

## AMENDMENTS TO RULES OF RACING

### Amendment No 124 – Issued 30 August 2013

The Australian Racing Board has approved the following amendments to the Australian Rules of Racing, effective from 1 September 2013.

#### AMENDMENTS TO THE AUSTRALIAN RULES OF RACING

#### Amendments effective from 1 September 2013

#### **NEW DEFINITION TO AR 1 AS FOLLOWS:**

“Clear Day” means a 24 hour period from 12.01am to 12 midnight.

#### **AR 59 BE ADDED AS FOLLOWS:**

##### [AR 59](#)

- (1) The trainer of a horse and/or the trainer’s authorised representative must ensure, including by reference to the horse’s Thoroughbred Identity Card, that where a horse is engaged to run in any race or official trial, the horse that:
- (a) is brought to the racecourse;
  - (b) is presented to start in the relevant race or official trial; or
  - (c) starts in the relevant race or official trial,  
is the correct horse.
- (2) A trainer and/or the trainer’s authorised representative who fails to comply with AR 59(1) commits an offence and may be penalised.

[AR 59 added 1/9/13]

#### **AR 59A(3) AND (4) BE DELETED AS FOLLOWS:**

##### **AR 59A**

- (1) A horse shall not be permitted to start in a race or official trial unless one hour prior to the start the Document of Description or the Thoroughbred Identification Card of the horse is produced, if required, to the Stewards.
- (2) Notwithstanding the provisions of subrule (1) of this rule, the Stewards in their absolute discretion, if otherwise satisfied as to the identity of the horse may permit it to start in the race or official trial.
- ~~(3) The trainer of a horse and/or his duly authorised representative shall not permit the horse to be brought to a racecourse, presented to start, or start in a race or official trial unless he~~

~~has established its identity by reference to the Document of Description or Thoroughbred Identification Card.~~

~~(4) A trainer and/or his duly authorised representative who fails to comply with the provisions of this rule commits a breach of these Rules.~~

~~[AR 59A(3) and (4) deleted 1/9/2013]~~

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

**AR 64G**

(1) No person, without the permission of the Stewards, may stomach-tube, attempt to stomach-tube, cause to be stomach-tubed or be a party to the stomach-tubing of a horse which is engaged to be run in:

- (a) a race: at any time on the day of the race prior to the start of that race or during the one Clear Day prior to the day of the race; or
- (b) an official trial or jump-out: at any time on the day of official trial or jump-out prior to the start of that event or during the one Clear Day prior to the day of the official trial or jump-out.

For the purpose of this rule, "stomach-tubed" and variations of that term means any application to a horse of a naso-gastric tube.

(2) Any horse that has been stomach-tubed contrary to the provisions of AR 64G(1)(a) or (b) may be prohibited from starting in any relevant race, official trial or jump-out.

(3) Any horse that has been stomach-tubed contrary to the provisions of AR 64G(1)(a) may be disqualified from the relevant race in which it started.

~~[AR 64G deleted and replaced 1/9/13]~~

**~~AR 64G~~**

~~(1) No person without the permission of the Stewards may stomach-tube, attempt to stomach-tube, cause to be stomach-tubed or be a party to the stomach-tubing of a horse within 24 hours of the appointed starting time of:~~

- ~~(a) a race in which it is engaged to be run; or~~
- ~~(b) an official trial or jump-out in which it is engaged to be run.~~

~~For the purposes of this rule "stomach-tubed" and variations of that term means any application to a horse of a naso-gastric tube.~~

~~(2) Any horse that has been stomach-tubed in contrary to the provisions of sub-rule (1) may be prohibited from starting in any relevant race, official trial or jump-out.~~

~~[added 1/9/01, deleted and replaced 1/3/13]~~

**AR 140 BE DELETED AND REPLACED AS FOLLOWS:**

**AR 140**

(a) The trainer of a horse that is included in the final acceptors for a race must:

- (i) ensure that such horse is fit and properly conditioned to race; and
- (ii) report to the Stewards:

(a) by acceptance time, any occurrence, condition, or treatment that may affect or impact on the horse's performance in the race where the occurrence takes place, condition is present or treatment is administered before acceptance time;

- (b) as soon as is practicable, any occurrence, condition, or treatment that may affect or impact on the horse's performance in the race where the occurrence takes place, condition is present or treatment is administered after acceptance time.
- (b) The owner and/or trainer and/or rider shall report to the Stewards as soon as practicable anything which might have affected the running of their horse in a race.
- (c) If, after a horse which has raced has left the racecourse, the trainer of the horse becomes aware of any condition or injury which may have affected or impacted on the horse's performance in the relevant 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.
- (d) Any loss or breakage of gear during a race, or any unusual happening in connection therewith, shall be reported by the owner and/or trainer and/or rider to the Stewards immediately after the race.
- (e) Any person who fails to comply with any provision of AR 140 commits an offence and may be penalised.

[AR 140 deleted and replaced 1/9/13]

#### **AR 140**

- ~~(a) A trainer of a horse that is included in the final acceptors for a race must ensure that such horse is fit and properly conditioned to race, and shall report to the Stewards as soon as practicable any condition or occurrence that may affect its running in the race. [sub-rule replaced 30/6/03]~~
- ~~(b) The owner and/or trainer and/or rider shall report to the Stewards as soon as practicable anything which might have affected the running of their horse in a race.~~
- ~~(c) Should anything which might have any bearing on the past or the future running of the horse come to the notice of the trainer after the horse has left the course, it must be reported as soon as practicable to the Stewards.~~
- ~~(d) Any loss or breakage of gear during a race, or any unusual happening in connection therewith, shall be reported by the owner and/or trainer and/or rider to the Stewards immediately after the race.~~

~~[amended 30/6/03]~~

#### **AR 140A BE DELETED AND REPLACED AS FOLLOWS:**

##### AR 140A

- (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 presented for a race, official trial, jump-out or track work.
- (2) The trainer of a horse that is presented for a race, official trial, jump-out or track work and that has not been properly saddled or had all its gear fitted or correctly applied commits an offence and may be penalised.
- (3) Notwithstanding AR 140A(1) or AR 140A(2), any person, other than the trainer of the horse, who fails to properly saddle or fit or correctly apply required gear to a horse presented for a race, official trial, jump-out or track work commits an offence and may be penalised.

[AR 140A amended and replaced 1/9/13]

## **AR 140A**

~~Any person guilty of carelessness or neglect in the saddling and fitting of gear to a horse when it is presented for a race, official trial, jump-out or trackwork commits a breach of these Rules. [amended 1/12/05, 14/6/07, 1/9/09]~~

## **AR 178AA BE ADDED AS FOLLOWS:**

### AR 178AA

- (1) A person must not administer an alkalinising agent, in any manner, to a horse which is engaged to run in any race, official trial or jump-out:
  - (a) at any time on the day of the scheduled race, official trial or jump out and prior to the start of such event; and
  - (b) at any time during the one Clear Day prior to 12.01am on the day of the scheduled race, official trial, or jump out.
  
- (2) Any person who:
  - (a) administers an alkalinising agent;
  - (b) attempts to administer an alkalinising agent;
  - (c) causes an alkalinising agent to be administered; and/or
  - (d) is a party to the administration of, or an attempt to administer, an alkalinising agent,  
contrary to AR 178AA(1) commits an offence and may be penalised.
  
- (3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered any alkalinising agent contrary to AR 178AA(1), the Stewards may prevent the horse from starting in any relevant race, official trial or jump-out.
  
- (4) Where a horse has been administered any alkalinising agent contrary to AR 178AA(1), the horse may be disqualified from any relevant race in which the horse competed.
  
- (5) For the purposes of AR 178AA, '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 include 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 manufacturers' recommendations for normal daily use have a negligible effect on plasma TCO<sub>2</sub>; and
    - (ii) in respect of which the Stewards have granted an express exemption from the operation of AR 178AA,

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 prescribed by AR 178C(1)(a).

[AR 178AA added 1/9/13]

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

- (3) Where directed by the Stewards, a person, including a trainer or a trainer's representative, must provide any record of treatment kept in accordance with AR 178F(1):
- (a) immediately following the issue of the Stewards' direction; or
  - (b) at any other time as required by the Stewards.

[AR 178(3) deleted and replaced 1/9/13]

~~(3) When requested, the records of treatment kept by trainers in accordance with the provisions of subrule (1) must be made available to the Stewards.~~

~~[AR 178F added 1/9/09]~~

**AR 196(6) BE ADDED AS FOLLOWS:**

(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:

- (i) AR 64G(1)(a) – 12 months
- (ii) AR 83(d) – 2 years
- (iii) AR 84 – 2 years
- (iv) AR 135(d) – 3 years
- (v) AR 175(aa) – 5 years
- (vi) AR 175(h)(i) – 3 years
- (vii) AR 175(hh)(i) – 2 years
- (viii) AR 177B(6) – 2 years
- (ix) AR 178E – 6 months

- (6) (a) Any person or body authorised by these Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than seven Clear Days following the day on which the suspension or disqualification was imposed, and upon such terms and conditions as seen fit.
- (b) Notwithstanding that the commencement of a period of disqualification may be deferred pursuant to AR 196(6)(a), 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.

For the purpose of this sub-rule, a special circumstance is as stipulated by each Principal Racing Authority under its respective Local Rules. [AR 196(5) added 1/3/13, AR 196(6) added 1/9/13]

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