racing Victoria Board has approved an amendment to the Local Rules regarding the constitution of a panel for hearing proceedings before the RAD Board in respect of a charge for a Serious Offence. The amended rules provide that certain proceedings may be heard by a single member.

#### Amendment effective from 1 October 2014

##### **LR 6A(3) BE DELETED AND REPLACED AS FOLLOWS:**

##### **LR 6A Appointment and Functions**

- ~~(3) — **Constitution for hearing proceedings:** Any proceeding before the RAD Board being any of the matters referred to in LR 6A(2) must be heard by:~~
- ~~(a) — by a panel of five members of the RAD Board selected by the Chair and must include the Chair or the Deputy Chair or both; or~~
  - ~~(b) — if so directed by the Chair in respect of a particular proceeding, a panel of three members of the RAD Board selected by the Chair and must include the Chair or the Deputy Chair or both;~~
  - ~~(c) — in the event of the Chair and Deputy Chair being not available for a particular proceeding, another member of the RAD Board who is a qualified lawyer of not less than seven years standing may be selected by the Chair or the Deputy Chair to act as Chair for that proceeding.~~

##### LR 6A Appointment and Functions

- (3) **Constitution for hearing proceedings:** To hear and determine any of the matters referred to in LR 6A(2), the RAD Board must be constituted as follows:
- (a) for any proceeding in respect of a charge for a Serious Offence where a charged person has not indicated prior to the hearing that he or she will plead guilty to the charge (or all charges if there is more than one charge): by a panel of three or five members of the RAD Board (as determined by the Chair) selected by the Chair, and which must include the Chair or either of the Deputy Chairs or all of them;
  - (b) for any proceeding:
    - i. in respect of a charge for a Serious Offence where the charged person(s) has (or have) indicated prior to the hearing that he or she (or they) will plead guilty to the charge (or all charges if there is more than one charge); or
    - ii. which arises pursuant to a decision referred to in LR 6A(2)(a)-(d), or pursuant to any matter referred in accordance with LR 6A(2)(f):  
by the Chair or a Deputy Chair sitting alone or, if so directed by the Chair in his or her discretion in respect of a particular proceeding, a panel of three members of the RAD Board selected by the Chair which must include the Chair or either of the Deputy Chairs or all of them;
  - (c) in the event of the Chair and the Deputy Chairs being not available for a particular proceeding, another member of the RAD Board who is a qualified lawyer of not less than seven years standing may be selected by the Chair or either of the Deputy Chairs to act as Chair for that proceeding.

## AMENDMENT TO THE LOCAL RULES OF RACING: LR 6C(1) and (2A)

### SUMMARY OF AMENDMENT

The Racing Victoria Board has approved an amendment to LR 6C to expand the list of specified Serious Offence rules which allow the Stewards to impose a monetary fine where a person charged has indicated in writing that he or she will plead guilty before the RAD Board. The monetary fine limit has also been increased to \$5,000.

### Amendment effective from 1 October 2014

#### **LR 6C(1) and (2A) BE AMENDED AS FOLLOWS:**

##### LR 6C Charges for hearing and determination under LR 6A(2)(e)

- (1) **RAD Board's original jurisdiction:** Except as provided by LR 6C(2A) and ~~Notwithstanding anything else to the contrary in These the Rules, the Committee of any Club or the Stewards or the Directors in exercising any power conferred on the Stewards must not hear or determine any matter or penalise any person relating to a Serious Offence.~~
- (2) **Charges:** The Stewards may charge persons with a Serious Offence (or Serious Offences) referred to in LR 6C(1).
- (2A) **Minor Offences:** Notwithstanding the provisions of LR 6C(1), where a person charged by the Stewards with a breach of AR 175(f), (g), (gg), (l), ~~or~~ (q), AR 175A, AR 177A, AR 178A, or AR 178AA has indicated in writing that he or she will plead guilty before the RAD Board, the Stewards may penalise the person by imposing a fine not exceeding ~~\$500~~ \$5,000.

## AMENDMENT TO THE LOCAL RULES OF RACING: LR 6B(1) and LR 6B(1A)

### SUMMARY OF AMENDMENT

The Racing Victoria Board has approved an amendment to the Local Rules regarding a rider's right of appeal for offences under AR 135 and/or AR 137 during a designated period of the Spring Racing Carnival.

### Amendment effective from 1 October 2014

### **LR 6B(1) BE AMENDED, AND LR 6B(1A) BE ADDED, AS FOLLOWS:**

#### LR 6B Initiating an appeal

- (1) **Right of appeal by giving notice:** Subject to LR [6B\(1A\)](#) and LR 6B(2), any person aggrieved by the decision of:
- (a) the Committee of any Racing Club made under the Rules;
  - (b) the Stewards made under the Rules; or
  - (c) the RVL Directors in exercising any power conferred on the Stewards by the Rules,
- may appeal to the RAD Board by lodging a written notice in the form prescribed under the Racing Act 1958 (Vic) with the RAD Board Registrar not later than 5.00pm on the third day after the person receives notice of the decision.

[\(1A\) Right of appeal by giving notice – Designated Spring Racing Carnival Period: Any rider aggrieved by a decision of the Stewards made under AR 135 and/or AR 137 in respect of a race run during the Designated Spring Racing Carnival Period may appeal to the RAD Board by lodging a written notice in the form prescribed under the Racing Act 1958 \(Vic\) with the RAD Board Registrar not later than 5.00pm on the second day after the person receives notice of the decision.](#)

[For the avoidance of doubt, for the purpose of LR 6B\(1A\):](#)

- (a) [the Designated Spring Racing Carnival Period is defined as the time period from the commencement of the first race on Caulfield Guineas Day at the Caulfield Racecourse to the conclusion of the last race on Stakes Day at the Flemington Racecourse; and](#)
- (b) [by way of example, if a rider is suspended on Derby Day \(being the first Saturday of the Melbourne Cup Carnival\) he or she has until 5.00pm on the next Monday to lodge a notice of appeal.](#)

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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://www.racingvictoria.net.au/p\\_Rules\\_of\\_Racing.aspx](http://www.racingvictoria.net.au/p_Rules_of_Racing.aspx)