



## **AMENDMENTS TO RULES OF RACING**

### **Amendment No 161 – Issued 14 July 2016**

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

#### **AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 178C(1)(I)**

##### **SUMMARY OF AMENDMENT**

Racing Australia has resolved to lower the cobalt threshold in urine from 200 micro grams per litre of urine ( $\mu\text{g/L}$ ) to  $100 \mu\text{g/L}$  in line with all other major international jurisdictions.

In addition, Racing Australia will introduce a cobalt plasma threshold for the first time of  $25 \mu\text{g/L}$ . Plasma sampling is a more effective detection of cobalt as plasma cobalt levels remain elevated longer than urine levels after high doses.

An Industry Notice advising trainers of the implications of the lower urine threshold and new plasma threshold is attached.

#### **RACING AUSTRALIA INDUSTRY NOTICE**

##### **REVISED URINE and NEW PLASMA THRESHOLDS FOR COBALT**

Please be aware that:

1. The urine threshold for cobalt will be lowered from 200 micrograms per litre ( $\mu\text{g/L}$ ) to  $100\mu\text{g/L}$  with effect from 1st September 2016.
2. A plasma threshold of  $25 \mu\text{g/L}$  will also be implemented from 1st September 2016.

The lowered urine cobalt threshold and the introduction of a plasma cobalt threshold provide a significantly more sensitive means of detecting the abuse of cobalt in racing.

Therefore trainers are advised:

- That a normal racing diet is more than sufficient to meet a horse's nutritional requirements for cobalt and vitamin B12.
- That registered injectable cobalt supplements offer no nutritional advantages because incorporation of cobalt into the vitamin B12 molecule occurs within the horse's gut.
- To consult with their veterinarians to ensure that their oral supplementation regimen provides only the amount of cobalt necessary to meet the scientifically established nutritional requirements of the horse for cobalt.
- To administer only nutritional supplements that are manufactured or marketed by reputable companies and to administer such supplements only at the manufacturer's recommended dose and frequency of administration.
- To avoid the simultaneous use of multiple supplements containing cobalt and vitamin B12.

- That administering products that are inadequately labelled, that make claims to enhance racing performance or to be 'undetectable', or which are marketed over the internet is extremely unwise.
- To comply with the one clear day restriction on the injection of any substance prior to racing.

Please direct any queries to the Stewards/Veterinary Department.

## Amendments effective from 1 September 2016

### **AR 178C(1)(I) BE DELETED AND REPLACED AS FOLLOWS:**

AR 178C(1)

- (I) ~~Cobalt at a mass concentration of 200 micrograms per litre in urine.~~

AR 178C(1)

- (I) [Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.](#)

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 64H & AR47(3)

### SUMMARY OF AMENDMENT

AR 64H prohibits shockwave therapy within seven clear days of racing and links the therapy to eligibility to race.

Whilst Racing Australia supports the concept that shockwave therapy should not be given within seven clear days of racing, it believes that not all breaches of AR 64H should necessarily have the one outcome, that being a mandatory placing disqualification. Stewards should have the opportunity to look at all the circumstances and decide if a horse should be disqualified.

Therefore, AR 64H is redrafted to allow Stewards a discretion as to whether or not to disqualify a horse and read in conjunction with AR 47(3) effectively making post-race disqualifications of placing mandatory.

AR 47(3) provides, amongst other things, that any horse that runs in a race for which it is ineligible, shall be disqualified from the race.

Consequently, AR 47(3) is re-drafted to provide that ineligible horses be subject to a discretionary decision to disqualify by the Stewards.

## Amendments effective from 1 August 2016

### **AR 64H BE DELETED AND REPLACED AS FOLLOWS:**

~~AR 64H – A horse that has been subjected to any form of shock wave therapy shall not be eligible to participate in any race or trial for seven clear days excluding the day of treatment and day of race or trial following such therapy.~~

[AR 64H](#)

[\(1\) A horse that has been subjected to any form of shockwave therapy is ineligible to participate in any race, official trial or jump-out at any time during the seven clear days \(as defined in AR 1\) following midnight on the day on which the shockwave therapy was administered.](#)

(2) Where a horse has been nominated and/or entered for a race, official trial or jump-out, a person must not administer, cause to be administered, attempt to administer or be a party to the administration of any form of shockwave therapy to a horse, at any time within seven clear days (as defined in AR 1) of that race, official trial or jump-out.

(3) A trainer must not enter or permit a horse to participate in any race, official trial or jump-out where the horse has been subjected to any form of shockwave therapy during the seven clear days (as defined in AR 1) prior to the race, official trial or jump-out.

(4) Where 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 seven clear days (as defined in AR 1) prior to the day of a race, official trial or jump-out, the Stewards may order the withdrawal of the horse from the relevant race, official trial or jump-out.

(5) Any person who breaches AR 64H(2), or trainer who breaches AR 64H(3), commits an offence and may be penalised.

**Note:** For the purpose of AR 64H and by way of example, if a horse was subjected to any form of shockwave therapy at any time on a Monday (1st day of month), that horse would be ineligible to trial or race until the Tuesday in the following week (9th day of month).

### **AR 47(3) BE DELETED AND REPLACED AS FOLLOWS:**

**AR 47**

~~(3) Any horse that runs in a race for which it was ineligible, or in which it carried less than the weight prescribed by the conditions of the race, shall be disqualified for the race.~~

**AR 47**

(3) Any horse that runs in a race:  
(a) for which it is ineligible, may be disqualified;  
(b) in which it carries less weight than the weight it should carry, shall be disqualified for the race, provided that a rider shall be allowed by the Clerk of the Scales a half kilogram for the weight of his bridle.

## **AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 64N**

### **SUMMARY OF AMENDMENT**

There is no restriction on how close to race day a vaccine may be given to a horse.

Whilst in Queensland, by virtue of QRLR35(3), horses are prohibited from starting in a race, trial or jump-out within seven clear days of Hendra vaccination, no such prohibition occurs for example, in the Northern Rivers region of NSW where a proportion of horses have been vaccinated. Other equine vaccines are also known to produce transient local and systemic reactions following their administration, and a similar prohibition from starting for seven clear days after their administration should be considered.

As a vaccinated horse could present OH&S and integrity concerns, it is undesirable to have horses in competition inside seven clear days of such vaccinations. Consequently, Racing Australia has decided that a seven clear day rule be introduced with an additional provision that vaccinations be included in the horse's treatment record.

### **Amendments effective from 1 August 2016**

#### **AR 64N BE ADDED AS FOLLOWS:**

**AR 64N**

(1) A trainer must not enter or permit a horse that has been vaccinated against, including but not limited to, equine herpesvirus 1 and 4, equine influenza, Hendra virus, strangles or tetanus, to participate in any race, official trial or jump-out during the seven clear days (as defined in AR 1) following midnight on the day the vaccination was administered.

(2) A trainer must ensure a record of any administration of a vaccine is included in the trainer's record of treatment for such horse in accordance with the requirements of AR 178(F)(1).

(3) Where a horse has been administered a vaccine, or the Stewards reasonably suspect that a horse has been administered a vaccine, during the seven clear days prior to the day of a race, official trial or jump-out, the Stewards may order the withdrawal of the horse from the relevant race, official trial or jump-out.

(4) Any trainer who breaches AR 64N(1) or AR 64N(2) may be penalised.

**Note:** For the purpose of AR 64N and by way of example, if a horse was subjected to a vaccine administration at any time on a Monday (1st day of month), that horse would be ineligible to race until the Tuesday in the following week (9th day of month).

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 1 & AR 177B(5)

### SUMMARY OF AMENDMENT

Racing Australia believes that a definition of possession needs to be added to AR 1 to include an object/article found in a place under the control and supervision of the licensee.

Consequently a change has been made to AR 177B(5) so that it refers to possession instead of defining possession as is currently the case.

### Amendments effective from 1 August 2016

#### **AR 1 DEFINITION OF 'POSSESSION' BE ADDED AS FOLLOWS:**

"Possession" for the purposes of the Rules means:

(a) an article or thing is in the custody of a person;

(b) the person has and exercises access to the article or thing; or

(c) the article 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 sub-paragraph (c) does not apply if the person proves that he did not know of the existence or the identity of the article or thing.

#### **AR 177B(5) BE DELETED AND REPLACED AS FOLLOWS:**

##### **AR 177B**

~~(5) If any substance or preparation that could give rise to an offence under this rule if administered to a horse at any time is found at any time at any premises used in relation to the training or racing of horses then any owner, trainer or person who owns, trains or races or is in charge of horses at those premises is deemed to have the substance or preparation in their possession and such person shall be guilty of an offence and liable to penalty.~~

##### **AR 177B**

(5) Any person who has in his possession any substance or preparation that could give rise to an offence under this rule if administered to a horse at any time shall be guilty of an offence and may be penalised.

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 140(aa)

### SUMMARY OF AMENDMENT

Currently, AR 140(b) requires the rider of a horse to report to the stewards as soon as is practicable anything which might have affected the running of their horse in a race.

The Rules do not require the rider of a horse to report to the stewards (or anyone else) any condition or incident which occurs prior to the race which might affect the running of the horse in the race.

Racing Australia believes that there ought to be a specific rule to require riders to report pre-race incidents or occurrences which might affect the performance of the horse in the race.

## Amendments effective from 1 August 2016

### **AR 140(aa) BE ADDED AS FOLLOWS:**

#### AR 140

(aa) The rider of a horse must report any pre-race occurrence or incident involving or affecting the horse occurring after the order to mount which may impact the running or performance of the horse in the race. The report by the rider must be made to the Stewards or, in the absence of the Stewards, to the race starter, prior to the start of the race.

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 64M

### **SUMMARY OF AMENDMENT**

With the introduction of AR 64M in August 2014 introducing an eight clear day stand down time for the intra articular administration of corticosteroids, there is a need to include a provision that any person administering, attempting to administer, causing to be administered or being party to an intra-articular administration of a horse, within eight clear days of a race, may be penalised.

Further, that when a horse has had such treatment, it may be withdrawn from such engagement or alternatively may be disqualified, from any race in which it competed.

Additionally, whilst a horse remains listed in the final acceptors for a race, it is an offence for such horse to be given an intra-articular administration of a corticosteroid.

## Amendments effective from 1 August 2016

### **AR 64M BE DELETED AND REPLACED AS FOLLOWS:**

~~**AR 64M**—A horse that has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, is ineligible to participate in any race, official trial or jumpout at any time during the 8 Clear Days (as defined in AR 1) following midnight on the day of the administration.~~

#### AR 64M

(1) A horse that has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, is ineligible to participate in any race, official trial or jump-out at any time during the 8 clear days (as defined in AR 1) following midnight on the day of the administration.

(2) Where a horse has been nominated and/or entered for a race, a person must not administer, cause to be administered, attempt to administer or be a party to an intra-articular administration of a corticosteroid preparation to the horse, whether the preparation is administered alone or in combination with other preparations, at any time within eight clear days (as defined in AR 1) of the race.

(3) A trainer must not enter or permit a horse to participate in any race, official trial and jump-out where the horse has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, during the eight clear days (as defined in AR 1) prior to the day of the race, official trial or jump-out.

#### (4) Where:

(a) a horse has been subjected to an intra-articular administration of a corticosteroid preparation, whether the preparation is administered alone or in combination with other preparations, at any time during the eight clear days (as defined in AR 1) 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 (a) above).

the Stewards may order the withdrawal of the horse from the relevant race, official trial or jump-out.

(5) Any person who breaches AR 64M(2), or trainer who breaches AR 64M(3), commits an offence and may be penalised.

**Note:** For the purpose of AR 64M and by way of example, if a horse was subjected to an intra-articular administration at any time on a Monday (1st day of month), that horse would be ineligible to race until the Wednesday in the following week (10th day of month).

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 81B & 81BB

### SUMMARY OF AMENDMENT

Racing Australia believes that the full spelling of prohibited substances MDMA and MDEA needs to be corrected in the rules.

### Amendments effective from 1 August 2016

#### **AR 81B & 81BB BE AMENDED AS FOLLOWS:**

**AR 81B** The following substances and/or their metabolites, artifacts and isomers are declared as banned substances in riders when present in a urine sample (unless otherwise stated) at a concentration above the applicable cut-off level:

...

All stimulants – substances in this group include, but are not restricted to, Amphetamine (150µg/L): Methylamphetamine (150µg/L): Methylenedioxyamphetamine (MDA) (150µg/L): [Methylenedioxyethylamphetamine](#) (MDEA) (150µg/L): [Methylenedioxymethylamphetamine](#) (MDMA) (150µg/L): Methylphenidate (0µg/L): Modafinil (0µg/L): Cocaine (100µg/L): Ephedrine (10,000µg/L).

...

**AR81BB** 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:

...

All stimulants – substances in this group include, but are not restricted to, Amphetamine (150µg/L); Methylamphetamine (150µg/L); Methylenedioxyamphetamine (MDA) (150µg/L); [Methylenedioxyethylamphetamine](#) (MDEA) (150µg/L); [Methylenedioxymethylamphetamine](#) (MDMA) (150µg/L); Methylphenidate (0µg/L); Modafinil (0µg/L); Cocaine (100µg/L); Ephedrine (10,000µg/L).

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## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 134B

### SUMMARY OF AMENDMENT

Racing Australia considers that the current rules do not adequately address the situation where a horse obtains an unfair advantage over other horses at the start of a race. The current rule AR 134A focuses on a horse which is denied a fair start (rather than a horse which obtains an unfair advantage), and AR 139 allows the stewards to void a race where appropriate.

Racing Australia believes that it is necessary to have flexibility within the rules to enable the stewards to declare a horse which obtains an unfair start a non-starter, rather than for the focus to be on the horses which were disadvantaged at the start (or for the race to be voided). The power to declare a horse which obtains an unfair advantage a non-runner would:

- a. allow the horse to be removed from the placings;
- b. return bets placed to punters who backed the horse, and order win/place deductions;

c. remove the undesirable option of potentially voiding a race which disadvantages all parties.

It follows that such flexibility would allow the stewards to deal with the real issue in the race, being the horse which received an unfair advantage, and would lead to a better result for participants and punters.

Racing Australia believes that there is a significant gap in the current regime which needs to be addressed in the interests of participants, punters, and consistency amongst stewards.

## Amendments effective from 1 August 2016

### **AR 134B BE ADDED AS FOLLOWS:**

[AR 134B If in the opinion of the Stewards, or any other person exercising delegated power of the Principal Racing Authority, a horse obtains an unfair advantage at the start of a race, the Stewards may declare such a horse to be a non-starter and may make such order regarding betting as provided for separately in the Rules of Betting.](#)

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 1, 1A, 46A, 63 & 92(2)

### **SUMMARY OF AMENDMENT**

Racing Australia believes that Restricted Listed races should be placed on an equal pairing to Listed races in regard to eligibility. (Restricted Listed races are races held by sales companies for horses sold exclusively through their companies eg, Magic Millions.)

Restricted Listed races are judged under the same processes as Listed races and many outperform these levels. The prizemoney levels are high, as much as \$2 million.

It is essential that Restricted Listed races have equivalency with Listed races.

## Amendments effective from 1 August 2016

### **AR 1 DEFINITION OF 'GROUP AND LISTED RACES' BE AMENDED AS FOLLOWS:**

~~“Group and Listed Races”, for races run in Australia, shall mean those races which are published in the schedule of races described as “Group and Listed Races” by the Australian Racing Board.~~

[“Group Races, Listed Races and Restricted Listed Races”, for races run in Australia, shall mean those races which are published in the schedule of races described as “Group Races, Listed Races and Restricted Listed Races” by the Australian Racing Board.](#)

### **AR 1A BE AMENDED AS FOLLOWS:**

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A **CLASS ONE RACE** is one restricted to horses which, at the time of starting, have not won more than one race on the flat, provided that in determining the eligibility of any horse no account shall be taken of any wins in Class A, Class B or Trophy races, other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of any ~~Group or Listed race~~ Group Race, Listed Race or Restricted Listed Race shall be ineligible.

A **CLASS TWO RACE** is one restricted to horses which, at the time of starting, have not won more than two races on the flat, provided that in determining the eligibility of any horse no account shall be taken of any wins in Class A, Class B or Trophy races, other than a win as a Maiden horse.

Further provided that notwithstanding the foregoing provisions, the winner of any ~~Group or Listed race~~ Group Race, Listed Race or Restricted Listed Race shall be ineligible.

**A CLASS THREE RACE** is one restricted to horses which, at the time of starting, have not won more than three races on the flat, provided that in determining the eligibility of any horse no account shall be taken of any wins in Class A, Class B or Trophy races, other than a win as a Maiden horse.

Further provided that notwithstanding the foregoing provisions, the winner of any ~~Group or Listed race~~ [Group Race, Listed Race or Restricted Listed Race](#) shall be ineligible.

**A CLASS FOUR RACE** is one restricted to horses which, at the time of starting, have not won more than four races on the flat, provided that in determining the eligibility of any horse no account shall be taken of any wins in Class A, Class B or Trophy races, other than a win as a Maiden horse.

Further provided that notwithstanding the foregoing provisions, the winner of any ~~Group or Listed race~~ [Group Race, Listed Race or Restricted Listed Race](#) shall be ineligible.

**A CLASS FIVE RACE** is one restricted to horses which, at the time of starting, have not won more than five races on the flat, provided that in determining the eligibility of any horse no account shall be taken of any wins in Class A, Class B or Trophy races, other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of either of the following races shall be ineligible:

- (a) any Group Race; or
- (b) any Listed Race [or Restricted Listed Race](#) in which horses older than 2YO could run.

**A CLASS SIX RACE** is one restricted to horses which, at the time of starting, have not won more than six races on the flat, provided that in determining the eligibility of any horse no account shall be taken of any wins in Class A, Class B or Trophy races, other than a win as a Maiden horse.

Further provided that, notwithstanding the foregoing provisions, the winner of the following races shall be ineligible:

- (a) any Group Race; or
- (b) any Listed Race [or Restricted Listed Race](#) in which horses older than 2YO could run; or
- (c) more than one Listed Race [or Restricted Listed Race](#) in which 2YOs only could run.

## **AR 46A BE DELETED AND REPLACED AS FOLLOWS:**

~~AR 46A Group and Listed Races are those considered by the Australian Racing Board to reflect the highest standard of racing. The only Group and Listed Races which will be officially recognised for races run under these Rules are those approved and adopted from time to time by the Australian Racing Board. These races will be published in a schedule approved by the said Board.~~

[AR 46A Group Races, Listed Races and Restricted Listed Races are those considered by the Australian Racing Board to reflect the highest standard of racing. The only Group Races, Listed Races and Restricted Listed Races which will be officially recognised for races run under these Rules are those approved and adopted from time to time by the Australian Racing Board. These races will be published in a schedule approved by the said Board.](#)

## **AR 63 BE DELETED AND REPLACED AS FOLLOWS:**

~~AR 63 The nominator of a horse for a Group or Listed Race who decides that his horse will not start in such race shall immediately after that decision is made withdraw the horse from the race concerned.~~

[AR 63 The nominator of a horse for a Group Race, Listed Race or Restricted Listed Race which is to be run within the next 30 days who decides that his horse will not start in such race shall withdraw the horse from the race concerned immediately after that decision is made.](#)

## **AR 92(2) BE AMENDED AS FOLLOWS:**

### **APPRENTICES' ALLOWANCES**

#### **AR 92**

(2) For races run in a Metropolitan Area as defined by the Local Rules of any Principal Racing Authority:

If he has not ridden 20 winners on the flat in a Metropolitan Area 3kg  
If he has not ridden 50 winners on the flat in a Metropolitan Area 2kg  
If he has not ridden 80 winners on the flat in a Metropolitan Area 1.5kg

Provided that for the purposes of this rule a winning ride in a ~~Group or Listed race~~ [Group Race, Listed Race or Restricted Listed Race](#) shall be deemed to be a winning ride in a Metropolitan area. [proviso added 1/1/99]

Further provided that no apprentice jockey may claim a weight allowance in any ~~Group or Listed race~~ [Group Race, Listed Race or Restricted Listed Race](#).



Further provided that, notwithstanding the provisions of sub-rules (2), (3) and (4), an apprentice may claim a weight allowance of 4 kilograms until he has ridden 5 winners on the flat; on condition that a Principal Racing Authority may except its territory from the application of this further proviso.

## **AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 137A(2)**

### **SUMMARY OF AMENDMENT**

Currently, AR 137A(1)(a) requires that only “padded whips” of a design approved by the ARB may be carried in races, official trials or jump-outs.

AR 137A(2) states that “Only whips of a design and specification approved by a panel appointed by the Australian Racing Board may be carried in track work.”

Accordingly, AR 137A(2) does not refer specifically to “padded whips” which ought to be the case.

Racing Australia believes that the provisions applying to whips in trackwork need to be identically described in the rules as those pertaining to races and trials.

## **Amendments effective from 1 August 2016**

### **AR 137A(2) BE AMENDED AS FOLLOWS:**

#### **AR 137A**

- (2) Only [padded](#) whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in trackwork.

## **AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 196(5)**

### **SUMMARY OF AMENDMENT**

Racing Australia is fully supportive of AR 64G which includes the offence of being a party to the attempted stomach tubing of a horse and support the application of the mandatory penalty rule AR 196(5).

However, Racing Australia has concerns over a person being subjected to the minimum penalty, simply as a result of being a party to the stomach-tubing.

AR 64G(2)(d) requires the establishment of the elements of AR 64G(1) for an offence to be created and a person to be penalised. Those elements necessarily include that the horse be:

- Engaged in a race
- Stomach tubed on the day of the race
- Stomach tubed during one clear day prior to race

However, there is no need for an amendment to AR 64G as this issue is best dealt with by amending AR 196(5), which already makes it clear that the minimum penalty only applies in respect of a race.

## Amendments effective from 1 August 2016

### **AR 196(5) BE AMENDED AS FOLLOWS:**

#### **AR 196**

- (5) Where a person is found guilty of a breach of any of the Rules listed below, a penalty of 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 whereupon the penalty may be reduced:

AR 64G(2) (where the stomach-tubing or attempt to stomach-tube occurred on race day or on the one Clear Day prior to race day for a horse engaged to run in a race on that race day and other than where the person is not in the opinion of the stewards, or any other person exercising delegated power of the Principal Racing Authority, the principal offender ) – 12 months

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## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 178A

### **SUMMARY OF AMENDMENT**

AR 178A currently regulates the raceday possession by persons of prohibited substances or syringes, needles, nasogastric tubes or other instruments which could be used to administer a prohibited substance to a horse or to produce an administered substance in a horse.

Whilst AR 178A makes it an offence for a trainer to bring a prohibited substance or a syringe to a race meeting, there is no specific offence under the Rules of Racing for administration on course, post-race.

Racing Australia believes that, in addition to the “possession” offences under AR 178A, it is necessary to include an “administration” offence. That is, the administration offence would go further than the possession offence and be used when a trainer (or other person) has actually administered a prohibited substance to a horse at a race meeting without the permission of the stewards.

For obvious reasons, it was deemed undesirable for trainers to bring implements or prohibited substances on course during a race meeting. From both a public perception and possible swab contamination view point, it is not desirable for a trainer to be administering a post-race prohibited substance to a horse on a racecourse or in a float/vehicle.

Custom and practice dictates that if a horse required emergency treatment before being transported back to the stable, an approach is made to the stewards and the club Veterinarian may administer any substance in a private area.

Racing Australia believes that AR 178A should be amended to make it an offence for any person, without the permission of stewards, to administer a prohibited substance to a horse post-race, on course during the course of a race meeting (or in a float/vehicle being used to transport the horse from the race meeting). The “without the permission of the Stewards” clause will allow trainers to seek permission where emergency treatments are required post-race, on a welfare basis.

The following rule amendments are proposed along with current AR 178A(3) becoming AR 178A(4) (and the references in that sub-rule being amended accordingly).

## Amendments effective from 1 August 2016

### **AR 178A(1) & (2) BE AMENDED AS FOLLOWS:**

### **AR 178A(3) BE DELETED AND REPLACED AS FOLLOWS:**

### **AR 178A(4) BE ADDED AS FOLLOWS:**

## AR 178A

- (1) No person, unless he has first obtained the written permission of the Stewards, shall have in his possession on a racecourse where a race meeting is being conducted or in any motor vehicle, ~~or~~ horse float or other mode of transport ~~being~~ used for the purpose of conveying a horse or horses to ~~and/or~~ from a race meeting any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used:
  - (a) to administer a prohibited substance to a horse; or
  - (b) to produce a prohibited substance in a horse.
- (2) The Stewards may at their complete discretion grant written permission for a person to have in his possession on a racecourse where a race meeting is being conducted or in any motor vehicle or horse float ~~being~~ used for the purpose of conveying a horse or horses to ~~and/or~~ from a race meeting any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used:
  - (a) to administer a prohibited substance to a horse; or
  - (b) to produce a prohibited substance in a horse.

The Stewards may impose terms or conditions on a permission granted under this subrule.

~~(3) A person who fails to comply with subrule (1) or with a term or condition imposed under subrule (2) is guilty of an offence, and any substances or items concerned may be confiscated.~~

~~(3) Following the running of a horse in a race, a person must not, without the express permission of the Stewards, administer, cause to be administered, attempt to administer or be a party to the administration of a prohibited substance to that horse: (a) on the race course where the race meeting is being conducted; or (b) in any motor vehicle or horse float or other mode of transport used for the purpose of conveying that horse or other horses from the race meeting.~~

~~(4) A person who: (a) fails to comply with AR 178A(1) or with a term or condition imposed under AR 178A(2) is guilty of an offence, and any substances or items concerned may be confiscated; or (b) breaches AR 178A(3) is guilty of an offence.~~

## AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 175(j) and AR175A

### SUMMARY OF AMENDMENT

Racing Australia believes that the Rules should be amended to make it clear that a Principal Racing Authority can take action for conduct prejudicial to the image, or interests or welfare of racing and that the offence in relation to improper or insulting behaviour extends to such behaviour directed towards a Principal Racing Authority, its officials and employees.

### Amendments effective from 1 August 2016

#### **AR 175(j) & AR 175A BE DELETED AND REPLACED AS FOLLOWS:**

##### **AR 175**

~~The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:~~

~~(j) Any person guilty of improper or insulting behaviour at any time towards the Committee of any Club or Association or any member thereof, or Stewards, or any official, in relation to their or his duties.~~

~~AR 175A Any person bound by these Rules who either within a racecourse or elsewhere in the opinion of the Committee of any Club or the Stewards has been guilty of conduct prejudicial to the image, or interests, or welfare of racing may be penalised.~~

##### AR 175

The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise:

(j) Any person guilty of improper or insulting behaviour at any time towards the Principal Racing Authority, the Committee of any Club or Association, or Stewards, or any official or employee of the Principal Racing Authority, Club or Association, in relation to their or his duties.

AR 175A Any person bound by these Rules who either within a racecourse or elsewhere in the opinion of the Principal Racing Authority (or the Stewards exercising powers delegated to them) has been guilty of conduct prejudicial to the image, or interests, or welfare of racing may be penalised.

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| <b>AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 1, 14B, 15, 54A, 64J and 64JA</b> |
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## **SUMMARY OF AMENDMENT**

Racing Australia believes that it is necessary for integrity and animal welfare purposes that Unnamed Horses and their owners be identified and subject to the Australian Rules of Racing. Traceability is the cornerstone of integrity and will also underpin the industry's drive on animal welfare standards. The fact that significant numbers of Unnamed Thoroughbreds are not regulated by any authority is unacceptable to prevailing community standards.

It should be noted that fewer than 20 Rules of Racing apply to horses prior to them being registered as racehorses. The vast majority of the rules relate to racehorses in competition and licenced persons. However, key integrity rules relating to anabolic steroids and gene doping would apply from birth as well as a requirement to account for the location and fate of Unnamed Horses.

Racing Australia aims to strengthen even further breeding and racing's transparency and accountability.

From 1 August, 2016, a foal will not be accepted into the Australian Stud Book unless Foal Ownership Declaration Forms have been submitted by all beneficial owners who agree to be bound by the Rules of Racing. Additionally, the Foal Ownership Declaration Form brings the foal under the Rules of Racing. Importantly, the Manager's Foal Ownership Declaration Form provides the location of the foal. Subsequent changes in the location of the foal/Unnamed Horse must be notified except in limited circumstances.

Racing Australia is introducing the following 7 new rules to bring foals and their owners under the Rules of Racing:

- (1) AR 1 – Added definitions to Australian Rules of Racing for the registration of foals and owners.
- (2) AR 1 – Amended definition to Australian Rules of Racing for the registration of foals and owners.
- (3) AR 14B – New registration rule of foals and declaration of ownership.
- (4) AR 15 – Registration of a horse to race which is conditional on AR 14B being complied with.
- (5) AR 54A - Horse location rule enabling traceability for all horses.
- (6) AR 64J – Death rule for welfare, integrity and traceability purposes.
- (7) AR 64JA – Retirement or non-commencement of racing rule for welfare, integrity and traceability purposes.

### **RACING AUSTRALIA INDUSTRY NOTICE**

#### **AR 54A – Horse location rule enabling traceability for all Horses**

##### **AR 54A**

- (1) The Manager of an Unnamed Horse (or his or her Authorised Agent) must disclose:
  - (a) the location of the Unnamed Horse upon request by Racing Australia and/or the relevant Principal Racing Authority, including as required under any registration, ownership transfer or other form; and
  - (b) any change in the previously notified location of the Unnamed Horse, to the satisfaction of the relevant Principal Racing Authority, within seven days of that change occurring.

(2) Any person who fails to provide details as to knowledge of the location in accordance with the provisions of the Rules may be penalised.

The Manager's Foal Ownership Declaration form will include the location of the foal/Unnamed Horse. To minimize the frequency of notifying changes to locations as required by AR 54A(1)(b), Racing Australia provides the following practice guidelines.

Notification of a change in the location of an Unnamed Horse will not be required as follows, PROVIDED that the time away from the previously notified location does not exceed 90 days:

- (i) Where an Unnamed Horse leaves for veterinary treatment
- (ii) Where an Unnamed Horse leaves for preparation for and participation in a sale
- (iii) Where an Unnamed Horse leaves to be educated

If any of the above changes in location exceed 90 days, the Manager must comply with AR 54 (1).

FURTHER;

- (iv) Where a foal leaves alongside its dam which is to be covered, the Manager must comply with AR 54A(1) if the time away extends beyond the breeding season.

## Amendments effective from 1 August 2016

### AR 1 DEFINITIONS BE ADDED AS FOLLOWS:

["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 is in another's name or any individual or group of individuals that either directly or indirectly has the power to vote or influence business decisions in respect of the horse.](#)

["Eligible Horse" means a horse which is eligible to be registered under these Rules but has not yet been registered under these Rules.](#)

["Foal Ownership Declaration" means the form required to be lodged by the Manager, or his or her Authorised Agent, with the Registrar within 30 days of the Mare Return lodgement. The Declaration must set out the names of each person with a Beneficial Interest in that foal from its birth to the date of the Declaration.](#)

["Mare Return" means a return lodged with the Australian Stud Book for each mare declaring \(a\) the outcome of the mare's covering by a stallion, or \(b\) the decision not to have the mare covered.](#)

["Named Horse" means an Eligible Horse that has been registered to race pursuant to AR 15.](#)

["Unnamed Horse" means an Eligible Horse that has not been registered to race pursuant to AR 15.](#)

### AR 1 DEFINITION OF MANAGER BE AMENDED AS FOLLOWS:

**"Manager"** means the first-named person recorded by the Registrar of Racehorses in the official ownership records including the [Foal Ownership Declaration](#), Transfer or Lease (if leased) of a horse or if the horse is owned or leased by a Syndicate, the person first-named in the Certificate of Registration of the Syndicate, subject always to the provisions of AR 57(1). If the horse is owned or leased by more than one Syndicate, the first-named person appearing in the Certificate of Registration of the first-named Syndicate shall be deemed to be the manager.

### AR 14B BE ADDED AS FOLLOWS:

#### [AR 14B](#)

[\(a\) This Rule applies to all Eligible Horses.](#)

[\(b\) An Eligible Horse cannot be registered under these Rules unless, within 30 days of the Mare Return lodgement, the Foal Ownership Declaration has been lodged by the Manager, or his or her Authorised Agent, with the Registrar.](#)

[\(c\) Save that in its sole and absolute discretion the Registrar may extend the time specified in subrule \(b\) to no greater than 90 days including but not limited to a case where a legally qualified veterinary surgeon certifies in writing that such extension is in the best interests of the health of the Eligible Horse.](#)

- (d) Between the time specified in subrule (b) (or any extension of same) and the time an Eligible Horse is first registered under these Rules, all transfers of ownership of such Eligible Horse must be submitted by the transferee, within four weeks of each such transfer taking place, by lodging the prescribed form and paying the prescribed fee.
- (e) Any transfer of ownership application by a syndicate under subrule (d) shall be sufficient if signed by a majority of the members or by the registered manager thereof.
- (f) It is a condition precedent to any application or lodgement under this rule that the Manager, or his or her Authorised Agent, lodging the Foal Ownership Declaration or making application undertakes to be bound by these Rules and, upon action being taken in compliance with this rule (including a syndicate as applicable), the Eligible Horse and its owners thereby become subject to, and agree to be bound by, the Rules.
- (g) It is a requirement of subrule (f) that any person lodging the Foal Ownership Declaration on behalf of other persons is to warrant in writing that they have the authority to give the undertaking specified in subrule (f) on behalf of those other persons.

**AR 15(1) BE DELETED AND REPLACED AS FOLLOWS:**

**AR-15**

- ~~(1) Every application to register any horse shall contain or be accompanied by the following particulars, viz:~~

**AR 15**

- (1) Every application to register any horse to race, which has complied with AR 14B, shall contain or be accompanied by the following particulars, viz.:

**AR 54A BE ADDED AS FOLLOWS:**

**AR 54A**

- (1) The Manager of an Unnamed Horse (or his or her Authorised Agent) must disclose:
- (a) the location of the Unnamed Horse upon request by Racing Australia and/or the relevant Principal Racing Authority, including as required under any registration, ownership transfer or other form; and
  - (b) any change in the previously notified location of the Unnamed Horse, to the satisfaction of the relevant Principal Racing Authority, within seven days of that change occurring.
- (2) Any person who fails to provide details as to knowledge of the location in accordance with the provisions of the Rules may be penalised.

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

**AR-64J**

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

**AR 64J**

- (1) Upon the death of a Named Horse, which has not been retired from racing pursuant to AR 64JA, the Manager, or his or her Authorised agent, must, within 24 hours of the horse being deceased, notify Racing Australia by lodging the Death Notification form prescribed by Racing Australia and must not dispose of the horse without the written approval of the relevant Principal Racing Authority unless a veterinary certificate as to cause of death is provided.
- (2) Upon the death of an Unnamed Horse, the Manager, or his or her Authorised agent must, within 48 hours of the horse being deceased, notify Racing Australia by lodging the Death Notification form prescribed by Racing Australia.
- (3) 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.

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

### AR 64JA

- ~~(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) Where a horse ceases to be registered under this Rule, the horse may not be re-registered except with the express permission of the Stewards.~~
- ~~(4) Any person who fails to comply with AR 64JA(1) commits a breach of these Rules and may be penalised.~~

### AR 64JA

- (1) Where a decision has been made to retire, or not commence racing an Eligible Horse, the Manager, or his or her Authorised Agent, of the horse at the time of that decision must, within one month of that decision, notify the Registrar by updating the Stable Return or lodging the relevant Retirement form prescribed by Racing Australia.
- (2) Where a form has been lodged in accordance with AR 64JA(1), the horse will cease to be eligible to race or to be trained and is ineligible to race or to be trained unless it is reinstated to race or to be trained.
- (3) Where a horse ceases to be eligible to race or to be trained under this Rule, the horse may not be reinstated to race or to be trained except with the express permission of the Stewards.
- (4) Any person who fails to comply with AR 64JA(1) or (3) commits a breach of these Rules and may be penalised.

## RACING AUSTRALIA INDUSTRY NOTICE

### Screening Limits for Therapeutic Substances

#### Amendments effective from 1 July 2016

For the purpose of AR 178EA, it is hereby notified that screening limits applicable to the following therapeutic substances, as approved by the Australian Racing Board, are set out as follows (new items in blue):

- acepromazine – 0.02 nanograms per millilitre (ng/mL) in plasma
- acepromazine – 10ng/mL of the 2-(1-hydroxyethyl) promazine sulphoxide metabolite in urine
- betamethasone - 0.20ng/mL in urine
- butorphanol – 0.01ng/mL in plasma
- butorphanol – 1ng/mL in urine
- carprofen – 100ng/mL in plasma
- carprofen – 100ng/mL in urine
- dantrolene – 1ng/mL of the 5-hydroxydantrolene metabolite in unhydrolysed urine
- detomidine – 0.02ng/mL of the 3'-hydroxydetomidine metabolite in plasma
- detomidine – 2ng/mL of the 3'-hydroxydetomidine metabolite in urine
- dexamethasone – 0.2ng/mL in urine
- diclofenac – 50ng/mL in urine
- dipyrone – 1000ng/mL of the 4-methylaminoantipyrine metabolite in urine
- eltenac – 50ng/mL in urine
- flunixin – 1ng/mL in plasma
- flunixin – 100ng/mL in urine
- frusemide – 0.1ng/mL in plasma
- frusemide – 50ng/mL in urine
- hyoscine butylbromide (or n-butylscopolammonium) – 0.05ng/mL in plasma
- hyoscine butylbromide (or n-butylscopolammonium) – 25ng/mL in urine
- ipratropium - 0.25ng/mL in urine
- ketoprofen - 100ng/mL in urine
- lignocaine – 0.05ng/mL in plasma

- lignocaine – 10ng/mL of the 3'-hydroxylignocaine metabolite in urine
- meclofenamic acid – 5ng/mL in plasma
- meclofenamic acid – 250ng/mL in urine
- meloxicam – 1ng/mL in plasma
- meloxicam – 10ng/mL in urine
- mepivacaine – 0.05ng/mL in plasma
- mepivacaine – 10ng/mL of the 3'-hydroxymepivacaine metabolite in urine
- methocarbamol – 100ng/mL in urine (when restricted to a single oral or IV treatment of no more than 5 grams of methocarbamol)
- naproxen – 250ng/mL in urine
- phenylbutazone – 100ng/mL in plasma
- phenylbutazone – 100ng/mL in urine
- romifidine – 1ng/mL in urine
- salbutamol – 0.5ng/mL in urine
- triamcinolone acetonide – 0.5ng/mL in urine
- vedaprofen – 50ng/mL in urine”

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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)