

AMENDMENTS TO RULES OF RACING

Amendment No 152 – Issued 29 May 2015

Racing Australia (formerly the Australian Racing Board) has approved the following amendments to the Australian Rules of Racing, effective from 1 June 2015.

AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR81A(1)(b) & AR81AA(1)(b)

SUMMARY OF AMENDMENT

Currently AR 81A(1)(b) and AR 81AA(1)(b) make it an offence to “tamper with or in any way hinder the collection of a sample,” however with the proliferation of adulterants and urine substitutes available for purchase via the internet to circumvent workplace drug testing, the current rules do not adequately cover such cases.

It is therefore necessary that the banned substance rules, as they relate to riders and to horse handlers, be amended to specifically make it an offence for a person to substitute or adulterate a sample.

Amendments effective from 1 June 2015

AR 81A(1)(b) BE DELETED AND REPLACED AS FOLLOWS:

AR 81A

(1) Any rider commits an offence and may be penalised if:

~~(b) he refuses or fails to deliver a sample as directed by the Stewards, or tampers with or in any way hinders the collection of such sample.~~

AR 81A

(1) Any rider commits an offence and may be penalised if:

(b) he refuses or fails to deliver a sample as directed by the Stewards, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things.

AR 81AA(1)(b) BE DELETED AND REPLACED AS FOLLOWS:

AR 81AA

(1) Any Horse Handler commits an offence and may be penalised if:

~~(b) he refuses or fails to deliver a sample as directed by the Stewards, or tampers with or in any way hinders the collection of such sample.~~

AR 81AA

(2) Any Horse Handler commits an offence and may be penalised if:

(b) he refuses or fails to deliver a sample as directed by the Stewards, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things.

AMENDMENTS TO THE AUSTRALIAN RULES OF RACING: AR 175

Amendments effective from 1 June 2015

AR 175 PREAMBLE BE DELETED AND REPLACED AS FOLLOWS:

AR 175

~~The Committee of any Club or the Stewards may penalise:~~

AR 175

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

AR 175(f) BE DELETED AND REPLACED AS FOLLOWS:

AR 175

~~The Committee of any Club or the Stewards may penalise:~~

- ~~(f) Any person who refuses or fails to attend or give evidence at any investigation, inquiry or appeal when directed or requested by the Principal Racing Authority or Stewards, acting under delegated authority from the Principal Racing Authority, or other person authorised by the Principal Racing Authority, to do so.~~

AR 175

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

- (f) Any person who refuses or fails to attend or give evidence at any investigation, inquiry or appeal when directed or requested by the Principal Racing Authority, or other person authorised by the Principal Racing Authority, to do so.

AR 175(qq) BE ADDED AS FOLLOWS:

AR 175

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

- (qq) Any person who in their opinion, is guilty of engaging in the publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminating or abusive to any other person or entity involved in the racing industry.

AR 175(z) BE ADDED AS FOLLOWS:

AR 175

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

- (z) Any person who engages in any conduct which threatens, disparages, vilifies or insults another person (the 'other person') on any basis, including but not limited to, a person's race, religion, colour, descent, and/or national or ethnic origin, special ability/disability or sexual orientation, preference or identity, while the other person is acting in the course of his or her duties in the racing industry.

AMENDMENT TO THE AUSTRALIAN RULES OF RACING: AR 175AA

SUMMARY OF AMENDMENT

The current Rules of Racing do not place any obligation upon participants to report 'corrupt' approaches or invitations made to the participants which would lead to a breach of the Rules.

Sports including soccer, tennis, cricket and snooker have taken disciplinary action against participants for failing to report corrupt approaches.

The absence of a rule requiring participants to report corrupt approaches is an omission in the Rules of Racing.

Therefore, a new rule will be introduced to require all persons to report approaches to engage in conduct which would constitute a corrupt or dishonest type conduct, conduct prejudicial to the interests of racing, or conduct which could constitute an act of cruelty.

Amendment effective from 1 June 2015

AR 175AA BE ADDED AS FOLLOWS:

AR 175AA

(1) Where a person is, directly or indirectly, approached or requested to engage in any conduct which could constitute:

(a) corrupt, dishonest, fraudulent, or improper conduct in connection with racing;

(b) conduct which is detrimental to the integrity, interest and/or welfare of racing; or

(c) an act of cruelty to a horse,

he or she must provide full details of the approach or request to the Stewards as soon as is practicable.

(2) A person who fails to comply with AR 175AA(1) may be penalised.

The Racing Victoria Board has approved the following amendments to the Victorian Local Rules of Racing, effective from 1 June 2015.

AMENDMENT TO THE LOCAL RULES OF RACING: LR 7AA

Amendment effective from 1 June 2015

LR 7AA BE ADDED AS FOLLOWS:

LR 7AA: Functions and Powers of the Stewards upon appointment by Racing Victoria

- (1) For the purpose of the supervision and control of racing in Victoria, Stewards, upon their appointment under LR 7A, have and may exercise the following powers in accordance with these Rules:
 - (a) to exercise any of the powers set out in AR 8-8D (inclusive);
 - (b) to do anything contemplated by AR 8(z);
 - (c) to penalise any person pursuant to AR 175;
 - (d) to direct or request a person to attend and/or give evidence at any investigation, inquiry or appeal; and
 - (e) to exercise any other power conferred on the Stewards by these Rules or by Racing Victoria.
- (2) In performing their functions and exercising their powers under these Rules, the Stewards:
 - (a) have the power to do all things necessary, or convenient to be done, for or in connection with the performance of their functions and the exercise of their powers;
 - (b) may do anything incidental to, and conducive to, the performance of their functions and the exercise of their powers; and
 - (c) are independent to, and act independently of, the Board of Racing Victoria.

The Racing Victoria Board has approved the following amendments to the Victorian Local Rules of Racing, effective from 1 March 2015.

AMENDMENT TO THE LOCAL RULES OF RACING: LR 66

SUMMARY OF AMENDMENT

Local Rule 66 governs the conduct of protest hearings.

At its meeting of 29 January 2015, the Racing Victoria Board determined to streamline the conduct of protest hearings particularly to facilitate intended reductions in time gaps between races in order to:

- (i) discontinue the current practice of allowing jockeys or other connections of a horse to cross-examine each other unless the Stewards have reasons to allow otherwise;
- (ii) restrict the current practice of trainers and owners being entitled to make comments and express personal opinions unless granted leave by the Stewards;
- (iii) recognise the right for trainers and owners to attend hearings, but do not oblige the Stewards to unreasonably delay the commencement of a hearing due to the absence of any such person; and
- (iv) generally contribute to the objective of effectively and fairly streamlining the conduct of hearings.

Amendment effective from 1 March 2015

LR 66 BE DELETED AND REPLACED AS FOLLOWS:

LR 66 – Conduct of hearings

- ~~(1) **Attendance:** During protest hearings the trainer and owners of each horse directly involved will be given the opportunity to be present in the Stewards Room. Where a syndicate is involved the manager (and other members of the syndicate at the discretion of the Stewards) only may be present.~~
- ~~(2) **Spokesperson:** In all cases the managing owner or a representative only may act as spokesperson on behalf of all owners.~~
- ~~(3) **Patrol video:** Before correct weight being declared, connections and riders of a placed horse may seek permission from the Stewards to view the patrol video with respect to determining whether they wish to lodge an objection.~~

LR 66 Conduct of Protest Hearings

- ~~(1) **Review of Patrol Video:** Before correct weight is declared, the riders and connections of a placed horse may seek permission from the Stewards to view the patrol video to assist in determining whether an objection is to be lodged.~~
- ~~(2) **Attendance at Protest Hearing:** Prior to the commencement of a protest hearing, the Stewards will take reasonable steps to notify the trainer and owner(s) of each horse directly involved in the protest, and, subject to their availability, those individuals will be given the opportunity to be present in the Stewards' Room during the protest hearing. Where a syndicate is involved in the ownership of a horse, the manager (and other members of the syndicate at the discretion of the Stewards) only may be present.~~
- ~~(3) **Evidence of Riders:**
 - ~~(a) The Stewards may hear evidence from each rider considered by the Stewards to be relevant to the determination of the protest.~~
 - ~~(b) No rider is permitted to cross-examine any other person during a protest hearing, unless given leave to do so by the Stewards.~~~~

(4) Evidence of Owners and Trainers

- (a) No trainer or owner(s) of a horse directly involved in a protest may give evidence at a protest hearing, unless given leave to do so by the Stewards.
- (b) No trainer or owner(s) is permitted to cross-examine any other person during a protest hearing, unless given leave to do so by the Stewards.

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