



**Racing
Victoria**

AMENDMENTS TO RULES OF RACING

Amendment No 182 – Issued 16 July 2019

The Racing Victoria Board has approved the following amendments to the Victorian Local Rules of Racing.

AMENDMENT TO THE VICTORIAN LOCAL RULES OF RACING:

INCORRECT REFERENCES IN LOCAL RULES

SUMMARY OF AMENDMENT

Following the identification over recent months of clerical errors in the Local Rules of Racing, a comprehensive review of the entirety of the Local Rules has been undertaken.

The Racing Victoria Board have approved the amendments to the following Local Rules.

Amendments effective from 20 June 2019

LR 8A(3)(b)(ii) BE AMENDED AS FOLLOWS:

Division 2 - The Racing Appeals and Disciplinary Board

LR 8A Appointment and Functions

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(3) **Constitution for hearing proceedings:** To hear and determine any of the matters referred to in LR 8A(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 the Executive RAD Board Member appointed to act in the position of the Chair), or either of the Deputy Chairs (or the Executive RAD Board Member appointed to act in the position of Deputy Chair), 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)~~ LR 8A(2)(a)-(d), or pursuant to any matter referred in accordance with LR 8A(2)(f):

by the Chair (or the Executive RAD Board Member appointed to act in the position of the Chair) or a Deputy Chair (or the Executive RAD Board Member appointed to act in the position of the 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 the Executive RAD Board Member appointed to act in the position of the Chair) or either of the Deputy Chairs (or the Executive RAD Board Member appointed to act in the position of Deputy Chair) or all of them;

- (c) in the event of the Chair, the Deputy Chairs and the Executive RAD Board Member 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.

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LR 8E(5)(b) BE AMENDED AS FOLLOWS:

LR 8E Powers of the RAD Board

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(5) Directions:

- (a) The Chair or Deputy Chair of the RAD Board may give directions in relation to the operation or procedure of the Board.
- (b) Any direction made by the Chair or Deputy Chair of the RAD Board pursuant to ~~LR 8E(6)(a)~~ [LR 8E\(5\)\(a\)](#) must not be inconsistent with the *Racing Act 1958* (Vic) or these Rules.

...

LR 9C(4)(c) BE AMENDED AS FOLLOWS:

LR 9C Conduct of TDT Proceedings

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(4) Hearings and evidence: In respect a hearing before the TDT:

...

- (c) subject to ~~LR 9C(1)(b)~~ [LR 9C\(2\)\(b\)](#), the TDT may, subject to the requirements of procedural fairness, hear matters in any manner which the TDT sees fit, including:
- (i) if the parties to a hearing have been advised of the date, time and venue of a hearing, by conducting the hearing in the presence of the parties or representatives of the parties, or with only some of the parties or representatives of the parties or without any of the parties or representatives of the parties;
- (ii) by hearing evidence by telephone, closed circuit television or video links;
- (iii) by conducting a hearing on the case stated by the parties to the hearing;
- (iv) by conducting the hearing of a matter by affidavit, statutory declaration or oral evidence;

...

LR 9C(9) BE AMENDED AS FOLLOWS:

LR 9C Conduct of TDT Proceedings

...

- (9) **Dismissal of certain proceedings:** The TDT may make any order to dismiss any proceeding without a hearing if, following the allocation of dispute to it under ~~LR 9A(1)~~ [LR 9B\(1\)](#), if it is satisfied that the dispute is frivolous, vexatious, misconceived or lacking substance.

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LR 11 BE AMENDED AS FOLLOWS:

LR 11 Stewards at race meetings

- (1) **Three or more to act:** There must be at least three Stewards acting at every race meeting conducted by a Racing Club other than a Non-TAB Race Meeting or a Picnic Race Meeting.
- (2) **If less than three present:** If there are less than three Stewards present and competent and willing to act at any race meeting of a Racing Club (other than a Non-TAB Race Meeting or a Picnic Race Meeting), the Directors, the Chairman of Stewards or the Committee of the Racing Club holding the race meeting must nominate a person or persons as Deputy Stewards to bring the number of Stewards up to three.
- ~~(2A)~~ (3) **Non-TAB and Picnic Race Meetings:** The Stewards may from time to time determine the number of Stewards to act at a Non-TAB Race Meeting or a Picnic Race Meeting.
- (4) **Acting Chairman:** In the absence of both the Chairman and the Deputy Chairman at a race meeting the Stewards present may appoint an Acting Chairman from their number.
- (5) **Reconstitution of panels:** Where an inquiry commenced by the Stewards at a race meeting is adjourned for any reason, the Stewards will use their best endeavours to reconstitute the same Panel, subject to the discretion of the Chairman to substitute panel members as required.

LR 20(3)(c) BE AMENDED AS FOLLOWS:

LR 20 Compliance with AR 89(8)

During the period in which any direction or order with respect to biosecurity precautions are in place in accordance with AR 89(8):

- (1) it will be the responsibility of each nominator or trainer (or the Authorised Agent of either of them) to ensure compliance with any direction or order with respect to biosecurity precautions in respect of each Horse of which they are the nominator or trainer (or the Authorised Agent of either of them);
- (2) each nominator or trainer (or the Authorised Agent of either of them) will be deemed to have undertaken their own assessment in light of their personal circumstances as to whether the biosecurity precautions are adequate to prevent infection of each Horse of which they are the nominator or trainer (or the Authorised Agent of either of them); and
- (3) each nominator or trainer (or the Authorised Agent of either of them) will, if they present a Horse for a race, be deemed to have accepted the relevant biosecurity precautions as reasonably adequate for the protection of that Horse and, further, they will, upon presentation of a Horse to race, be deemed to have released Racing Victoria, its directors and employees from all claims and liabilities in any way relating to:
- (a) the adequacy of the relevant biosecurity precautions; or
- (b) the compliance or failure to comply with the relevant biosecurity precautions by any licensed person or any other person; or

- (c) the infection of any Horse by any infective agent, organism or disease which is the cause of, reason for or subject of any direction or order for biosecurity precautions made in accordance with ~~AR 64K(8)~~ [AR 89\(8\)](#).

LR 25 BE AMENDED AS FOLLOWS:

LR 25 Training Partnerships

- ~~(3)~~ [\(1\)](#) An application for permission to train in a partnership shall:
- (a) be in the required form;
 - (b) provide such information as is required by the Directors; and
 - (c) be accompanied by any applicable fee as is published in the Prescribed Fee Schedule.
- ~~(4)~~ [\(2\)](#) The Directors may in their absolute discretion relieve applicants for permission to train in partnership from the preconditions set out in this Rule.
- ~~(5)~~ [\(3\)](#) The Directors may:
- (a) without being required to give any reasons refuse permission to train in partnership; or
 - (b) grant permission subject to such terms and conditions as the Directors think fit, including but not limited to restrictions regarding duration and locality or both.
- ~~(6)~~ [\(4\)](#) The Directors may at any time in their absolute discretion:
- (a) revoke permission to train in partnership, including without limitation where one or both applicants cease to meet the requirements to be granted permission in accordance with the Rules, or where one or both of the training partners have been suspended or disqualified; or
 - (b) vary or amend any of the terms or conditions of any permission to train in partnership.
- ~~(7)~~ [\(5\)](#) It is a precondition to the grant of permission to train in a training partnership that:
- (a) neither applicant holds a licence or permit to train in another racing jurisdiction, other than a license or permit to train in partnership with one another;
 - (b) the Stewards are satisfied as to the bona fides of the training partnership;
 - (c) a minimum of 25 horses shall be trained in the partnership.
- ~~(8)~~ [\(6\)](#) Where a penalty has been imposed by another Principle Racing Authority upon one or both of the trainers in a training partnership, then both trainers shall be deemed jointly and severally responsible for the purposes of adoption or recognition of that penalty in accordance with these Rules.
- ~~(9)~~ [\(7\)](#) Trainers shall not be deemed jointly and severally responsible for the purposes of adoption or recognition of a penalty where the relevant breach involves conduct of a kind that may be subject to a penalty under AR 229(1)(a).

LR 26(3) BE AMENDED AS FOLLOWS:

LR 26 Pre-training safety inquiries

- (1) Before a trainer sends a horse that is recorded on the trainer's stable return to another person for pre-training and/or education (**pre-trainer**), the trainer must make reasonable inquiry of the pre-trainer to satisfy himself or herself that the pre-trainer will conduct pre-training and/or education of the horse in a safe manner with equipment and gear that is specified in, and in accordance with, the Rules.
- (2) For the purposes of LR 26(1), the trainer will have complied with that rule by recording on the form prescribed by the Directors the checklist of equipment and gear required by the Rules to be used by the pre-trainer and that form has been completed with the written acknowledgement and acceptance of the pre-trainer.
- (3) Where a trainer regularly sends horses that are recorded on the trainer's stable return to a pre-trainer for pre-training and/or education, the trainer's obligation to make reasonable inquiry

under LR 26~~G~~(1) will have been satisfied where the form referred to in LR 26(2) has been completed in respect of that pre-trainer once in a twelve month period.

LR 33E(2) BE AMENDED AS FOLLOWS:

LR 33E Riding fees and prizemoney

- (1) Where an apprentice jockey is engaged to ride in a race or trial, the riding fee shall be deemed to be the aggregate consideration and value for the:
 - (a) taxable supply by the apprentice of the ride; and
 - (b) taxable supply by the master for making available the Apprentice's riding services. The proportion of the consideration payable to the apprentice and the master for making their taxable supply shall be the percentage specified in the employment agreement and deed of apprenticeship entered into between the apprentice and the master.
- (2) Where an apprentice jockey is entitled as a rider to prizemoney under ~~LR 16~~ LR 58, the prizemoney shall be deemed to be the aggregate consideration and value for the:
 - (a) taxable supply by the apprentice of the ride; and
 - (b) taxable supply by the master for making available the apprentice's riding services. The proportion of the consideration payable to the apprentice and the master for making their taxable supply shall be the percentage specified in the employment agreement and deed of apprenticeship entered into between the apprentice and the master.

LR 38 BE AMENDED AS FOLLOWS:

LR 38 Riders Agent Licences

- (1) An application to the Directors for the grant or renewal of a riders agent licence must:
 - (a) be in the required form;
 - (b) provide such information as is required by the Directors; and
 - (c) be accompanied by any applicable fee as is published in the Prescribed Fee Schedule.
- ~~(3)~~ (2) Categories: An application for the grant of a riders agent licence may be made for the following categories of riders agent:
 - (a) Riders Agent
 - (b) Visiting Riders Agent; or
 - (c) Visiting International Riders Agent
- ~~(4)~~ (3) Persons Ineligible: A person may not be granted or hold a riders agent licence if the person is licensed or registered under the Rules of Racing, except when that person:
 - (a) is a registered Stable Employee; or
 - (b) has otherwise been approved by the Principal Racing Authority to be granted or hold a riders agent licence.
- ~~(5)~~ (4) Directors may prescribe certain pre-requisites, requirements, qualifications and training units: In relation to each of the licence categories referred to in ~~LR 38(3)~~ LR 38(2), the Directors may from time to time prescribe:

(a) educational qualifications, training units and experience levels which must be attained as a pre-requisite to the grant of a riders agent licence; or

(b) any other pre-requisite or requirement for the grant of a riders agent licence as deemed appropriate.

~~(6)~~ (5) Relief from requirements: The Directors may in their absolute discretion, relieve an applicant for a riders agent licence from any of the requirements prescribed by ~~LR 38(5)~~ LR 38(4).

~~(7)~~ (6) Grant or Refusal to Grant a Riders Agent Licence: Having received an application under LR 38(1), the Directors may:

(a) refuse to grant a riders agent licence;

(b) request whatever further information the Directors consider reasonable and appropriate; or

(c) grant a riders agent licence subject to such terms and conditions as the Directors consider reasonable and appropriate.

~~(8)~~ (7) Revocation: The Directors may, at any time, revoke, or vary the terms of a riders agent licence granted by them, including, without limitation, where the holder of the licence:

(a) is not actively using the licence;

(b) ceases to meet the requirements to be granted a licence in accordance with the Rules of Racing;
or

(c) breaches any term or condition of that person's riders agent licence.

~~(9)~~ (8) Term of licence: All rider agent licenses expire on the 31 July next after issue unless:

(a) revoked earlier in accordance to ~~LR 38(8)~~ LR 38(7);

(b) cancelled;

(c) suspended;

(d) disqualified; or

(e) otherwise provided for under the terms and conditions of a riders agent licence.

LR 45B(4A) BE AMENDED AS FOLLOWS:

LR 45B Registration of Stable Employees

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(4A) **Relief from requirements:** The Directors may, in exceptional circumstances and in their discretion, relieve an applicant for a registration of a Stable Employee made under ~~LR 39B~~ LR 45B from any of the qualifications, training units, pre-requisites or requirements referred to in LR 45B(3A).

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LR 55(5) BE AMENDED AS FOLLOWS:

LR 55 Division of races

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(5) Reallocation for nominators and trainers with two or more runners:

- (a) Subject to paragraph (b), if after the horses have been allotted to divisions in accordance with ~~LR 20(4)~~ [LR 55\(4\)](#) any nominator (either alone or with any other nominator other than individual members of a Syndicate) or trainer has two or more horses remaining in the same division, Racing Victoria may, whenever practicable:
- (i) allot one or more of the nominator's or trainer's horses (from the lowest weighted upwards) to the other division or divisions with a view to ensuring if practicable that the nominator or trainer has only one horse in any race; and
 - (ii) exchange therefore a horse or horses on the same weight or as near as possible thereto from such other division or divisions which is or are in the nomination of another nominator or care of another trainer.
- (b) In applying paragraph (a) Racing Victoria must:
- (i) give preference to the interests of nominators over those of trainers;
 - (ii) ensure so far as practicable that equity is done for all nominators and trainers; and
 - (iii) if there are equal but competing interests, determine the matter by the drawing of lots.

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LR 57 BE AMENDED AS FOLLOWS:

LR 57 Bringing horses to the saddling paddock

- (1) **Time of entry:** Further to the provisions of AR 165 and subject to LR 57(3), all horses intended to be run in any race must be brought into the saddling paddock:
- (a) at a Metropolitan Race Meeting: within the Metropolitan Area: not less than two hours before the time appointed for the starting of the race.
 - (b) at a Country Race Meeting: outside the Metropolitan Area: not less than one hour before for the time appointed for the starting of the race.
- ~~(2)~~ [\(2\)](#) **No removal without approval:** A horse which has been brought into the saddling paddock must not be removed from the saddling paddock without the permission of the Stewards.
- (3) The Stewards may by notice from time to time:
- (a) at Metropolitan Race Meetings designated by the Stewards, require all horses in Race 3 onwards to be brought into the saddling paddock not less than 3 hours before the scheduled start time of their race; and
 - (b) at Country Race Meetings designated by the Stewards, require all horses in Race 1 onwards to be brought into the saddling paddock not less than 2 hours before the scheduled start time of their race.
- (4) For the purposes of LR 57, "saddling paddock" includes the racecourse.

LR 60(4A) BE AMENDED AS FOLLOWS:

LR 60 Closing time and late entries

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(4) **No late entry time specified:** If a late entry closing time is not specified in the conditions of a race, horses may be entered until 10:00am on the next day (ignoring Saturdays, Sundays and Victorian public holidays) after the day of the advertised closing time, or such later time as Racing Victoria may direct, upon payment of an entry fee as published in the Prescribed Fee Schedule.

(4A) **Refund of Late Entry Fee:** If a horse is entered in a race as a late entry in accordance with ~~LR 25(4)~~ [LR 60\(4\)](#) and a late entry fee is paid, that late fee will be refunded if the horse is subsequently eliminated from the race in accordance with LR 62A-62D (inclusive).

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LR 62C(5)(b) BE AMENDED AS FOLLOWS:

LR 62C Non-handicap races

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(5) Non-handicap hurdle and steeplechase races

Method of elimination of surplus horses:

(a) Maiden Class

(i) First: Horses which have started in a jumping race but have not received prizemoney in their last four jumping races. Elimination must be effected according to the greatest number of consecutive runs without earning prizemoney, by age, oldest first, and in the case of horses of the same age elimination must be effected by lot.

(ii) Second: Horses which have received prizemoney within their last four jumping starts, in order of average prizemoney won, lowest first. In the case of horses with equal average jumping prizemoney elimination must be effected by lot.

(iii) Third: Horses which have not started in a jumping race. Elimination must be effected according to aggregate flat prizemoney won, lowest first. In the case of horses with equal aggregate prizemoney elimination must be effected by lot.

(b) In Set weight and Penalty races to which this ~~LR 62D(5)~~ [LR 62C\(5\)](#) applies, elimination must commence with horses which have received no weight penalty in order of aggregate jumping prizemoney, and then the lowest weight penalty for the race and so on upwards until the safety limit is reached.

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LR 62D(3)(a)(iii) BE AMENDED AS FOLLOWS:

LR 62D Special elimination conditions

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(3) Horses racing on consecutive days:

(a) This LR 62D(3) does not apply to:

(i) an open class race at a race meeting conducted by the same club on consecutive days;

(ii) any Group or Listed race; or

(iii) any race for which special conditions are set in accordance with ~~LR 62E(2)~~ [LR 62D\(2\)](#).

(b) A horse which was declared an acceptor (other than as an emergency acceptor, and whether or not subsequently withdrawn) on the last preceding day on which a race meeting was held in Victoria by a Club registered under the Rules must be eliminated before a horse which was not so declared.

(c) If it is necessary to eliminate more than one horse pursuant to the preceding paragraph (b), such horses must be eliminated in accordance with the balloting conditions of the race until the safety limit is reached.

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LR 63A(2) BE AMENDED AS FOLLOWS:

LR 63A Declaration of riders

(1) **Time:** The nominator or trainer of a horse accepted as a starter in any race must declare the name of the rider to Racing Australia no later than the following time (or such other time as the Directors of Racing Victoria may direct):

(a) at a time specified by Racing Victoria and advertised in Inside Racing for each meeting.

(b) emergency acceptor obtaining a start in a race: no later than 8.00 am on the day of the race.

(2) **Failure to declare:** If the declaration of a rider is not made as required by ~~LR 60A(1)~~ [LR 63A\(1\)](#) the Stewards may do either or both of:

(a) order the withdrawal of the horse; and

(b) penalise the nominator or trainer.

LR 74B(2) BE AMENDED AS FOLLOWS:

LR 74B Procedure for horses carrying overweight in jumping and high weight races

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(2) Half a kilogram overweight:

(i) **Up to 65.5 kgs:** The Clerk of Scales may permit riders of horses handicapped up to and including 65.5 kg to weigh out half a kilogram overweight as provided for in ~~AR 120(a)~~ [AR 190](#) without obtaining permission from the Stewards, provided the nominator or trainer of the horse agrees.

- (ii) **66 kg and above:** Riders must not ride half a kilogram overweight for horses handicapped at 66 kg and above except with the permission of the Stewards which may be granted only in special circumstances.

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LR 91D BE AMENDED AS FOLLOWS:

LR 91D Stewards must consider referral from Jumps Review Panel

Where the Jumps Review Panel refers a rider to the Stewards pursuant to ~~LR 59(2)(f)~~ [LR 90\(2\)\(f\)](#), the Stewards must consider the matter and make all necessary investigations and enquiries.

LR 92A(1) BE AMENDED AS FOLLOWS:

LR 92A Qualification of horses for hurdles and steeplechases

- (1) **Horses must be qualified:** Horses must be qualified (in accordance with ~~LR 60B~~ [LR 92B](#) and [LR 92C](#)) at the time of acceptance in a hurdle or steeplechase race.

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LR 93(5) BE AMENDED AS FOLLOWS:

LR 93 Conduct of jumping races

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(5A) Rider must not remount:

- (a) The rider of a horse in a steeplechase or hurdle race or official trial must not remount the horse if the rider is dislodged from the horse for any reason after the start of the race or official trial.
- (b) If a rider remounts a horse contrary to LR 93(5A)(a):
- (i) the rider may be penalised; and
 - (ii) the horse must be deemed to have failed to finish the race or official trial.

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LR 103(2) BE AMENDED AS FOLLOWS:

LR 103 Effect of disqualification on prizemoney

- (1) A person who is disqualified for any breach of the Rules relating to a horse forfeits and must return all money and prizes which such horse has won in any race after such disqualification (and until the period of disqualification ends).
- (2) The Directors may waive the application of LR 103A(1) in respect of a lessee to such extent as the Directors think fit.

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>