



**Racing  
Victoria**

# The Rules of Racing *of* Racing Victoria

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**Constituted by:**

Australian Rules of Racing made by the  
Australian Racing Board

and the

Local Rules and Rules of Race Betting of Racing Victoria  
as amended to 19 February 2018

**This rule book contains:**

**The Australian Rules of Racing**

- preceded by the letters AR and appearing in plain black type

**The Local Rules of Racing**

- preceded by the letters LR and appearing in shaded type

**The Rules of Race Betting**

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**Racing Victoria Directors**

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M Andrew, R Craigie, K Joel, R Lanyon, S McCrohan & G Nichols

G Thompson – **Chief Executive Officer**



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The Rules printed in plain black type are the Australian Rules of Racing which have been made by the Australian Racing Board.

The Rules printed in shaded type are the Local Rules of Racing of Racing Victoria Limited.

## DEFINITIONS

**AR 1** In the interpretation of these Rules, (and of any programme of a race meeting held hereunder), the following words unless the context otherwise requires, shall have or include meanings as follows:

- (a) in Australian Rules of Racing, such meanings as are herein printed in black; and
- (b) in Local Rules, such meanings as are herein printed either in black or shaded type.

**“Advertised”** or **“Advertisement”** includes publication in any newspaper or Racing Calendar or in any printed, typewritten, or written placard, circular, or poster.

**“Anabolic Androgenic Steroid Clearing Certificate”** means a certificate from an Official Racing Laboratory stating that a sample (taken under the supervision of the Stewards or other official appointed by the Principal Racing Authority to do so) is free of anabolic androgenic steroids or that any anabolic androgenic steroids that are present are at or below the relevant concentrations set out in AR 178C(1) [added 1/11/13].

**“Apprentice”** means a person who is duly bound to a trainer or owner in accordance with the Local Rules of the Principal Racing Authority with jurisdiction over the territory in which such trainer or owner resides. [amended 30/4/03]

**“Approved Hurdles”** means the hurdles of a design and type approved by Racing Victoria for trials and races. [added 4/3/10; amended 4/2/11]

**“Approved Steeplechase Obstacles”** means steeplechase obstacles of a design and type approved by Racing Victoria for trials and races. [added 4/3/10; amended 4/2/11]

**“AR”** means an Australian Rule of Racing.

**“Association”** means any association of Clubs holding registered meetings, the articles or rules of which have been approved by the Principal Racing Authority, and any Registration Board the constitution of which has been approved by the said Principal Racing Authority. [amended 30/4/03]

**“Australian Racing Board”** and **“Board”** means the **“Australian Racing Board Limited”** constituted in accordance with AR 208. [replaced 1/8/03]

**“Australian Lawyer”** has the same meaning as in the *Legal Profession Act 2004 (Vic)*.

**“Australian Rules of Racing”** means the Rules made by the Australian Racing Board and herein printed and numbered in black type, and includes all modifications thereof and all new Australian Rules of Racing as therein provided.

**“Authorised Agent”** means a person who has produced to the Principal Racing Authority, Committee of the Club or the Stewards or other relevant official a satisfactory written authority signed by his principal. [amended 30/4/03]

**“Authorised Agent”** includes for the purposes of the Local Rules an officer of the Racing Services Bureau division of Racing Victoria.

**“Banned Substance”** means a substance declared as a banned substance in riders by AR 81B. [adopted 1/10/08]

**“Barrier Test Certificate”** means a certificate issued by a starter or other person authorised by the Stewards stating that a horse is tractable when entering, standing in and jumping from starting stalls. [adopted 1/9/04]

**“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. [added 1/8/16]

**“Business Day”** means a day other than Saturday, Sunday or public holiday in Victoria. [adopted 3/7/03]

**“Chairmen of Stewards”** means the National Chairmen of Stewards Advisory Group to the Australian Racing Board Limited. [added 14/6/07]

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

**“Club”** includes any person or body holding or proposing to hold a race meeting in the Commonwealth.

**“Correct Weight”** means a declaration by the Stewards officiating at a race meeting that the result of a race is official. [added 1/9/09]

**“Country Course”** means a Course other than a Metropolitan Course.

**“Country Race Meeting”** means a race meeting other than a Metropolitan Race Meeting.

**“Course”** includes any racecourse, training ground or land over which Racing Victoria or any Club has the control or management for racing or training purposes.

**“Cruelty”** includes any act or omission as a consequence of which a horse is mistreated. [added 1/2/01]

**“The Committee of the Club”** means the Committee of any Club which is registered with a Principal Racing Authority or whose meetings are registered with a Principal Racing Authority.

**“Company”** means:

- (a) a company incorporated or registered under any Act or Ordinance of any state or territory of the Commonwealth of Australia whilst it remains so incorporated or registered; and
- (b) a ‘foreign company’ within the meaning of the Corporations Law or any replacement or successor legislation. [amended 1/7/00]

**“Deputy Registrar of Racehorses”** and **“Deputy Registrar”** means any person appointed to act as such by a Principal Racing Authority provided that the name of the appointed person is notified as soon as practicable to the Registrar of Racehorses. [amended 30/4/03, 1/7/05]

**“Designated Race Meeting”** means a race meeting which has been designated by Racing Victoria pursuant to LR 37A as a race meeting where winning rides by an apprentice are not considered winners for the purpose of AR 92(3). [added 7/4/11]

**“Directors”** means the directors of Racing Victoria acting as a board.

**“Disqualification”** includes the adoption or confirmation in accordance with these Rules of any disqualification and “Disqualify” has a corresponding meaning.

**“Document of Description”** means the document which bears that name and which has been issued by the Registrar of Racehorses or a recognised turf authority in relation to the identity of the racehorse described therein and shall include a Certificate of Registration issued by the Registrar of Racehorses or a recognised turf authority. [amended 30/4/03]

**“Eligible Horse”** means a horse which is eligible to be registered under these Rules but has not yet been registered under these Rules. [added 1/8/16]

**“Executive Officer”** means the person appointed by the Board as the executive officer of the Board. [added 1/8/98]

**“Final Scratching Time”** means 7.30am on the day of the relevant scheduled race. [amended 4/2/11]

**“Firm”** means any individual or any number of individuals not exceeding twenty (excluding companies) carrying on business in Australia under a firm or business name which name is and remains registered under any statute or ordinance of any State or Territory of the Commonwealth of Australia relating to “Business Names” or such-like.

**“Foal Identification Card”** means the card which bears that name and which has been issued by the Australian Stud Book or a recognised turf authority in relation to the identity of the horse described thereon. [added 1/7/05]

**“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. [added 1/8/16]

**“Forfeits”** includes all overdue and unpaid acceptances or qualification fees, or moneys, stakes, fines, subscriptions, course, track, and other fees not being entrance fees due by or imposed upon any person or due in respect of or imposed upon any horse, or which shall be published in the Racing Calendar as so due or imposed.

**“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. [amended 1/8/16]

**“Group and Listed Races”**, for races run outside Australia, shall mean those races which are published by the International Cataloguing Standards Committee.

**“Handicap”** means a race in which the weights the horses are to carry are allocated according to the judgment of the person appointed to frame the handicap upon the merits of the horses for the purpose of equalising their chances of winning.

**“Helmet”** means a protective riding helmet the standard of which is approved by the Australian Racing Board. [added 1/10/06]

**“Horse”** includes stallion, rig, mare, gelding, colt or filly.

**“Horse handler”** means any licensed person who handles any horse at any meetings, trial, jump out or in training and includes but is not limited to stable hands, trainers, veterinarians, farriers and barrier attendants. [added 1/7/14, amended 1/4/15]

**“Impaired mental functioning”** means:

- (a) a mental illness within the meaning of the *Mental Health Act 1986*; or
- (b) an intellectual disability within the meaning of the *Disability Act 2006*; or
- (c) an acquired brain injury; or
- (d) autism spectrum disorder; or
- (e) a neurological impairment, including but not limited to dementia. [definition added 1/3/13]

**“Inside Racing”** means the official publication of Racing Victoria specified by it from time to time as Inside Racing.

**“Interest”** in respect of a horse for purposes of AR 53, AR 166(c) and AR 182 and (subject to this definition) for any other purposes under these Rules includes membership of a Syndicate which owns or leases a horse, and for the purpose of AR 84, AR 85 and AR 175(e) includes membership of a Company, Firm or Syndicate which owns or leases a horse or has any interest direct or indirect in a horse or in a Company, Firm or Syndicate which owns or leases a horse and the word “Interested” and all other derivatives and applications of the word “Interest” shall be construed accordingly.

**“Investigators”** means the persons appointed by the Principal Racing Authority to investigate matters in relation to enforcement and compliance with These Rules. [adopted 1/8/04]

A **“Jockey”** is a person licensed by a Principal Racing Authority or an Association to ride for hire. [amended 30/4/03]

**“The Judge”** means the person duly appointed as such and includes any Assistant Judge similarly appointed and any substitute appointed in accordance with these Rules.

**“Jump-out”** means a trial, other than an official trial, organised, supervised and controlled by a Club or the management of a recognised training track, which is started from barrier stalls, and is conducted in accordance with any conditions set by the Principal Racing Authority. [added 1/9/09]

**“Jump-out”** has the meaning given under the Australian Rules of Racing, and, for the purpose of the Local Rules, may take place at privately owned and controlled premises which have been approved by Racing Victoria, at its discretion, to conduct jump-outs for the purpose of obtaining an approval under LR 50(1). [added 1/1/10]

**“Jumps Review Panel”** means the body of that name established and maintained in accordance with LR 59. [added 5/2/09]

**“Jumps Riders Skills Panel”** means the body of that name established and maintained in accordance with LR 36BA. [added 5/2/09]

**“Lease”** includes any agreement whereby the owner of a horse permits another person to race the horse.

**“Licence”** includes any approval or permit.

**“Licensed”** A person is licensed if he has the requisite licence required by the Rules.

**“Licensed wagering operator”** means a wagering operator that holds a licence or authority however described under the legislation of any State or Territory in Australia to carry out wagering operations whether in that State or Territory or elsewhere. [added 11/4/12]

**“Licensing Panel”** means the Racing Victoria Licensing Panel as established on 22 October 2013, and effective from 1 November 2013. [added 1/07/16]

**“Local Rules”** are those rules made from time to time by a Principal Racing Authority and in force within its territory. [amended 30/4/03]

**“Local Rules”** means the Rules of Racing made by the Directors and herein printed and numbered in shading, and all modifications thereof and all new Rules of Racing made by such Directors as therein provided.

**“LR”** means a Local Rule.

A **“Maiden”** with respect to a flat race means a horse which at the time of starting has never won on the flat a race at a registered meeting or an advertised race in any country, and, with respect to a steeplechase or hurdle race means a horse which at the time of starting has never won such a steeplechase or hurdle race in any country.

**“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. [amended 1/7/05, 1/8/16]

**“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. [added 1/8/16]

**“Medication”** means any treatment with drugs or other substances. [added 3/2/03]

**“Member”** for the purposes of AR 69A to AR 69N inclusive and for any other purposes of these Rules includes any person who has an interest of any kind and to any extent in any Company, Firm, Syndicate or other association of persons, whether such interest be by way of membership, individual or part-ownership, sharing or stockholding, and an “officer” of a Company (within the meaning of a Companies Act under which it is incorporated or registered) shall be deemed to have an interest in that Company; and “membership” and all other derivatives and applications of the word “member” shall be construed accordingly.

**“Metropolitan Area”** and **“Suburban Radius”** means any Area so designated by the Local Rules of a Principal Racing Authority. [amended 30/4/03]

**“Metropolitan Area”** means an area where a Metropolitan Race Meeting is held. [added 7/4/11]

**“Metropolitan Course”** means Flemington Racecourse, Caulfield Racecourse, Sandown Racecourse and Moonee Valley Racecourse.

**“Metropolitan Race Meeting”** means:

- (a) a race meeting conducted in Victoria by Victoria Racing Club, Melbourne Racing Club or Moonee Valley Racing Club; and a race meeting conducted elsewhere in Australia or outside Australia; and
- (b) designated as the equivalent of a Victorian Metropolitan Race Meeting by Racing Victoria.

**“Microchip”** means an electronic identifier transponder encoded with a unique unalterable number approved by the Registrar of Racehorses for implantation in a horse. [added 1/7/05]

“Month” means a calendar month.

“Named Horse” means an Eligible Horse that has been registered to race pursuant to AR 15. [added 1/8/16]

“National Gear Register” means the Register of Nationally Approved Gear approved by the Chairmen of Stewards and published on the website of Racing Victoria Limited. [added 14/6/07; amended 1/8/09]

“National Stewards Embargo Register” means a record, maintained by the Stewards Australia-wide, of embargos imposed on horses. [added 1/7/05]

“Nominator” means any owner or if the horse is leased any lessee by or on whose behalf a horse is entered and includes any Registered Manager for a Company and any trustee for a Syndicate and any person exercising the rights of a nominator under the Rules by reason of the death of a nominator, the sale of a horse with engagements, the termination of a lease or otherwise.

“Non-TAB Race Meeting” means a race meeting designated as such by Racing Victoria.

“Non-voting Principal Racing Authority” means a Principal Racing Authority other than a Voting Principal Racing Authority. [added 2/7/01; amended 30/4/03]

“Official” includes:

- (a) a Member of the Committee of a Racing Club;
- (b) a secretary, Steward, investigator, betting supervisor, veterinary surgeon, handicapper, judge, starter, clerk of the course, clerk of the scales, barrier attendant or track supervisor whether appointed by a Club, the management of a training facility or Racing Victoria; and
- (c) any other person appointed by the Committee of a Racing Club the management of a training facility or by Racing Victoria to perform any service or duty.

[amended 2/10/03, 7/2/08]

“Official Hurdle Trial” means a trial over hurdles:

- (a) that is approved and advertised by Racing Victoria;
- (b) that is conducted in accordance with conditions set by Racing Victoria;
- (c) that is supervised by the Stewards of Racing Victoria; and
- (d) for which official entries are taken and results are officially recorded.

[added 4/3/10]

“Official Racing Laboratory” means an analytical racing laboratory that is accredited by the National Association of Testing Authorities or by a similar authority in an overseas country, and is approved by the Australian Racing Board and published in the Racing Calendar [amended 30/4/03].

**Note:** *The following have been approved by the Australian Racing Board:*

*Australian Racing Forensic Laboratory, Sydney  
Queensland Government Racing Science Centre, Brisbane  
Racing Analytical Services Limited, Melbourne  
Racing Chemistry Laboratory, Chemistry Centre (W.A.) , Perth  
The Hong Kong Jockey Club Racing Laboratory, Sha Tin, Hong Kong  
New Zealand Racing Laboratory Services Limited, Avondale, Auckland, New Zealand  
Sport and Specialised Analytical Services, LGC, Fordham, Ely, Cambridgeshire, United Kingdom  
Australian Sports Drug Testing Laboratory, Sydney  
ChemCentre, Western Australia  
National Measurement Institute (NMI), Sydney (trace element analysis)  
Institute of Biochemistry, German Sport University, Cologne, Germany*  
[amended 1/10/12, 11/6/14, 11/9/14, 30/3/15].

“Official Trial” means a trial:

- (a) that is approved and advertised by the Principal Racing Authority;
- (b) that is conducted in accordance with the conditions set by the Principal Racing Authority;
- (c) that is supervised by the Stewards; and
- (d) for which official entries are taken and results are officially recorded.

“Official Trial” is deemed, for the purpose of the Rules and section 17(3)(a) of Schedule 1 of the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic), to mean a horse race conducted as part of a race meeting under the Rules of Racing of Racing Victoria. [added 1/9/09, amended 27/03/15]

“Overseas Racing Authority” means a body, whether statutory or otherwise, that has the control or general supervision of racing within a country, territory or province other than Australia. [adopted 19/3/09]

“Participant in racing” includes:

- (a) a trainer;
- (b) any person employed by a trainer in connection with the training or care of horses;
- (c) a nominator;
- (d) a rider;
- (e) a riders agent; and
- (f) any person who provides a service or services connected with the keeping, training or racing of a horse.

[added 19/10/06]

“Penalty” includes the suspension or partial suspension of any licence, disqualification and the imposition of a fine, and “penalise” has a corresponding meaning. [added 1/9/09]

“Person” includes any Syndicate, Company, combination of persons, firm, or Stud owning or racing a horse or horses.

“Picnic Race Club” means a Club which conducts a Picnic Race Meeting.

“Picnic Race Meeting” means a race meeting designated as such by Racing Victoria.

“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. [added 1/8/16]

“Premises” includes land, buildings or any fixed or moveable structure, including any vehicle. [added 20/11/02]

The expression “Principal Racing Authority” means:

- (a) a body, statutory or otherwise, that has the control and general supervision of racing within a State or Territory (provided any Member thereof is not a direct Government appointee), and means in the State of New South Wales, Racing NSW; in the State of Victoria, Racing Victoria Limited; in the State of Queensland, Queensland Racing Limited; in the State of South Australia, Thoroughbred Racing SA Limited; in the State of Western Australia, Racing and Wagering Western Australia; in the State of Tasmania, the Tasmanian Racing Board; in the Northern Territory, Thoroughbred Racing NT; and in the Australian Capital Territory, the Committee of the Canberra Racing Club Inc; and [amended 5/4/02, 1/1/03, 24/10/03, 8/5/06, 12/12/08]
- (b) a body recognised as a Principal Racing Authority by the Australian Racing Board pursuant to the Board’s Constitution under the *Corporations Act*. [amended 24/10/03, 8/5/06]
- (c) Provided that all references in these Rules to a Principal Racing Authority shall, in the case of a body that on and before 30<sup>th</sup> April, 2003 was a Principal Club under the Australian Rules of Racing and which continues to be referred to as a Principal Club under an Act of Parliament or a company constitution, continue to have effect as a reference to a Principal Club.

[definition replaced 30/4/03]

“Prescribed Fee Schedule” means the schedule of fees prescribed by Racing Victoria Limited, Australian Racing Board, or other authority in respect of amounts payable pursuant to the Rules. [added 8/3/12]

“Prize” includes any moneys, cups, trophies or any material gain or benefit capable of being valued in money (but not including the value of any stallion services) from whatever source awarded to the nominator or trainer or jockey of a horse or to any other person in accordance with the conditions of a race as a result of the horse winning or being placed second, third, fourth, fifth, sixth, seventh, eighth, ninth or tenth in such race. [amended 1/7/00, 1/7/05]

“Prohibited Substance” means a substance declared by these Rules to be a prohibited substance, or which falls within any of the groups of substances declared by these Rules to be prohibited substances unless it is specifically excepted.

**“Promoter”** means any person or Corporation who for valuable consideration offers or invites any other person or Corporation to subscribe for shares or participate in any manner in any scheme, the objects of which include the breeding and/or racing of a thoroughbred horse or horses.

**“Provincial Area”** means an area where a Country Race Meeting is held. [added 7/4/11]

**“Punishment”** [definition deleted and replaced with “Penalty” 1/9/09]

**“Qualified Hunter”** means a horse that has been fairly hunted in accordance with the requirements of the Hunt Clubs Association of Victoria. [adopted 7/6/04]

**“Race”** includes each division of a divided race.

**“Racing Appeals and Disciplinary Board”** and **“RAD Board”** means the body of that name established and maintained in accordance with LR 6A. [adopted 12/5/04]

**“Racing Calendar”** means the publication published under that name or any similar name by or under the authority of a Principal Racing Authority. [amended 30/4/03]

**“Racing Club”** means:

- (a) a Registered Club; and
- (b) a Club which conducts any race meetings registered by Racing Victoria.

**“Racing Employee Contractor”** means a person licensed by Racing Victoria to employ stablehands for placement with trainers in accordance with a contract between the Racing Employee Contractor and the trainer.

**“Racing Integrity Commissioner”** means the Racing Integrity Commissioner appointed by the Minister for Racing under the *Racing Act 1958* (Vic). [added 1/3/10]

**“Racing Victoria”** means the company named Racing Victoria Limited and recognised as Racing Victoria in the *Racing Act 1958*.

**“Racing Victoria Member”** means a member of Racing Victoria as defined by the Racing Victoria Constitution. [added 1/3/10]

**“RAD Board Registrar”** means the Boards Registrar referred to in the *Racing Act 1958* (Vic). [added 1/3/10]

**“Registered Club”** means a Club registered by a Principal Racing Authority in accordance with the Rules. [amended 30/4/03]

**“Registered Club”** means a Club registered pursuant to the Rules.

**“Registered Manager”** means a person who is appointed to be the Registered Manager for a Company by instrument under the common seal of the Company and who has been approved by the Principal Racing Authority by which the Company has been registered as a Syndicate. [amended 30/4/03]

**“Registered Meeting”** or **“Registered Race Meeting”** includes any race meeting held under the Management of a Principal Racing Authority or of any registered Club. [amended 30/4/03]

**“Registrar of Racehorses”** and the **“Registrar”** means RISA or any agent appointed by it. [replaced 11/3/04]

**“Restricted Race Conditions”** means those conditions for Restricted Races as prescribed by AR 1A.

**“Rider”** means a jockey, apprentice jockey, amateur rider, approved rider, or any other person who rides a horse in a race, official trial or jump-out or during trackwork. [added 1/5/02; amended 1/9/09]

**“Riders Agent”** means a person licensed by a Principal Racing Authority who by contract or any other arrangement or agreement assists a jockey or the master of an apprentice jockey in the organisation and/or the obtaining of riding engagements. [amended 30/4/03]

**“RISA”** means Racing Information Services Australia Proprietary Limited. [added 11/3/04]

**“Rules”** means the Australian Rules of Racing for the time being and the Local Rules for the time being read, interpreted, and construed together.

**“Sample”** means a specimen of saliva, urine, perspiration, breath, blood, tissue, hide, hair or any other excretion product or body fluid taken from a horse or person. [added 1/5/02]

**“Screening Limit”** means the concentration of a therapeutic substance or its specified metabolite present in a sample during a

screening test or analysis as specified in AR 178EA(2), above which the therapeutic substance will be notified as a prohibited substance. [added 1/10/12]

**“Serious Offence”** means an offence under, or breach of, one of the following rules:

- (a) AR 64G(1);
- (b) AR 83(c) and (d);
- (c) AR 84;
- (d) AR 89;
- (e) AR 135(a), (b), and (d);
- (f) AR 175(aa), (a), (b), (c), (f), (g), (gg), (h), (hh), (l), (n), (o), (q), (x) and (y);
- (g) AR 175A;
- (h) AR 175B;
- (i) AR 175C;
- (j) AR 177;
- (k) AR 177A;
- (l) AR 177B;
- (m) AR 178;
- (n) AR 178A;
- (o) AR 178AA;
- (p) AR 178E;
- (q) LR 66A; and
- (r) LR 67.

[added 1/3/10, amended 8/3/12, amended 1/2/13, amended 1/3/13, (o) added 1/10/13]

**“Sexual harassment”** means:

- (a) subjecting a person to an unsolicited act of physical intimacy; or
- (b) making an unsolicited demand or request (whether directly or by implication) for sexual favours from a person; or
- (c) making a remark with sexual connotations relating to a person; or
- (d) engaging in any other unwelcome conduct of a sexual nature in relation to a person;

and the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so—

- (e) with the intention of offending, humiliating or intimidating the other person; or
- (f) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Conduct described in paragraphs (b), (c) and (d) includes, without limitation, conduct involving the internet, mobile phone or any other electronic mode of communication.

[definition added 1/12/10]

**“Special circumstance”** means as set out in LR 73A. [definition added 1/3/13]

**“Stablehand”** means:

- (a) any person employed by a trainer in connection with the training or care of racehorses; or
- (b) a Stable Employee referred to in LR 39B(2A).

[added 1/8/09]

**“Stable Return”** means a notification submitted by a trainer, containing such information required by the Rules in respect of each horse under his care, control and superintendence and thereafter from time to time supplemented by amending notifications in the event of any alterations to the information previously submitted. [added 1/7/05]

**“Stewards”** means the persons appointed as such in accordance with the Local Rules of a Principal Racing Authority and includes Deputy Stewards duly appointed. [amended 30/4/03]

**“Stud”** means a person, Firm or Company engaged in the breeding of horses for racing and which during the period of 12 calendar months immediately preceding any relevant point of time has returned to and had accepted five or more mares by the Australian Stud Book and/or the Australian Register of Non Stud Book Mares.

**“Suspension”** means the temporary withdrawal in whole or in part of any licence, permit, permission, right or privilege granted under the Rules. [deleted and replaced 1/11/99]

“**Syndicate**” means a Syndicate as defined by AR 69A and registered pursuant to these Rules.

“**TAB Race**” means a race on which TABCORP conducts off-course totalisator wagering.

“**Therapeutic Substance**” means a prohibited substance to which a screening limit applies, and which is promulgated as such from time to time by the Australian Racing Board and published in the Racing Calendar.[added 1/10/12]

“**These Rules**” mean the Australian Rules of Racing and “The Rules” mean these Rules together with the Local Rules of the Principal Racing Authority concerned. [amended 30/4/03]

“**Thoroughbred Identification Card**” means the card which bears that name and which has been issued by the Registrar of Racehorses or a recognised overseas turf authority in relation to the identity of the racehorse described thereon. [added 1/7/05]

“**Trackwork**” means any training activity, excluding an official trial or jump-out, undertaken by a racehorse in the care of a trainer on a racecourse, recognised training track, private training establishment or elsewhere. [added 1/9/09]

“**Trainer**” means a person licensed or granted a permit by a Principal Racing Authority to train horses, and includes any persons licensed to train as a training partnership. [added 1/8/08]

“**Training Disputes Tribunal (or TDT)**” means the body of that name established and maintained in accordance with the Trainer and Owner Reform Rules and by LR 6G(1).

“**Trustees**” means the natural persons being members of a Syndicate who have been nominated to represent it as such trustees.

“**Unnamed Horse**” means an Eligible Horse that has not been registered to race pursuant to AR 15. [added 1/8/16]

“**Voting Principal Racing Authority**” means a Principal Racing Authority granted a voting entitlement by AR 213. [added 2/7/01; amended 30/4/03]

“**Warned off**” or “**Warning off**” A person warned off a racecourse is one who is not permitted to enter a racecourse under the control of the Club or body warning him off.

“**Weight for Age Race**” means a race in which weights are apportioned to horses according to their age or sex or both, and remains a Weight for Age race even if:

- (a) there are penalties and allowances; or
- (b) the race is confined to horses of the same age.

“**Workplace harassment**” means behaviour of one person towards another person with whom he has a workplace connection which:

- (a) is unwelcome to and unsolicited by the person who is the subject of the behaviour;
- (b) the person subject to the behaviour considers to be offensive, intimidating, humiliating or threatening; and
- (c) a reasonable person would consider to be offensive, humiliating, intimidating or threatening.

However, reasonable management action taken in a reasonable way by the person’s employer in connection with the person’s employment is not workplace harassment.

[definition added 1/12/10]

## INTERPRETATION

### LR 1 Interpretation

- (1) Certain references in the Australian Rules of Racing: In the case of Racing Victoria, a reference in the Australian Rules of Racing to:
  - (a) “**the Committee**” of a Principal Racing Authority means the Directors; and
  - (b) a “**Racing Calendar**” means Inside Racing.
- (2) Inconsistencies between Australian and Local Rules: If there is any inconsistency between an Australian Rule of Racing and a Local Rule, the Australian Rule of Racing prevails to the extent of such inconsistency.
- (3) References to powers: A general power conferred on the Directors, the Committee of any Club or the Stewards by any of the Rules is not (unless the contrary is expressly provided) limited, qualified or affected by the mere fact that:
  - (a) a specific penalty is prescribed for a particular offence; or

(b) a specific power is conferred on the Directors or such Committee or Stewards.

[(3) amended 1/9/09]

Marginal notes and headings, where they appear, are for reference purposes only and shall not be regarded as being part of the Rules.

Words importing the singular include the plural and the plural the singular, unless the context requires otherwise; and words importing the masculine gender shall be deemed and taken to include females unless the contrary is expressly provided; and words importing the feminine shall be deemed and taken to include the masculine unless the contrary is expressly provided.

Expression of distances and weights: As from 1st August 1972, distances of races and weights shall be expressed in metres and kilograms as directed by Principal Racing Authorities in their respective territories. [paragraph added 1/8/98]

## RESTRICTED RACES

**AR 1A** A Maiden Race is one restricted to horses which at the time of starting have never won on the flat a race at a registered meeting or any advertised race in any country.

A Trophy Race is a race in which the prizemoney and/or value of any trophy to the winner does not exceed \$3,500. [added 1/10/00; amended 20/11/02, 9/5/07, 1/10/12]

**A CLASS A RACE\*** is one restricted to horses which, at the time of starting, have not generated prizes in the aggregate worth more than \$6,000 for wins in races on the flat and have never won a race on the flat outside Australia. [amended 9/5/07, 1/10/12]

**A CLASS B RACE\*** is one restricted to horses which, at the time of starting, have not generated prizes in the aggregate worth more than \$10,000 for wins in races on the flat and have never won a race on the flat outside Australia. [amended 9/5/07, 1/10/12]

\*The value of the prize to the winner shall not exceed: in a Class A Race - \$6,000 [amended 9/5/07, 1/10/12] in a Class B Race - \$10,000 [amended 9/5/07, 1/10/12]

Provided that from Class A and/or Class B races shall not be programmed for TAB meetings, except in the Northern Territory, King Island and approved country areas of Western Australia, and that each Principal Racing Authority should restrict Class A and Class B races, to “remote/minor” race meetings, as determined by the Principal Racing Authority.

For the purposes of determining the value of the prize to the winner and the eligibility of any horse for any Class A or Class B race, no account shall be taken of prizes won after 30<sup>th</sup> September 1991 which were not, at the time of entry for a race or series of races, available to be won by every horse eligible to be entered therein.

For the purposes of determining the eligibility of any horse for any Class 1 to Class 6 race, no account shall be taken of any wins in the former Class C or Class D races run before 1<sup>st</sup> August 2003 other than a win as a Maiden Horse. [Note: Former Class A-D races replaced by Class A and Class B Races on 1<sup>st</sup> August 2003]

**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 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 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 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 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; or
- (c) more than one Listed Race or Restricted Listed Race in which 2yos only 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 1A amended 30/4/03, 1/8/03, 1/8/06; class one to six definitions amended 1/9/04, 1/1/08, 1/8/16, class five definition amended 1/1/17]

## TRANSITIONAL PROVISION

### LR 2 Commencement and transition

(1) Definitions: In this LR 2:

**“Appointed Day”** means the day on which sections 3 and 6 of the *Racing (Racing Victoria Limited) Act 2001* come into operation.

**“VRC”** means Victoria Racing Club.

**“VRC Rules”** means the Rules of Racing of Victoria Racing Club immediately before the Appointed Day and the regulations made thereunder.

(2) Commencement: The Rules come into operation and effect on and from the beginning of the Appointed Day.

(3) Preservation of effect, decisions, rights and obligations of VRC Rules:

Everything arising, done or suffered under the VRC Rules is deemed to have arisen, been done or suffered under the Rules and, without limiting the generality of the foregoing:

- (a) Appointments: all appointments of Officials and any other persons (including but not limited to the Stewards and members of the Racing Appeals Board) made under or pursuant to the VRC Rules are deemed to have been made, and to continue in effect, under or pursuant to the Rules.
- (b) Decisions made and action taken under VRC Rules: all decisions made, action taken and discretions and powers exercised under or pursuant to the VRC Rules are deemed to continue in force and effect and upon the same terms and conditions as if properly and validly made or taken under or pursuant to the rules.

- (c) Licences, permits, etc: all licences, permits, registrations, authorisations and any other rights or privileges granted under or pursuant to the VRC Rules are deemed to continue in full force and effect and upon the same terms and conditions as if properly and validly made under or pursuant to the Rules.
- (d) Obligations and liabilities: all obligations and liabilities of any kind (including but not limited to pecuniary obligations and liabilities) incurred or arising under or pursuant to the VRC Rules are deemed to have been incurred or to have arisen under or pursuant to the Rules.
- (e) Offences: any offence committed under or breach of the VRC Rules is deemed to be an offence committed under or breach of the Rules.
- (f) Penalties and disabilities: all penalties, disabilities, warnings-off, disqualifications, suspensions and obligations of any kind (including fines and other pecuniary obligations) imposed, incurred or arising under or pursuant to the VRC Rules are deemed to have been imposed, incurred or to have arisen under or pursuant to the Rules.
- (g) Inquiries, investigations and proceedings: all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the VRC Rules are deemed to have been initiated or conducted under or pursuant to the Rules.

## APPLICATION OF THESE RULES

**AR 2** Any person who takes part in any matter coming within these Rules thereby agrees with the Australian Racing Board and each and every Principal Racing Authority to be bound by them. [amended 30/4/03, 1/8/03]

### LR 3 Application and enforcement of these Rules against certain persons

- (1) Without limiting AR 2, these Rules apply to and may be enforced against—
  - (a) a person who expressly agrees to be bound by these Rules, including a person who is the holder of a licence, registration, permit or other authority issued by Racing Victoria;
  - (b) a person who impliedly agrees to be bound by these Rules; and
  - (c) subject to LR 3(2), a relevant person.
- (2) If there is to be an investigation or inquiry in relation to horse racing or wagering or both under these Rules in which these Rules may be applied to and/or enforced against a relevant person (as defined in LR 3(3)):
  - (a) the investigation or inquiry must be initiated by a Steward; and
  - (b) in conducting the investigation or inquiry, the Steward must have reasonable grounds to suspect the relevant person:
    - (i) may have contravened these Rules; or
    - (ii) may be involved in a contravention of these Rules; or
    - (iii) may have knowledge or possession of information as to a contravention of these Rules—because of—
      - (iv) the person's attendance at a race-meeting of horse racing in Victoria; or
      - (v) the person's participation in an activity in connection with or involving horse racing in Victoria or wagering on horse racing in Victoria.
- (3) For the purpose of LR 3, a relevant person means:
  - (a) a person who attends a race-meeting for the purpose of horse racing in Victoria; or
  - (b) a person who participates, whether at a racecourse or any other place, in an activity connected with, or involving, horse racing in Victoria or wagering on horse racing in Victoria.

[LR 3 deleted and replaced 29/1/14]

### LR 4 Application of Goods and Services Tax

- (1) In this LR 4 words and terms set out in italics have the same meaning as those words and terms in the *A New Tax System (Goods and Services Tax) Act 1999*.

- (2) Subject to LR 4(3), an amount payable by any person pursuant to or in accordance with the Rules in respect of a taxable supply represents the consideration and the value of the taxable supply for which the payment is to be made.
- (3) Except where expressly stated to the contrary, an amount specified in the Rules as being payable to Racing Victoria or to any racing club, whether as an entry fee, declaration fee, scratching fee, registration fee, appeal deposit, fine or otherwise, and which is payable in respect of a taxable supply, is exclusive of GST. [amended 1/4/04]
- (4) Subject to Rule LR 4(5), if an entity makes a taxable supply pursuant to or in accordance with the Rules, then the person liable to pay the consideration for the taxable supply must also pay, at the same time and in the same manner as the consideration is payable, the amount of GST payable in accordance with the GST law in respect of the taxable supply.
- (5) The obligation of the person under Rule LR 4(4) to pay GST is subject to the entity providing a tax invoice if required by the GST law to do so.
- (6) References in the Rules to any prize money amount do not include any amount of GST.

**AR 3** Subject to the conditions of any race when the last day for doing any act under the Rules falls on a Sunday or holiday such act may be done on the next succeeding day not being a Sunday or holiday, unless the race to which such act relates is appointed for that day.

**AR 4** Any act done or decision made by a Committee of a Club or by Stewards in the exercise or intended exercise of any right power or authority conferred by or under any of the Rules shall except where otherwise provided in the Rules be final and conclusive.

**AR 5** These Rules shall come into operation on the First day of August, 1965, and any other Rules of Racing repugnant to or inconsistent with these Rules shall be annulled as from that day, but such annulment shall not:

- (a) affect the previous operation of any rule so annulled or anything duly done or suffered thereunder, or
- (b) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any Rule so annulled, or
- (c) affect any penalty or disqualification incurred in respect of any offence committed against any rule so annulled, or
- (d) affect any investigation, proceeding, or remedy in respect of any such right, privilege, obligation, liability, or penalty as aforesaid.

Any such investigation, proceeding, or remedy may be instituted, continued, or enforced, and any such penalty or disqualification may be imposed as if these Rules had not been passed.

#### **AR 6**

- (1) These Rules apply to all races held under the management or control of a Principal Racing Authority, and shall, together with such Rules (not being repugnant to or inconsistent with these Rules) as may from time to time be made by the Principal Racing Authority in its territory, be read and construed as the rules of the Principal Racing Authority in such territory and, subject to the provisions of AR 35, shall apply to all races held under the management of a Principal Racing Authority or any registered Club and to all meetings registered by a Principal Racing Authority.
- (2) Unless the Principal Racing Authority otherwise determines, if any race or race meeting is not held under these Rules:
- (a) any horse taking part shall *ipso facto* be disqualified;
  - (b) any person taking part therein shall be ineligible to enter a horse for any race, or to hold or continue to hold any licence or registration under these Rules; and
  - (c) any person who acts in connection therewith as promoter, organiser, president, chairman, secretary, treasurer, committee member, or in any advisory or official capacity, shall be debarred from acting in any official capacity at any race meeting, and any horse in which he has an interest shall be ineligible to race at any registered meeting.
- [amended 1/10/06]
- (3) Paragraphs (b) and (c) of sub-rule (2) shall not apply to any race or race meeting in which thoroughbreds do not take part and which are held under the management or regulation of an organisation formally recognised by the Government of the

State or Territory in which the race meeting is conducted. [amended 1/10/06]

- (4) Any question not provided for by these Rules shall be determined by the Principal Racing Authority concerned.

[AR 6 amended 30/4/03, deleted and replaced 1/7/05]

#### **LR 5 Publication of penalties and decisions**

Any penalty or warning off imposed or any decision made in Victoria by:

- (a) any Racing Club (including by the Committee of the Racing Club);
- (b) Racing Victoria (including by the Directors);
- (c) the Racing Appeals and Disciplinary Board; or
- (d) the Stewards, may be published in Inside Racing or any newspaper or otherwise by the body or persons imposing the penalty or warning off or making the decision.

[amended 12/5/04, 1/9/09]

#### **POWERS OF A PRINCIPAL RACING AUTHORITY**

**AR 7** A Principal Racing Authority shall:

- (i) not have reserved to it the right to make new Rules (other than Local Rules) or to rescind or alter these Rules, and a Principal Racing Authority which does not comply with this requirement shall *ipso facto* cease to be a Principal Racing Authority;
  - (ii) have the control and general supervision of racing within its territory;
  - (iii) in furtherance and not in limitation of all powers conferred on it or implied by these Rules, have power, in its discretion:
    - (a) To hear and decide appeals as provided for in its Rules or by law.
    - (b) To license jockeys, trainers and others on such terms and conditions as it shall think fit, and at any time to suspend, vary or revoke any such licence without giving any reason therefore.
    - (c) To inquire into and deal with any matter relating to racing and to refer and/or delegate any such matter to stewards or others for investigation and report and/or for hearing and determination and, without prejudice to the generality of the foregoing power, to inquire at any time into the running of any horse upon any course or courses, whether a report concerning the same has been made or decision arrived at by any Stewards or not. [amended 1/10/06; typographical correction 8/5/09]
    - (d) To penalise:
      - (i) any person contravening the Rules or disobeying any proper direction of any official, or
      - (ii) any licensed person or official whose conduct or negligence in the performance of his duties has led, or could have led, to a breach of the Rules.
- [amended 1/9/09]
- (e) At any time to exercise any power conferred on Stewards by the Rules.
  - (f) To confirm, adopt or enforce any penalty imposed upon any person by the Committee or Stewards of any Club in the Commonwealth.
  - (g) To make reciprocal arrangements with any Club for the recognition or enforcement of each other's penalties.
  - (h) To confirm, adopt or enforce, in accordance with the provisions of Rule 179A, any suspension, disqualification, ban, or other similar penalty imposed by an Overseas Racing Authority upon any person.
  - (i) To annul or mitigate any penalty incurred within its territory.
  - (j) To publish in the "*Racing Calendar*" or in any newspaper or otherwise any penalty imposed or any decision made by itself or the Stewards or by any Club or Association or any other Racing Body within its territory.
  - (k) To recognise any Association of Registered Clubs or Race Meetings, or other Racing Body approved by it, and approve of its rules, articles or constitution.
  - (l) To register clubs, race meetings, owners, bookmakers, horses, jockeys and other riders, trainers and the employees of them or any of them and any other persons.

- (m) To allot dates on which race meetings may be held within its territory.
- (n) To prescribe the forms to be used under the Rules.
- (o) To delegate to the Committee of an Association or, with the consent of the Australian Racing Board, to a registered racing club, all or any of its powers under these Rules.
- (p) To appoint a Subcommittee or Subcommittees of its Members and to delegate to any Subcommittee so appointed all or any of its powers under these Rules.
- (q) To appoint such persons as the Principal Racing Authority thinks fit for the purpose of hearing and deciding appeals and applications as provided for in its Rules or by law, and for that purpose to delegate to such persons any of the Principal Racing Authority's powers under these Rules.
- (r) Notwithstanding the provisions of AR 10 and AR 10A, to appoint such person or persons as the Principal Racing Authority thinks fit to hear and adjudicate upon any matter or charge brought by the Stewards relating to a breach of such of the Rules as may be specified by the Principal Racing Authority; and to delegate to any appointee or appointees so much of its Principal Racing Authority powers as would enable them to discharge the responsibilities of their appointment. [added 1/8/04]
- (s) To investigate alleged breaches of a Code of Practice published by the Australian Racing Board and to warn-off or penalise any person it finds to have committed a breach of such a Code of Practice. [added 1/5/05]
- (t) To appoint or to approve the appointment by any racing Club of any official, or any deputy or assistant official. For the purposes of this provision the term "official" means a person appointed to carry out official duties at a race meeting, but does not include the Club Secretary. [added 1/9/09]
- (u) If in the opinion of a Principal Racing Authority a thoroughbred horse selling agent or organisation has in place satisfactory arrangements (including as between a buyer and seller of a horse) for taking samples from horses at horse sales for the purpose of testing for anabolic androgenic steroids, to officially approve as a "Principal Racing Authority approved vet" (which approval can be withdrawn at the discretion of a Principal Racing Authority) a veterinary surgeon employed, engaged or authorised by a selling agent, to take a sample from a horse for that purpose. [added 1/01/15]
- (v) To declare either before or after a sample is taken by a PRA approved vet pursuant to AR 7(u) that the sample is to be treated as a sample for the purpose of these Rules. [added 1/01/15]

[AR 7 amended 30/4/03; deleted and replaced 19/3/09; amended 1/9/09]

**AR 7A** Without limiting in any way the powers of the Principal Racing Authority under these Rules, the Principal Racing Authority may in its absolute discretion in respect of any person who has been warned-off or who is or has been subject to any suspension or disqualification or embargo imposed by a committee or stewards of any racing or harness racing or greyhound racing club, racing authority or racing appeals tribunal in Australia or in any other country:

- (a) refuse to grant any licence or permit to, or to register, any such person under these Rules; or
- (b) warn-off, suspend or disqualify or place a like embargo on any such person under these Rules.

[rule added 1/8/99; amended 30/4/03]

## RACING VICTORIA INTEGRITY COUNCIL

### LR 5A Appointment and Functions

- (1) **Appointment:** The Directors may:
  - (a) with the approval of the Minister for Racing, appoint five persons to constitute the Racing Victoria Integrity Council (the "Integrity Council"), with:
    - (i) three of the appointed members of the Integrity Council not to hold any office or participant licence within the thoroughbred racing code (including any office or employment with Racing Victoria, any

- Racing Club or any participant representative body); and
- (ii) two of the appointed members to be Directors of Racing Victoria (other than the Chair or the Deputy Chair of Racing Victoria);
- (b) with the approval of the Minister for Racing, appoint a Chair from amongst the persons appointed to the Integrity Council under LR 5A(1)(a)(i); and
- (c) define the term of office and remuneration of persons appointed to constitute the Integrity Council.

- (2) **Function:** The function of the Integrity Council is to:
  - (a) carry out the functions and exercise the powers set out in the Integrity Council charter as set by the Directors and amended from time to time in consultation with the Racing Integrity Commissioner;
  - (b) oversee the integrity assurance functions of the Racing Victoria Integrity Services Department and to consult with, advise and where necessary, provide direction in relation to the management and conduct of the Department's integrity assurance operations;
  - (c) advise the Directors, and make any recommendations to the Directors, in respect of racing-integrity related matters, including regarding:
    - (i) rule making or amendment proposals;
    - (ii) integrity policy;
    - (iii) participant licensing applications and related procedures;
    - (iv) resourcing of the integrity assurance function of Racing Victoria;
  - (d) advise and report on any matter referred to it by:
    - (i) the Directors;
    - (ii) the Stewards or General Manager, Integrity;
    - (iii) Racing Integrity Commissioner;
  - (e) liaise with the Racing Integrity Commissioner and external law enforcement agencies;
  - (f) liaise with the Integrity Councils of the other racing codes in order to promote cross-code cooperation, resource sharing and integrity-related training and development;
  - (g) review integrity policy compliance; and
  - (h) consider and review any matter relevant to the integrity of racing as deemed appropriate.

[LR 5A added 28/11/13]

[LR 6 deleted and replaced with LR 6A-LR 6E 12/5/04]

## THE RACING APPEALS AND DISCIPLINARY BOARD

### LR 6A Appointment and Functions

- (1) **Appointment:** The Directors may:
  - (a) appoint not less than five persons and not more than fifteen persons, to constitute the Racing Appeals and Disciplinary Board (the "RAD Board");
  - (b) appoint from amongst the persons appointed under LR 6A(1)(a):
    - (i) a Chair of the RAD Board; and
    - (ii) two Deputy Chairs of the RAD Board to discharge the duties of the Chair in his or her absence, who must be qualified lawyers of not less than seven years standing and who, whilst holding office, must not own or have an interest in any racehorse nor hold office in any Racing Club;
  - (c) appoint from amongst the persons appointed under LR 6A(1)(a) an Executive RAD Board Member who may be appointed to act in the position, and exercise all functions and powers, of the Chair or Deputy Chair of the RAD Board for the purpose of hearing and determining a proceeding under LR 6A(3), as required, and who must have previously been appointed as a Chair or Deputy Chair; and
  - (d) define the term of office and remuneration of persons appointed to constitute the RAD Board.

### (1A) Transitional Appointment: Where:

- (a) the term of a person who has been appointed as a Chair or Deputy Chair under LR 6A(1)(b) is due to expire; and
- (b) at the time of the expiry of the term, that person is or will be acting as Chair or Deputy Chair in a proceeding which has commenced but not yet been heard and/or determined.



that person will be appointed as an Executive RAD Board Member in accordance with LR 6A(1)(c) and will exercise all functions and powers of the Chair or Deputy Chair of the RAD Board under these Rules for the purpose of the completion of the hearing and/or determination of the relevant proceeding.

**(2) Function:** The function of the RAD Board is to hear and determine:

- (a) appeals from the decisions of the Committee of any Racing Club made under the Rules;
- (b) appeals from the decisions of the Stewards made under the Rules;
- (c) appeals from the decisions of the RVL Directors in exercising any power conferred on Stewards by the Rules;
- (d) appeals from the decisions of the RVL Directors to refuse an approval of an off-course premises for remote betting usage under section 4C of the Racing Act 1958 or to cancel or suspend an approval or to vary or refuse to vary an approval condition under section 4D of the Racing Act 1958; and
- (e) charges laid by the Stewards pursuant to LR 6C(2) and other charges in accordance with LR 6C(6) and (7);
- (f) notwithstanding LR 6C(1) or any other rule, any matter referred to it by the RVL Directors, either of the Directors' own motion or upon a recommendation from the Stewards; and
- (g) appeals by any Trainer from any decision of any Racing Club arising from, or relating to, a Trainer User Agreement and pursuant to which decision the Trainer's access to the racecourse managed by the Racing Club is suspended for a period in excess 48 hours or the Trainer is fined an amount equal to or greater than \$500.

For the purposes of LR 6A(2)(g), a "Trainer User Agreement" means an agreement between a Racing Club and a Trainer which provides for the terms and conditions upon which the Trainer may access and use the racecourse managed by the Racing Club for the purposes of training racehorses under the care and control of the Trainer. For the avoidance of doubt, any agreement, licence or lease which confers a proprietary interest on any party is not a Trainer User Agreement.

[amended 4/4/08, (e) and (f) renumbered 4/10/12, (d) inserted 4/10/12, (g) added 1/02/17]

**(3) Constitution for hearing proceedings:** To hear and determine any of the matters referred to in LR 6A(2), the RAD Board must be constituted as follows:

- (a) for any proceeding in respect of a charge for a Serious Offence where a charged person has not indicated prior to the hearing that he or she will plead guilty to the charge (or all charges if there is more than one charge): by a panel of three or five members of the RAD Board (as determined by the Chair) selected by the Chair, and which must include the Chair (or 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), or pursuant to any matter referred in accordance with LR 6A(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.

[LR 6A amended 1/8/04, 1/10/14, 1/7/15]

[LR 6AA deleted 06/3/14]

**LR 6B Initiating an appeal**

**(1) Right of appeal by giving notice:** Subject to LR 6B(1A) and LR 6B(2), any person aggrieved by the decision of:

- (a) the Committee of any Racing Club made under the Rules;
- (b) the Stewards made under the Rules; or
- (c) the RVL Directors in exercising any power conferred on the Stewards by the Rules,

may appeal to the RAD Board by lodging a written notice in the form prescribed under the *Racing Act 1958* (Vic) with the RAD Board Registrar not later than 5.00pm on the third day after the person receives notice of the decision. [amended 1/3/10, 1/10/14]

**(1A) Right of appeal by giving notice – Designated Spring Racing Carnival Period:**

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

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

- (a) the Designated Spring Racing Carnival Period is defined as the time period from the commencement of the first race on Caulfield Guineas Day at the Caulfield Racecourse to the conclusion of the last race on Stakes Day at the Flemington Racecourse; and
- (b) by way of example, if a rider is suspended on Derby Day (being the first Saturday of the Melbourne Cup Carnival) he or she has until 5.00pm on the next Monday to lodge a notice of appeal. [added 1/10/14]

**(2) No right of appeal:** Except as provided by LR 6B(2A), an appeal cannot be made against the decision of the Stewards, Committee of a Racing Club or RVL Directors where the penalty is a fine of equal to or less than \$250 or in respect of the matters identified in AR 199A. [amended 1/3/10, 7/10/10]

**(2A) Appeal directed by Racing Integrity Commissioner:** Where the Racing Integrity Commissioner so directs, the RAD Board must hear and determine an appeal made by a person against a penalty imposed on the person notwithstanding that the penalty imposed was a fine of not more than \$250. [added 1/3/10]

**(2AB) Application to the Racing Integrity Commissioner**

- (a) A person in respect to whom a decision has been made under the rules to impose a penalty that is a fine of not more than \$250 may apply, in writing, to the Racing Integrity Commissioner requesting that the Racing Integrity Commissioner consider directing the RAD Board to hear an appeal made by the person against that decision.
- (b) The application to the Racing Integrity Commissioner made by a person under LR 6B(2AB)(a) must be made by 5.00pm on the third day after the day the person receives notice of the decision that the person would like to appeal.
- (c) As soon as is reasonably practicable after the Racing Integrity Commissioner makes a direction under LR 6B(2A), the RAD Board must advise, in writing, the appellant and the person or body that made the decision in respect of which the appeal is being made, or:
  - (i) the date and time of the hearing of the appeal; and
  - (ii) the venue at which the hearing will be held.

[(2AB) added 7/10/10, amended 4/10/12]

**(3) RAD Board to notify Committee, Stewards or RVL Directors of the appeal:** The RAD Board must, as soon as is reasonably practicable, notify the Committee of the Club, Stewards or RVL Directors (as is relevant) that the appeal has been lodged.

**(4) Stay of proceedings:** The RAD Board may in its absolute discretion and subject to such conditions as it thinks fit suspend in whole or in part the operation of the decision which

is the subject matter of the appeal to the RAD Board pending the determination of the appeal by the RAD Board.

- (5) **Appeal may not be abandoned without RAD Board approval:** An appeal to the RAD Board may not be withdrawn or otherwise not proceeded with by the appellant:
- unless by leave of the RAD Board; and
  - except upon such terms and conditions as the RAD Board may impose.
- (6) **Leave to appeal:** An appeal sought to be commenced after the end of the period referred to in LR 6B(1) is deemed to be an application for leave to appeal under LR 6B(1). The RAD Board may grant leave to appeal if the RAD Board is of the opinion that the appellant has given an adequate explanation for his or her failure to institute the appeal within the period referred to in LR 6B(1) and it would be unjust to refuse leave.

[LR 6B amended 1/8/04]

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

- (1) **RAD Board's original jurisdiction:** Except as provided by LR 6C(2A) and notwithstanding anything else to the contrary in the Rules, the Committee of any Racing Club or the Stewards or the Directors in exercising any power conferred on the Stewards must not hear or determine any matter or penalise any person relating to a Serious Offence. [amended 1/9/09, 1/3/10, 1/10/14]
- (2) **Charges:** The Stewards may charge persons with a Serious Offence (or Serious Offences) referred to in LR 6C(1). [amended 1/3/10]
- (2A) **Minor Offences:** Notwithstanding the provisions of LR 6C(1), where a person charged by the Stewards with a breach of AR 175(f), (g), (gg), (l), (q), AR 175A, AR 177A, AR 178A, or AR 178AA has indicated in writing that he or she will plead guilty before the RAD Board, the Stewards may penalise the person by imposing a fine not exceeding \$5000. [adopted 1/10/06; amended 1/9/09, 1/10/14]
- (3) **Details of charge:**
- In any case where the Stewards have decided to lay a charge pursuant to LR 6C(2), the Stewards must provide to the person a notice of charge specifying:
    - the offence; and
    - the particulars of the facts and circumstances relating to the alleged commission of the offence.
  - In conjunction with the notice of charge referred to in LR 6C(3)(a), the Stewards must provide to the person charged by the Stewards copies of any complaint, report, videotape evidence, witness statements and other evidence which will be relied upon to support the charge.
  - The Stewards must provide the Registrar of the RAD Board with a copy of the notice of charge and any material that accompanied the notice referred to in LR 6C(3)(b) no later than 2 days after the notice of charge has been provided to the person charged by the Stewards.
- (4) **Notice of hearing:**  
Upon receipt of the materials referred to in LR 6C(3)(c), the RAD Board must as soon as is reasonably practicable notify the Stewards and the person charged by the Stewards of the date of the hearing.
- (5) **Withdrawal of charge:** If in relation to a charge pursuant to LR 6C(2), the Stewards are of the opinion that there is no reasonable prospect of a conviction being secured, then the Stewards must:
- publish short written reasons for their opinion;
  - provide a copy of those reasons to the person charged by the Stewards and the media; and
  - provide a notice of withdrawal of the charge to the Chair of the RAD Board accompanied with the material referred to in paragraphs (a) and (b) above, and the charge shall be deemed to be withdrawn and the proceedings in relation to that charge will be deemed to be concluded.
- (6) **Hearing and determination of mixed charges involving one person:** If more than one charge has been laid against a person arising out of the same set of circumstances and any of those charges have been laid pursuant to LR 6C(2), all of the matters the subject of the charges must be heard and determined by the RAD Board.

- (7) **Hearing and determination of mixed charges involving more than one person:** If a charge has been laid against more than one person arising out of the same set of circumstances and any of those persons has been charged pursuant to LR 6C(2), all of the matters the subject of the charges must be heard and determined by the RAD Board.

- (8) **Application of Rules to mixed charges:** Where LR 6C(6) or (7) applies, the requirements of LR 6C(3), (4) and (5) will apply with respect to all charges to be heard and determined by the RAD Board.

[LR 6C amended 1/8/04]

#### **LR 6D Conduct of proceedings**

- (1) **Rules of natural justice apply:** The RAD Board is bound by the rules of natural justice.
- (2) **Hearings before the RAD Board and evidence:** Subject to the requirements of procedural fairness, the RAD Board may:
- if the parties to a proceeding have been advised of the date, time and venue of a hearing, conduct 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;
  - hear evidence by telephone, closed circuit television or video links;
  - allow the evidence of a Steward or an investigator to be given on the notes of evidence taken by the Steward or investigator;
  - conduct a proceeding on the case stated by the parties to the proceeding;
  - conduct the re-hearing of a matter by affidavit, statutory declaration or oral evidence.
- (3) **No requirement to conduct hearings de novo:** The RAD Board is not required to conduct a hearing as a de novo hearing.
- (4) **Right to legal or other representation:** A party to a proceeding before the RAD Board is entitled to be represented at the hearing of the matter by an Australian Lawyer or any other person.
- (5) **Proceedings to be held in public unless otherwise ordered**
- All proceedings of the RAD Board must be held in public unless the RAD Board considers that it is in the interests of justice that part or all of the hearing be held in private; and
  - The RAD Board may order that any evidence given at a proceeding, the content of any document produced to the RAD Board or any information that might enable a party or another person to be identified must not be published or published only in the manner and to persons specified by the RAD Board.
- (6) **Dismissal of certain proceedings:** The RAD Board may dismiss a proceeding without a hearing if it is satisfied that the proceeding is frivolous, vexatious, misconceived or lacking substance.
- (7) **To provide reasons:** The RAD Board must give reasons for any decision made in relation to a matter before it, and whether oral or written, such reasons form part of the record of the proceeding in which the decision is made.
- (8) **To provide written reasons upon request:** If the RAD Board gives oral reasons, a party may, within 28 days of the decision, request the RAD Board to give written reasons in which case, the RAD Board must comply with the request within 28 days after the request was made.
- (9) **RAD Board may otherwise regulate its own procedure:** Except as otherwise required by these Rules, the RAD Board may regulate its own procedure in respect of any proceeding before it.

[LR 6D amended 1/8/04, LR 6D deleted and replaced 29/1/14]

## LR 6E Powers of the RAD Board

- (1) **Decisions of RAD Board in relation to a proceeding:** The RAD Board may in the hearing or determination of any matter:
- (a) draw inferences of fact;
  - (b) penalise any person, and for that purpose a reference in the Rules to any penalty by the Directors, the Stewards or Committee of a Racing Club includes a penalty by the RAD Board; and
  - (c) give any judgement or decision or make such order as in the RAD Board's opinion the justice of the case requires.

[amended 1/9/09]

- (2) **Decisions of the RAD Board in relation to an appeal:** Without limiting LR 6E(1), the RAD Board may in hearing an appeal:

- (a) confirm, set aside or vary the decision appealed against;
- (b) quash, set aside, mitigate, reduce, alter, vary, increase or add to the penalty imposed by the Stewards or Committee of a Racing Club under the Rules or by the RVL Directors in exercising any power conferred on Stewards by the Rules;
- (c) refer the matter on appeal for rehearing or reconsideration of the decision, and/or;
- (d) review in full a decision being appealed, including in circumstances where only part of the decision has been objected to, sought to be reviewed or appealed.

[amended 1/9/09, LR 6E(2) and (3) amended 29/1/14]

- (3) [LR 6E (3) deleted 29/1/14]

- (4) **Exercise of powers against other persons:** The powers of the RAD Board may be exercised against all or any other person or persons considered by the RAD Board to be in breach of the Rules notwithstanding that he or she or they may not be a party to any proceedings or may not have been dealt with by such Stewards, Committee of a Racing Club or RVL Directors provided that due notice is given to him or her by the RAD Board of its intention to investigate and deal with the matter in relation to him or her.

- (5) **Interim orders:** The RAD Board may make any interim orders it thinks fit in any proceedings before the RAD Board.

(6) **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 6E(6)(a) must not be inconsistent with the *Racing Act 1958* (Vic) or these Rules.

[LR 6E amended 1/8/04, LR 6E(6) amended 29/1/14]

- (7) **Improper or insulting behaviour:** Any person guilty of improper or insulting behaviour at any time towards the RAD Board or any member thereof or person in attendance at a hearing of the RAD Board may be penalised by the RAD Board as it thinks fit. [adopted 6/10/05; amended 1/9/09]

## LR 6F Decision final

All decisions of the RAD Board are final subject only to any further rights of appeal provided by law. [amended 1/8/04]

## TRAINING DISPUTES TRIBUNAL

### LR 6G Appointments and Functions

(1) **Appointments**

Racing Victoria may:

- (a) appoint not more than five persons to constitute the Training Disputes Tribunal (the "TDT");
- (b) appoint from amongst the persons appointed under LR 6G(1)(a):
  - (i) a Chair of the TDT; and
  - (ii) two members of the TDT to discharge the duties of the Chair in his or her absence, who must be qualified lawyers of not less than five years standing; and
- (c) define the term of office and remuneration of persons appointed to constitute the TDT.

(2) **Function of the TDT:**

- (a) The function of the TDT is to:

- (i) hear and determine disputes between a Trainer (as defined in the TOR Rules) and an Owner (or Owners) (as defined in the TOR Rules) in relation to the payment of Training Fees and/or Training Disbursements (as defined by the TOR Rules); and
- (ii) enforce and exercise any policies or procedures in respect of the role, powers and functions of the TDT, including any powers referred to in TOR Rule 8.

(3) **Jurisdiction:**

- (a) The TDT has jurisdiction to hear and determine all issues or questions relevant to the determination of disputes between a Trainer (as defined in the TOR Rules) and an Owner (or Owners) (as defined in the TOR Rules) in relation to the payment of Training Fees and/or Training Disbursements (as defined by the TOR Rules).
- (b) The TDT has no jurisdiction to hear or determine any disputes between co-owners of horses.

- (4) **Constitution for hearings:** To hear and determine any dispute in relation to Training Fees and/or Training Disbursements (as defined by the TOR Rules) the TDT must be constituted by one member, who must either be the Chair, a Deputy Chair, or another member delegated by the Chair to do so.

### LR 6H Allocation of disputes to the TDT

- (1) **Allocation of a dispute to the TDT:** A TDT dispute is deemed to have been allocated to the TDT once:

- (a) the TDT has received formal notice from Racing Australia that Racing Australia has allocated a matter to the TDT under the TOR Rules (and specifically, TOR Rule 5(4)); and
- (b) Racing Victoria has received the Filing Fee (as defined in the TOR Rules and referred to in [TOR 8(1)]) from Racing Australia.

- (2) **Notice to parties of allocation of matter:** Upon receipt of the allocation of a matter to the TDT under LR 6H(1), the TDT must as soon as is reasonably practicable notify the parties to confirm that the matter has been allocated to the TDT.

### LR 6I Conduct of TDT Proceedings

- (1) **Rules of procedural fairness apply:** The TDT is bound by the rules of procedural fairness.

(2) **Directions and orders:**

- (a) Subject to (b), the TDT may, at any time and as it sees fit, make any direction or order (including any interim direction or order) in respect of:
  - (i) the conduct of a proceeding (including in respect of the mediation of a dispute the subject of the proceeding); and
  - (ii) the hearing and determination of a dispute the subject of the proceeding.
- (b) The TDT must not direct or order that a hearing take place on the papers without the express agreement of each party to the proceeding.

(3) **No right to legal representation:**

- (a) A party to a proceeding (including any hearing conducted orally or on the papers) is not automatically entitled to legal representation before the TDT.
- (b) The TDT may grant leave to a party to a proceeding (including any hearing conducted orally or on the papers) to be legally represented if, in the opinion of the TDT, that is warranted having regard to one or more of the following matters:
  - (i) the complexity of the issues arising in the proceeding;
  - (ii) the amount disputed;
  - (iii) whether or not the case is of general importance to the racing industry; and/or
  - (iv) the interests of justice in the circumstances of the case.

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

- (a) the TDT must make all reasonable efforts to hear and determine a dispute in an efficient and timely manner,

- having regard to the complexity and nature of the issues in dispute, and the circumstances of the case;
- (b) the TDT is entitled to determine any matter relevant to the dispute, and may:
- (i) determine whether Training Fees and/or Training Disbursements (as defined in the TOR Rules) must be paid and in what amount, including in relation to any payments paid into the Training Disputes Trust Account (as defined in the TOR Rules);
  - (ii) make any order or direction to give effect to any determination referred to in LR 6I(3)(b)(i);
  - (iii) recommend to Racing Victoria that Racing Victoria (or the Stewards) apply the Rules against a trainer or owner in a manner recommended by the TDT (in which case it will then be a matter for Racing Victoria (or the Stewards) as to whether it implements such a recommendation). A recommendation made under this rule may relate to the subject matter of the dispute (and related conduct), or to the conduct of a party during the proceeding;
- (c) subject to LR6I(1)(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;
- (d) the TDT is not bound by the rules of evidence.
- (5) **Decisions and reasons:**
- (a) The TDT may in the determining any matter:
    - (i) draw inferences of fact; and
    - (ii) give any judgement or decision or make such order as in the TDT's opinion the justice of the case requires.
  - (b) A decision of the TDT is binding on the parties to the proceeding as a decision under these Rules.
  - (c) The TDT must give reasons for any decision made in relation to a matter before it, and whether oral or written, such reasons form part of the record of the proceeding in which the decision is made.
  - (d) The TDT must, other than in exceptional circumstances, make all reasonable efforts to determine a dispute within 10 business days of the conclusion of the hearing of the dispute.
  - (e) If the TDT gives oral reasons, a party may, within 28 days of the decision, request the TDT to give written reasons in which case, the TDT must comply with the request within 28 days after the request was made.

**(6) Costs**

- (a) An unsuccessful party to an application before the TDT must bear the cost of the relevant Filing Fee (as defined in the TOR Rules) in respect of that application.
- (b) Further to LR6I(6)(a), if the Trainer (as defined in the TOR Rules) succeeds before the TDT and the proceeding was commenced by the Trainer, the unsuccessful Owner (as defined in the TOR Rules) must pay the successful Trainer an amount equivalent to the Filing Fee within 7 days of the TDT's decision.
- (c) Further to LR6I(6)(a), if the Owner (as defined in the TOR Rules) succeeds before the TDT and the proceeding was commenced by the Owner, the unsuccessful Trainer (as defined in the TOR Rules) must pay the successful Owner an amount equivalent to the Filing Fee within 7 days of the TDT's decision.
- (d) Other than as provided in this sub-rule LR 6I(6), the parties to a dispute before the TDT must bear their own costs (including any legal costs) in connection with that dispute, except that the TDT retains a discretion to order that a party (the first party) pay some of all of the costs of the other party if the TDT is satisfied that:

- (i) the first party commenced or responded to the TDT proceedings vexatiously;
  - (ii) the first party unreasonably hindered the TDT in its management or conduct of the proceedings; or
  - (iii) the first party's commencement of, or response to, the TDT proceedings had no reasonable prospect of success.
- (e) The TDT may make any order or direction to give effect to the matters set out in this sub-rule LR 6I(6).

**(7) TDT may determine whether hearings are conducted in private or in public:**

- (a) The TDT may determine whether a hearing is to be held in private or in public.
- (b) The TDT may order that any evidence given at a hearing, the content of any document produced to the TDT, or any information that might enable a party or another person to be identified must not be published or published only in the manner and to persons specified by the TDT.

**(8) Cessation or withdrawal of proceedings prior to hearing:**

- (a) The parties to a proceeding before the TDT may, by consent, apply to the TDT for the cessation or withdrawal of a proceeding.
- (b) The TDT may in its discretion grant leave to a party who initiated the Notice of Election of Hearing (as defined in the TOR Rules) to withdraw the proceeding from the TDT.

**(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 6G(1), if it is satisfied that the dispute is frivolous, vexatious, misconceived or lacking substance.

**(10) Multiple hearings involving one trainer:** If more than one proceeding before the TDT relates to the same trainer, but involves multiple owners, and arises out of the same or a similar set of circumstances, all of the proceedings may, subject to the discretion of the TDT, be heard and determined together by the TDT.

**(11) TDT may otherwise regulate its own procedure:** Except as otherwise required by these Rules, the TDT may regulate its own procedure in respect of any proceeding before it.

[TDT LR 6G, 6H & 6I added 1/8/17]

**STEWARDS**

**AR 8** To assist in the control of racing, Stewards shall be appointed according to the Rules of the respective Principal Racing Authorities, with the following powers:

- (a) To make, alter, or vary all or any of the arrangements for the conduct of any race meeting under their control.
- (b) To require and obtain production and take possession of any mobile phones, computers, electronic devices, books, documents and records, including any telephone or financial records relating to any meeting or enquiry. [amended 20/11/02, 1/3/05]
- (c) To enter upon and control all lands, booths, buildings, stands, enclosures, and other places used for the purposes of the meeting, and to expel or exclude any person from the same.
- (d) To regulate and control, inquire into and adjudicate upon the conduct of all officials and licensed persons, persons attendant on or connected with a horse and all other persons attending a racecourse. [amended 20/11/02, 1/9/09]
- (e) To penalise any person committing a breach of the Rules. [added 20/11/02, 1/9/09]
- (f) To determine all questions arising or objections made in reference to racing at the meeting.
- (g) To order the examination of any horse for the purpose of ascertaining its age or identity, or for any other purpose connected with the Rules.
- (h) To disqualify any horse entered for any race at a meeting which is removed from the course contrary to the orders of the Committee of the Club or the Stewards, or which is not produced at their request. [amended 20/11/02]

- (i) To require any nominator to satisfy them that he and any horse nominated by him is subject to no disability under the Rules.
  - (j) To take or cause to be taken any sample from any horse and to make or cause to be made any test to determine whether any prohibited substance is present in the system of the horse. [paragraph replaced 20/11/02]
  - (jj) To take any sample or cause such sample to be taken from any rider either prior to or after riding in any race, official trial, jump-out or trackwork, and/or to appoint officials or other persons to take such sample. Further, to make or cause to be made any test to determine whether any substance banned by AR 81B is present in such sample. [amended 20/11/02, 14/6/07, 1/10/08, 1/9/09]
  - (jjj) To take or cause to be taken any sample from any horse handler either prior to or after handling any horse at any race meeting, official trial, jump out or in training, provided that this power may only be exercised where a Steward reasonably suspects that a horse handler is affected by a substance banned by AR 81BB. Reasonably suspects means suspects on grounds which are reasonable in the circumstances. [added 1/7/14]
  - (jjjj) To make or cause to be made any test to determine whether any substance banned by AR 81BB is present in a sample taken pursuant to (jjj) above. [added 1/7/14]
  - (k) (i) To take possession on the course or elsewhere of any horse, whether dead or alive, and to detain and/or remove such horse in order to have conducted whatever tests and/or examinations as they consider necessary. [amended 1/12/05]
  - (ii) On any course (whether a race meeting is being conducted thereon or not) to search any licensed person or any gear or equipment used by or about to be used by him and to take possession of any article or thing found as a result of such search which the Steward or Stewards making such search believe could afford evidence of a breach of or an offence under these Rules.
  - (l) To order down any rider without assigning any reason and if they think fit to substitute another rider.
  - (ll) To adjudicate on the claim by any rider that a nominator or trainer of a horse had refused to honour a riding engagement, and to make an order regarding the engagement and/or any compensation considered appropriate. [(ll) added 1/2/01]
  - (m) To prohibit any horse from starting in any race.
  - (n) To order the removal from any horse of any shoes, racing plates, equipment or gear which has not been approved or is in their opinion unsuitable, unsafe or ineffective. [amended 20/11/02]
  - (o) To order any rider to alter the length of his stirrups. [amended 20/11/02]
  - (p) In exceptional cases to extend the time allowed for weighing-out, declaring weight, for starting or for any other thing required by the Rules, or conditions of a race.
  - (q) If the conditions are in their opinion unsafe for racing, or in the case of urgent necessity, or with the permission of the Committee of the Club for any other reason.
    - (i) To postpone any race or races whether before or after the commencement of the meeting to a later time on that day, or to such other day as the Committee of the Club may decide subject to the approval of the body responsible for allotting race dates in the area; and/or
    - (ii) to alter the distance of any race. [amended 30/6/03]
  - (r) To remove at any time during the hours of racing in their discretion the Judge, Starter, Clerk of Scales, Clerk of Course, Timekeeper, or other official and appoint a substitute for any such official.
  - (s) To appoint any official or any deputy or assistant necessary for the conduct of a meeting if the Committee of the Club have failed or omitted to do so. [amended 20/11/02]
  - (t) To refuse or reject the nomination of any horse at any time for any period and/or until such horse has participated to their satisfaction in an official trial or a jump-out or passed any required veterinary examination. [deleted 20/11/02; replaced 30/6/03; amended 1/9/09]
  - (u) To order the withdrawal of a horse from any race at any time before the start if in their opinion it is unfit to run or unable to start without unreasonable delay.
  - (v) To inquire at any time into the running of any horse in a race upon any course or courses within the jurisdiction of the same Principal Racing Authority whether or not a report concerning the same has been made or a decision arrived at by the Stewards. [replaced 20/11/02]
  - (w) To report within fourteen days of the holding of any race meeting to the Principal Racing Authority the running of any horse at such meeting which in their judgment is inconsistent with any previous or subsequent performance or performances of such horse.
  - (x) To publish in any newspaper or elsewhere any penalty imposed or any decision made by them in the exercise of their powers under these Rules. [amended 1/9/09]
  - (y) To exercise any other powers and duties laid down for them by the Principal Racing Authority concerned.
  - (z) Notwithstanding anything contained within these Rules, and not in limitation of any power conferred by these Rules, where a person has been charged with a breach of these Rules (or a local rule of a Principal Racing Authority) or a person has been charged with the commission of an indictable criminal offence, the Stewards pursuant to the authority delegated by the Principal Racing Authority, if of the opinion that the continued participation of that person in racing might pose an unacceptable risk to, prejudice or undermine the image, interests or integrity of racing, may:
    - (a) suspend any licence, registration, right, or privilege granted under these Rules to that person;
    - (b) prevent any horse owned (or part-owned) or leased by that person from participating in any race or official trial;
    - (c) order that any registration of the transfer of ownership and/or training of a horse related to that person not be effected;
    - (d) make any other direction or order related to the person which is in the interests of racing,

pending the hearing and determination of the charge under these Rules, the relevant local rule or the relevant criminal charge. [deleted 20/11/02, new AR 8(z) added 1/10/13]
- [AR 8 amended 30/4/03]
- AR 8A** The powers given the Stewards AR 8(j), (l), (n), (o) and (u) may be exercised by the Chairman of Stewards, or the Steward acting as such, at any meeting, save and except that the power to penalise under AR 8(e) be exercised only by the Stewards. [amended 20/11/02, 1/9/09]
- AR 8B** The Stewards shall have the power at any time to enter upon the premises occupied by or under the control of a licensed person and used in any manner in relation to any licence (hereinafter referred to as the premises) to:
- (i) Inspect, observe and search the premises and also search any licensed person thereon. [amended 1/10/07]
  - (ii) Examine any horse, take possession thereof and cause such horse to be:
    - (a) removed from the premises and detained; or
    - (b) confined to, or otherwise detained at, or within, the premises for such period and on such terms and for such purposes as they consider necessary. [(b) replaced 20/11/02]
  - (iii) Examine the premises and any article or thing situated thereon and take possession of any article or thing found as the result of such search and remove from the premises any article or thing of which possession has been taken and retain the same for such period as stewards consider necessary under these rules.
- Provided that the onus of proof that the premises are not being used in any manner relating to any licence shall be upon the licensed person who has the occupation or control of the premises and the use thereof.
- AR 8C** Stewards entering on the premises under the provisions of Rule 8B shall have the right to take thereto such persons, articles and things as they consider necessary to exercise the powers laid down by that Rule and to carry out their duties as stewards.

**AR 8D** Any licensed person who, whilst the stewards are exercising the powers vested in them by Rule 8B or carrying out their duties, refuses to obey any reasonable direction of stewards or obstructs, hinders or delays stewards in exercising such powers or carrying out their duties, or incites any other person or persons to obstruct, hinder or delay stewards from exercising such powers, or carrying out their duties, or does not act to prevent any other person or persons on the premises from so doing, may be penalised. [amended 1/9/09]

#### **AR 8E**

- (1) The Principal Racing Authority may from time to time appoint one or more persons to undertake investigations at the direction of the Principal Racing Authority and such investigators shall have and may exercise all the powers, duties and authorities conferred on Stewards by AR 8(b),(c), (jj), (k)(ii), AR 8B and AR 8C.
- (2) Any licensed person, owner or any other person engaged in or associated with racing who, whilst the investigators are exercising such powers, duties and authorities, refuses to obey any reasonable direction of investigators or obstructs, hinders or delays investigators in exercising such powers or carrying out their duties, or incites any other person or person to obstruct, hinder or delay investigators from exercising such powers or carrying out their duties, may be penalised.

[AR 8E added 1/2/14]

**AR 9** A majority of the Stewards present at any meeting of the Stewards shall have all the powers hereby given to the Stewards, and a Deputy Steward shall be considered to be a Steward. If voting is equal the Chairman shall have a casting vote.

**AR 10** The Stewards may at any time inquire into, adjudicate upon and deal with any matter in connection with any race meeting or any matter or incident related to racing.

#### **AR 10A**

- (1) The Stewards may inquire into, and adjudicate upon, any incident or occurrence arising at any official trial or training facility. [amended 1/9/09]
- (2) Without limiting the provisions of subrule (1) of this rule, the Stewards may:
  - (a) inquire into and adjudicate on any misconduct occurring at any official trial, jump-out, trackwork, or associated activity;
  - (b) inquire into and adjudicate upon any suspected breach of the Rules or of any regulations, by-laws or conditions established by a race club or other responsible body for the conduct of official trials, jump-outs or the use of any training facility;
  - (c) take any action deemed necessary in respect of any horse involved in any inquiry conducted under this rule. [amended 1/9/09]

### **STEWARDS**

#### **LR 7A Appointments**

- (1) **Appointment of Stewards:** The Directors may from time to time:
  - (a) appoint any number of persons to act as Stewards for the purposes of the Rules;
  - (b) define the term of office and remuneration of such Stewards; and
  - (c) determine by what Clubs and in what proportions the remuneration of the Stewards must be paid.
- (2) **Appointment of Chairman and Deputy Chairman:** The Directors may appoint:
  - (a) a Chairman of Stewards; and
  - (b) a Deputy Chairman of Stewards to discharge the duties of the Chairman in his or her absence.
- (3) **Appointment of Deputy Stewards:** The Directors may from time to time:
  - (a) appoint one or more persons as Deputy Stewards;
  - (b) define the term of office and remuneration of such Deputy Stewards; and
  - (c) determine by what Clubs and in what proportions the remuneration of the Deputy Stewards must be paid.

#### **(4) Secondment of other Principal Racing Authorities'**

- Stewards:** The Directors may from time to time:
- (a) second one or more Stewards employed by another Principal Racing Authority and appoint them to act as Stewards for the purposes of the Rules;
  - (b) define the term of office and remuneration of such Stewards; and
  - (c) notwithstanding the provisions of sub-rule (2) of this rule and of LR 7B(4), to appoint such Stewards to discharge the duties of the Chairman of Stewards and/or the Deputy Chairman of Stewards.
- [added 2/9/04]

#### **(5) Appointment of investigators:**

- The Directors may from time to time appoint one or more persons to undertake investigations at the direction of the stewards who shall have and may exercise all the powers, duties and authorities conferred on stewards by AR 8(b) and (jj), AR 8(k)(ii), AR 8B and AR 8C.
- Any licensed person who, whilst the investigators are exercising the powers vested in them by AR 8B or carrying out their duties, refuses to obey any reasonable direction of investigators or obstructs, hinders or delays investigators in exercising such powers or carrying out their duties, or incites any other person or person to obstruct, hinder or delay investigators from exercising such powers or carrying out their duties, or does not act to prevent any other person or persons on the premises from doing so, may be penalised. [amended 2/10/03; renumbered from (4) 2/9/04; further amended 5/4/07, 1/9/09]

#### **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.

[LR 7AA added 1/6/15]

#### **LR 7B 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. [amended 30/10/08]
  - (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, or Racing Victoria's 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. [amended 2/10/03, 30/10/03, 30/10/08, 2/7/09]
- (2A) **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. [adopted 30/10/08]

- (3) **Status and powers:** The Stewards acting at a race meeting have and may exercise all the powers, duties and authorities conferred on Stewards by the Rules. [amended 2/10/03]
- (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) **Voting:** In the case of an equality of votes, the Chairman, Deputy Chairman or Acting Chairman, as the case may be, has a casting vote in addition to a deliberative vote on all matters over which the Stewards have jurisdiction.
- (6) **Indemnification:** The Stewards must be indemnified from the funds of the Club holding the race meeting against:
  - (a) any legal proceedings that may be instituted against any of them; and
  - (b) any loss or damage sustained by any of them, in each case as a result of or in any way (directly or indirectly) arising out of the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the Rules.

#### LR 7C Stewards' inquiry

- (1) **Authority:** A panel of any number of Stewards as specified by the Chairman of Stewards may take any action the Stewards consider to be necessary:
  - (a) against any person or persons found guilty of any breach of the Rules; and
  - (b) in respect of any horse in accordance with the Rules.
- (2) **Stewards may permit representation:** Notwithstanding AR 199B the Stewards may in their discretion permit any person who is the subject of or attendant at any Stewards' inquiry or adjudication to be represented upon such conditions as the Stewards think fit.
- (3) **To be held in public:** Protest hearings and Stewards' Inquiries of matters where the Stewards are empowered to impose a penalty for a breach of the Rules are to be held in public subject to the discretion of the Chairman to close all or part of an inquiry. [adopted 1/8/04]

#### LR 7D Stewards may prohibit a horse from starting

- (1) Where a prohibited substance is detected by any sample taken from a horse at any place on the day that the horse is entered to run in any race that day, the Stewards may pursuant to their powers under AR 8(m) prohibit that horse from starting in the race.
- (2) Any exercise of power by the Stewards under LR 7D(1) shall be without prejudice to or limitation of any other power or action that the Stewards may exercise.

[added 4/12/08]

#### LR 7E Stewards may analyse samples for information

- (1) **Horse Samples:** The Stewards may pursuant to their powers under AR 8(j) cause samples to be taken from horses for the purposes of gathering information in relation to prohibited substances. [added 4/12/08]
- (2) **Rider Samples:** The Stewards may pursuant to their powers under AR 8(jj) cause samples taken from riders to be tested for the purpose of gathering information in relation to the use, or potential use, of substances banned under AR 81B. [added 6/10/11]

#### LR 7F Stewards may refer riders to the Jumps Riders Skills Panel

The Stewards may, in their discretion, refer any rider to the Jumps Riders Skills Panel. [adopted 5/2/09]

### BETTING AND BOOKMAKERS

#### LR 8A Rules of Race Betting

- (1) **Application:** The Racing Victoria Rules of Race Betting for the time being apply to all bets, and disputes relating to bets, made at a race meeting conducted by a Racing Club.

- (2) **Resolution of disputes:** Disputes or claims in respect of bets subject to the Rules of Race Betting may with the consent of parties involved be mediated by the Betting Supervisor and any agreement that may be reached at such mediation will be made binding on the parties. [amended 1/12/03]

- (3) **Bookmakers making or offering totalisator odds:** For the purposes of the Ministerial Order made under section 4.7.2(2)(c) of the *Gambling Regulation Act 2003* (Vic), a Steward may make an order for bets to be paid at totalisator odds in the circumstances outlined in Rule 12.3 of the Rules of Race Betting. [adopted 1/6/06]

#### LR 8B Bookmaker may not be Licensed

A person who is licensed or registered as or otherwise carries on the vocation of a bookmaker is ineligible to be, and must not be:

- (a) granted or hold any licence or permit to train unless the person was both a registered and licensed bookmaker and the holder of a permit to train as at 15 October 2000;
- (b) granted or hold any licence or permit to ride as a jockey or Apprentice; or
- (c) registered or continue to be registered as a stablehand.

#### LR 8C Prohibition of unauthorised telephones, etc

During a race meeting, a Bookmaker, Bookmakers' Key Employee or any person employed by or assisting the Bookmaker in the course of his or her business must not, without the permission of the Stewards or Betting Supervisor, use, whilst present on the racecourse any mobile telephone, internet-enabled device, radio transmitter, radio transceiver or other appliance, apparatus, instrument or equipment capable of receiving or transmitting information that has not been approved or issued by Racing Victoria. [amended 1/7/10]

#### LR 8D Licensed person not to bet with person or organisation not licensed to accept bets

No licensed person may place, or have placed on his/her behalf, a bet on any horse race run in Australia with any person or organisation not licensed to accept such a bet by a Principal Racing Authority or Australian State or Territory Government. [adopted 7/6/04]

#### LR 8E Persons present on a racecourse not to access the website, contact or bet with any unlicensed operator

No person present on the grounds of a racecourse whilst betting is taking place shall access the website, contact or bet with any person or organisation not licensed by a Principal Racing Authority or Australian State or Territory government to accept bets on any horse race run in Australia. [adopted 2/9/04]

### REGISTRATION OF CLUBS AND MEETINGS

**AR 11** There shall be kept at the office of each Principal Racing Authority a register of every Club in its territory applying to hold race meetings under the Rules. Every such application shall be made in writing by the Secretary or other official on behalf of such Club to the Secretary of the Principal Racing Authority and shall be accompanied by a copy of its constitution and rules. [amended 30/4/03]

**AR 12** There shall also be kept a register of all race meetings approved to be held under these Rules other than those held by registered Clubs. Every application for such registration accompanied by the proposed programme shall be made in writing to the Secretary of the Principal Racing Authority by some person authorised by the organisers of the meeting before the programme is published.

**AR 13** The Principal Racing Authority may in its discretion accept or refuse registration of any such Club or meeting, or having granted it may at any time revoke it. [amended 30/4/03]

### REGISTRATION OF HORSES

**AR 14** No horse if in Australia shall be entered for and no horse shall run in any race or official trial unless it has been registered with the Registrar of Racehorses, provided that the Principal Racing Authority or Stewards, after conferring with the Registrar, may allow a horse registered abroad to start on such conditions as they see fit; further provided that an unregistered yearling may be entered for a race if the conditions so provide. [amended 30/4/03, 1/9/09]

**AR 14A** The Certificate of Registration of any horse registered in a country other than Australia may be endorsed to race in Australia

for a twelve months period by the Registrar or Deputy Registrar upon payment of the prescribed fee and provided a declaration is received by the Registrar or Deputy Registrar from the Principal Racing Authority of that country stating that none of the owners is a jockey and that none is under any disability under the Rules of Racing of that country. [amended 11/3/04]

#### AR 14B

- (a) This Rule applies to all Eligible Horses.
- (b) An Eligible Horse cannot be registered under these Rules unless:
  - (i) a Mare Return has been lodged with the Australian Stud Book in accordance with the Rules of the Australian Stud Book; and
  - (ii) a Foal Ownership Declaration has been lodged by the Manager, or his or her Authorised Agent, with the Registrar within 60 days of foaling.
- (c) Save that in its sole and absolute discretion the Registrar may extend the time specified in subrule (b)(ii) to no greater than 120 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)(ii) (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 the 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 for the following purposes only (as a consequence of, and relating to, the lodgement of the Foal Ownership Declaration):
  - (i) The testing of a Named Horse which has not been retired from racing pursuant to AR 64JA for the presence of substances that are prohibited at any time by the Rules;
  - (ii) The testing of an Unnamed Horse for the presence of anabolic androgenic steroids;
  - (iii) The observation of other horses for health and welfare reasons only where there is a concern for their health and welfare based on reasonable grounds; and
  - (iv) The Rules that relate to traceability (AR 54A, AR 64J, AR 64JA and any relevant Local Rules).
- (g) Nothing in this Rule 14B affects, or releases a person from, any requirement to be bound by the Rules that arises other than by the lodgement of the Foal Ownership Declaration Form, including but not limited to any requirement to be bound by the Rules that arises as a result of the lodgement of any other form, the making of any other declaration or the operation of any of the Rules.

[added 1/8/16, 14B(f) & (g) amended 1/10/16, 14B(b), (c) & (d) amended 1/01/18]

#### 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.: [amended 1/8/16]
  - (a) in respect of the horse's ownership:
    - (i) name and signature of each owner, his date of birth and usual address, or
    - (ii) if the horse is owned by a Company the name of the Company and its registered address; or
    - (iii) in the case of a horse owned by a syndicate, the name of the syndicate and the names of the trustees or registered manager thereof and the usual address of each of them, and
  - (b) in respect of the horse, its:
    - (i) age,
    - (ii) sex,
    - (iii) colour,

- (iv) pedigree,
- (v) brands and markings,
- (vi) microchip number if applicable,
- (vii) Veterinary Identification Certificate or Foal Identification Card,
- (viii) any disqualification incurred,
- (ix) such other information as the Registrar or Deputy Registrar may consider necessary.

Provided that any of these particulars shall, if required by the Registrar, be verified by statutory declaration.

- (2) The Registrar may allow or reject any application for registration of any horse. The fees payable for registration of a horse shall be such as are determined from time to time by the Board of RISA. [amended 1/7/05, amended 1/11/11]

**AR 15A** A horse born on or after the 1st August, 1980, cannot be registered unless it has been:

- (i) Accepted for inclusion as a foal in the Australian Stud Book or the Stud Book of a recognised turf authority, or
- (ii) Accepted for inclusion in the Australian Non-Stud Book Register or Non-Stud Book Register of a recognised turf authority.

**AR 15B** Non-Stud Book mares born prior to 1st August, 1986 are ineligible for registration.

**AR 15C** A horse cannot be registered unless its chromosomes are derived, unmodified by human manipulation, from the normal complement of chromosomes, usually 32 pairs, in the zygote (the fertilised egg cell which becomes the embryo) each pair having received one chromosome from the sire's sperm and one chromosome from the dam's ovum. [added 1/8/03]

#### AR 15D

- (1) This rule applies to all horses which are eligible to be registered under these Rules but have not yet been registered under these Rules. [deleted and replaced 1/01/15]
- (2) The Stewards or other official appointed by the Principal Racing Authority may, at any time, direct that a horse be produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.
- (3) Where a horse is not produced to provide a sample as directed pursuant to AR 15D(2), that horse is ineligible to start in any race or official trial:
  - (a) until at least 12 months after the latter of:
    - (i) the date on which the horse, having been registered under these Rules, is allowed to start in a race under AR 45A (subject to any further conditions imposed by the Stewards in their discretion); and
    - (ii) the date on which the horse is in fact produced to provide a sample to be analysed to determine whether any anabolic androgenic steroid is present in the system of the horse; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.
- (4) Where a sample taken at any time from a horse has detected in it an anabolic androgenic steroid (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in AR 178C(1)), that horse is ineligible to start in any race or official trial:
  - (a) until at least 12 months after the latter of:
    - (i) the date on which the horse, having been registered under these Rules, is allowed to start in a race under AR 45A (subject to any further conditions imposed by the Stewards in their discretion); and
    - (ii) the date the relevant sample was taken; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.
- (5) Any person must, when directed by the Stewards or other official appointed by the Principal Racing Authority, produce, or otherwise give full access to, the horse so that the Stewards or other official appointed by the Principal Racing Authority may



take or cause a sample to be taken and analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.

- (6) For the avoidance of doubt and without limitation, sub-rule (5) requires an owner, lessee, nominator and/or trainer to produce the horse, or otherwise give full access to the horse, even if the horse is:
- (a) under the care or control of another person; and/or
  - (b) located at the property of another person.
- (7) Any person who fails to produce, or give full access to, a horse to provide a sample as required by sub-rule (5) may be penalised.

[AR 15D added 1/11/13]

**AR 16** Unless otherwise permitted by the Registrar of Racehorses, no horse shall be registered unless:

- (a) it is branded with an identifying brand and, subject to any State legislation, with a brand that consists of a distinguishing foaling numeral over the last figure of the foaling year determined by the provisions of AR 46, and
- (b) it has been implanted with a microchip in accordance with the requirements of the Registrar of Racehorses.

[amended 30/4/03, deleted and replaced 1/7/05]

**AR 17** If any incorrect information be furnished on the application for registration of a racehorse, the stewards may penalise the applicant and may suspend the horse from racing pending a decision by the Registrar of Racehorses as to whether or not the registration of the horse should be cancelled. [amended 1/9/09]

#### **AR 18**

- (a) The Registrar may refuse to register any name which for any reason he may deem undesirable.
- (b) The Registrar may cancel any horse's registered name for whatever reason he deems necessary.
- (c) Without limiting paragraphs (a) and (b) above, the Registrar may refuse to register any name, or cancel any horse's registered name, if any owner of the horse breaches AR 18A in any way. [(c) added 1/10/12]

#### **AR 18A**

- (1) As a condition of the registration of a horse, and in consideration for registration of the horse, each owner (including future owners) of the horse:
- (a) acknowledges that the Registrar, the Principal Racing Authorities and race clubs use the names, images, jockey silks and other indicia of horses for the purpose of administering, promoting and reporting on thoroughbred horse racing;
  - (b) agrees that the Registrar owns all right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks and any other indicia associated with the horse, whether existing before or after the horse is registered;
  - (c) assigns to the Registrar – to the extent that the owner owns, by force of law, any right, title or interest (including but not limited to copyright) in the name, image, jockey silks and any other indicia associated with the horse, whether existing before or after the horse is registered – any and all such intellectual property rights;
  - (d) undertakes not to apply, or to authorise any other person to apply, to register the name, image, jockey silks or any other indicia associated with the horse as a trade mark; and
  - (e) undertakes not to assert or bring, or to authorise any other person to assert or bring, any claim of ownership of any intellectual property rights in the name, image, jockey silks or other indicia associated with the horse.
- (2) In consideration for the assignment and undertakings in AR 18A(1), RISA grants to the owner(s) a non-exclusive, royalty-free and non-transferable licence to:
- (a) use the name, image, jockey silks and other indicia associated with the horse the subject of this form where RISA owns the intellectual property in such indicia for any

purpose related to racing, training, promoting and otherwise dealing with the horse, including merchandising; and

- (b) sub-license the same to any other person. [added 1/10/12]

#### **AR 19**

- (1) Except with the approval of the Registrar, no horse shall be registered with the same name as any other horse previously registered in Australia until 17 years after the year of birth of the horse with the same name.
- (2) No horse shall be registered by the Registrar until 20 years after the year of birth of the youngest produce of the horse with the same name.
- (3) At the discretion of the Registrar a horse imported from outside Australia may be registered under its existing name with the addition of a numeral or letters indicating the name of the country in which it was bred and such numeral or letters shall form part of its name.

**AR 20** An owner may apply in writing to the Registrar for permission to change the name of a registered horse and, if permission be granted, the horse shall not be run under the new name until the Document of Description or Thoroughbred Identification Card in the new name has been issued. Each such application shall be accompanied by a fee as determined from time to time by the Board of RISA, and shall be paid to the Registrar. Provided that no fee need be paid on an alteration made by direction of the Registrar. [deleted and replaced 1/7/05, amended 1/11/11]

**AR 21** In any case of change of name, the old name as well as the new name must be given in every entry until the horse has run in six races in the territory of one Principal Racing Authority or two races within its Metropolitan Area or Suburban Radius. [amended 30/4/03]

**AR 22** If a registered horse be transferred to a new owner, the transferee shall apply for registration of the transfer to the Registrar or a Deputy Registrar on the prescribed form. Any such application by a syndicate shall be sufficient if signed by a majority of the trustees or by the registered manager thereof.

The Registrar or Deputy Registrar or the Stewards may, whether or not the transfer has been effected, inquire into the bona fides of the transaction or proposed transaction and the identity of the persons or horses concerned, and whether they or any of them are under any disability under the Rules. If the Registrar, Deputy Registrar or the Stewards is or are not satisfied as to the bona fides of the transaction or the identity of the persons or horses concerned, or determine that they or any of them are subject to a disability under the Rules, the Registrar, Deputy Registrar or the Stewards may reject the application for transfer or, if it is already effected, set aside that transfer. Until such transfer is registered the horse shall not be permitted to start in any race without the leave of the Principal Racing Authority or the Stewards who may impose such conditions as they see fit. [amended 30/4/03, 1/6/08]

**AR 23** Any Principal Racing Authority may make rules with reference to the registration or naming of hacks and/or ponies in its own territory or exempting them from registration. [amended 30/4/03]

**AR 24** The Registrar or a Deputy Registrar may approve or reject any application for the transfer of ownership of a horse. If he allows such an application he shall forthwith, on payment of the prescribed fee, amend the official ownership records; provided that any action under this Rule by a Deputy Registrar shall be subject to the approval of the Registrar, and any amendment made may be withdrawn or cancelled if such approval be not given. The fees payable for the transfer of ownership, shall be such as are determined from time to time by the Board of RISA. [deleted and replaced 1/7/05, amended 1/11/11]

**AR 25** Any Deputy Registrar who registers a horse or a transfer shall notify the same to the Registrar within fourteen days.

**AR 26** No horse foaled in a country other than Australia shall be registered unless there shall have been produced:

- (a) A certificate of pedigree stating where it was foaled, the name (if any), age, sex, colour, pedigree, microchip number (if any) of the horse and any brands and markings by which it may be distinguished, certified by

the official Stud Book authority of the country in which the horse was foaled, or such other evidence as may be prescribed by the Registrar, and

- (b) A certificate of identification stating the age, sex, colour, microchip number (if any) and any brands and markings by which the horse may be identified certified by a veterinary surgeon approved for this purpose by the Stewards.

[amended 30/4/03, deleted and replaced 1/7/05]

**AR 27** A duplicate Document of Description or Thoroughbred Identification Card may, on payment of the fee prescribed by the Board of RISA, be issued by the Registrar if he is satisfied on the evidence received that such Document of Description or Thoroughbred Identification Card was lost, destroyed or for some other reason cannot be produced [deleted and replaced 1/7/05, amended 1/11/11]

**AR 28**

(1) This rule applies to:

- (a) any person bound by these Rules (**person**); and  
(b) any Named Horse or Unnamed Horse (for the purpose of this rule, "relevant horse").

(2) Any person who is in any way party to or involved in the sale of a relevant horse, must not, directly or indirectly:

- (a) seek or solicit from any person for himself or herself or for any other person any benefit;  
(b) receive for himself or herself or for any other person or entity any benefit,

unless the person has first:

- (i) fully disclosed, in writing, to the registered owner(s) of the relevant horse that the person:  
A. will be seeking or soliciting for himself or herself or for any other person a benefit;  
B. will receive for himself or herself or for any other person a benefit; and  
(ii) obtained the written consent of more than 75% of the registered ownership to seek or solicit, and/or to receive, the benefit.

(3) Any person who is in any way party to or involved in the purchase of a relevant horse, must not, directly or indirectly:

- (a) seek or solicit from any person for himself or herself or for any other person any benefit;  
(b) receive for himself or herself or for any other person or entity any benefit;  
(c) offer to provide, or provide, to any vendor of the relevant horse, or to any other person (including a person acting, or purporting to act, on behalf of the vendor), any benefit in connection with the sale of the horse;

unless the person has first:

- (i) fully disclosed, in writing, to the prospective purchaser(s) of the relevant horse that the person will:  
A. be seeking or soliciting for himself or herself or for any other person a benefit;  
B. receive for himself or herself or for any other person a benefit;  
C. be offering to provide to any vendor of the relevant horse, or to any other person (including a person acting, or purporting to act, on behalf of the vendor), a benefit in connection with the sale of the horse; and  
(ii) obtained the written consent of more than 75% of the prospective purchasers to seek or solicit, to receive and/or to provide, the benefit.

(4) Where, in the course of one transaction, a person acts, or purports to act, on behalf of both:

- (a) a registered owner (or owners) of a relevant horse in connection with the sale of a relevant horse; and  
(b) a purchaser (or purchasers) of a relevant horse in connection with the purchase of the same relevant horse, that person must comply with the provisions of both sub-rules (2) and (3).

(5) For the purpose of the consent required by AR 28(2)(ii) and AR 28(3)(ii), consent shall be deemed to have been given by a person where that person fails to provide reasonable notice of dissent in writing within 72 hours of receiving the written disclosure pursuant to AR 28(2)(a)(i) or AR 28(3)(i).

(6) For the purpose of this rule:

- (a) "benefit" includes any valuable consideration, rebate, commission, gratuity, profit, fee, benefit or payment of any kind, whether direct or indirect, and to be provided at any time;  
(b) a reference to the sale and/or purchase of a relevant horse includes the sale or purchase of a share or beneficial interest in that horse.

(7) The purchase price of a relevant horse must be disclosed on the relevant Transfer of Ownership form lodged with the relevant Principal Racing Authority, with such disclosure being made on the Transfer of Ownership form prior to any of the outgoing or incoming owners signing that form.

(8) The Principal Racing Authority (or in the case of Tasracing, the delegated Stewards) may, at any time, require any person who is party to or involved, directly or indirectly, in the sale or purchase of a relevant horse to provide full details as they may require of such sale including, without limitation, the purchase price and any benefits.

(9) Any person who refuses or fails to comply with any requirement of this rule may be penalised.

[AR 28 added 1/1/17]

**LR 9 Death of racehorses to be reported**

The death of a registered racehorse and the reason therefore if known must be reported forthwith in writing to Racing Victoria:

- (a) in the case of a horse in training: by the trainer.  
(b) in the case of a horse not in training: by the owner.

**ASSUMED NAMES**

**AR 28-AR 31** rescinded from 1/8/86. Note: Existing assumed names unaffected by rescission. [New AR 28 added 1/1/17]

**LEASES**

**AR 32** The lessee of any horse leased for racing shall, before entering such horse for any race at a registered meeting lodge for registration with the Secretary of a Principal Racing Authority the lease or other documents under which he claims to be entitled to the possession or control of such horse, or a true copy thereof, and, if a copy only is lodged, he shall if so required produce the original to the office of the said Principal Racing Authority. A lease document shall be sealed on behalf of a Company and in the case of a syndicate signed by its trustees. [amended 30/4/03]

**AR 33** If a lease be determined before the due date notice thereof shall be given in writing to the Secretary of the Principal Racing Authority with whom the lease or a copy was lodged before the horse is thereafter nominated for any race. [amended 30/4/03]

**AR 34** The Principal Racing Authority may refuse to accept for registration any lease, and may insist on the inclusion in a lease of provisions it considers essential, and may prohibit the inclusion of provisions considered undesirable, and may prescribe a general form of lease which may be adopted with or without modification. [amended 30/4/03]

**LR 10 Lease to be accompanied by fee**

Every Lease lodged with Racing Victoria for registration must be accompanied by such fee payable by the Lessee as is prescribed by the Directors from time to time and published in the Prescribed Fee Schedule. [added 8/3/12]

**RACE MEETINGS**

**LR 11 Race meetings subject to the Rules**

All race meetings in Victoria must be held under, and are subject to, the Rules.

**AR 35** The Principal Racing Authority may in its absolute discretion exempt such meetings or races as they think fit from the provisions of all or any of the Rules on such conditions as they think fit. [amended 30/4/03]

**AR 36**

(1) Before being advertised or otherwise published, the conditions of and the name of every race and the full programme of every meeting shall be lodged with the Secretary of the Principal Racing Authority for approval at such time or times as may be

prescribed by the Principal Racing Authority or by Local Rule. The Principal Racing Authority may in its absolute discretion and without assigning any reason therefore refuse approval of any race or the name of any race or the conditions of any race. [amended 30/4/03]

- (2) Notwithstanding the provisions of sub-rule (1), no name of any race shall, without the written permission of the Australian Racing Board, contain any one or more of the following words: (a) derby; (b) Oaks; (c) Slipper; (d) Doncaster; (e) Rose. Provided that the names of races containing one or more of these proscribed words that are in existence on the day before the date of the operation of this sub-rule, shall be deemed to have the approval of the Australian Racing Board. [(2) added 1/3/06]

#### **LR 12 Requirements for programs of Metropolitan Race Meetings**

The program for each Metropolitan Race Meeting must include at least one flat race in which Apprentices are not permitted to claim.

[LR12(2) amended 29/11/12, LR12 replaced 1/08/16]

#### **LR 13 Advertising of race meetings**

- (1) **Race meetings to be advertised:** Subject to LR 13(2) and (3), every race meeting to be conducted by a Racing Club must be advertised in Inside Racing, stating:
- (a) that the meeting is subject to the Rules;
  - (b) the day on which the meeting is to be held;
  - (c) the full program of races to be conducted;
  - (d) the closing time for entries; and
  - (e) the name of the Secretary of the Racing Club.
- [amended 7/9/06]

- (2) **Replacement race need not be advertised:** If prior to the declaration of weights RVL has approved the cancellation or abandonment of a race the club conducting the meeting may, having obtained RVL's approval, program another race to be run at the meeting which has not been advertised in Inside Racing. [adopted 7/9/06]

- (3) **Directors may declare unnecessary:** The Directors may declare unnecessary or prohibit the advertisement of any race meeting in Inside Racing. [renumbered from (2) 7/9/06]

**AR 36A** Except where the Principal Racing Authority otherwise determines, a race meeting conducted by a Club on a racecourse other than that on which the Club usually conducts its race meetings, shall be deemed to be a race meeting of the same status as the race meeting would have had but for the transfer of venue. [added 1/8/98; amended 30/4/03]

**AR 36B** No alteration shall be made after the declaration of acceptances to the weight allotted to any horse as a consequence of:

- (a) any alteration to race distance approved by the Stewards; or
- (b) any race postponement for which the original fields are unaltered.

[added 1/11/99]

**AR 37** The value of prizes not in money must be advertised.

**AR 38** The Committee of any Club may with the approval of the Principal Racing Authority cancel or abandon any race or meeting, or may postpone the same to a day approved by the Principal Racing Authority, or other body authorised by it to allot race dates, either before or after the commencement of the meeting. In the event of cancellation or abandonment all entry and acceptance fees not already forfeited shall be returned. The Principal Racing Authority may appoint an official for the purpose of giving any approval required by this Rule and the approval of such official shall be deemed to be the approval of the Principal Racing Authority. [amended 30/4/03]

#### **LR 13A Merging of races**

- (1) When two races on the same program, neither of which is a Group or Listed Race, are identical in all respects except for gender eligibility, and/or age eligibility, Racing Victoria may, in its discretion, cancel one of those races if insufficient nominations or acceptances have been received as soon as practicable after nominations or acceptances have closed. The horses that were nominated, or had accepted as final acceptors, for the cancelled race shall then be transferred to the race on

the same program that is identical in all other respects. [amended 1/8/11]

- (2) When two jumping races on the same program are similar except for class and/or ratings eligibility, Racing Victoria may, in its discretion, cancel one of those races if insufficient nominations or acceptances have been received as soon as practicable after nominations or acceptances have closed. The horses that were nominated, or had accepted as final acceptors, for the cancelled race shall then be transferred to the other race on the same program that is similar. [amended 1/8/11]
- (3) Notwithstanding anything to the contrary in these Rules, the Stewards may, in their discretion, allow the trainer or nominator to scratch or withdraw a horse which had nominated or accepted in a race prior to the merging of that race in accordance with LR 13A(1) or (2). [added 1/8/11]

[13A adopted 5/3/07]

#### **LR 14 Stewards and officials to officiate**

- (1) **Stewards, Judges and starters:** Stewards, Judges, starters and each of their assistants appointed by Racing Victoria must officiate at all race meetings.
- (2) **Other officials:** Other officials necessary for the conduct of the race meeting must be appointed by:
- (a) Racing Victoria; or
  - (b) if Racing Victoria does not do so, by the Committee of the Club holding the race meeting.

**AR 39** No person shall act in an official capacity as Steward, Veterinary Surgeon, Handicapper, Judge, Starter, Clerk of the Course, Clerk of the Scales, Farrier, Barrier Attendant or Timekeeper, or as Assistants or Deputies of any of the above in respect of any race in the result of which he has a pecuniary interest.

#### **LR 14A Officials not to bet on credit**

No person acting in an official capacity as a Steward, Veterinary Steward, Handicapper, Judge, Starter, Clerk of Course, Clerk of Scales, Farrier, Barrier Attendant or timekeeper, or as an Assistant or Deputy to any of the above, may, at any time, bet on credit with a bookmaker or wagering service provider.

For the purpose of LR 14A, a bet on credit means a bet where payment for the bet is not made by the bettor at the time of placing the bet but is settled at a later time.

[LR 14A added 1/3/10]

#### **LR 15 Certain persons not to hold offices or officiate**

A person holding a licence or permit as a bookmaker, jockey, apprentice or trainer (other than as only the holder of an owner-trainer permit) is ineligible to be elected or appointed, and must not act, as:

- (a) [deleted 2/4/09]
- (b) a steward, handicapper, judge, starter or clerk of the scales in respect of any race meeting or race held or run under the Rules.
- (c) [deleted 9/12/10]

#### **LR 16 Allocation of prizemoney**

- (1) **Definition:** In this LR 16, "prizemoney" means the advertised value of the total prizemoney (excluding the value of trophies) but does not include:
- (a) any bonus payable to the Nominator of a yearling or of a stallion;
  - (b) any amount paid in the form of a starter's rebate;
  - (c) any prize awarded in respect of the performance of a horse in a series of races; or
  - (d) any trophy or other non-monetary prize awarded under the conditions of the race.
- (2) **Allocation to placegetters of non-jumps races:** Except with the prior approval of the Directors, any prizemoney must be paid to the nominators, trainers and riders of the placegetters according to the following scales:
- (a) In the Melbourne Cup, Caulfield Cup and Cox Plate: As determined by the club concerned subject to approval by the Directors.

- (b) For group and listed races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
- (c) For non group and listed races at TAB meetings with prizemoney of \$30,000 or more as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
- (d) For non group and listed races at TAB meetings with prizemoney of less than \$30,000, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
- (e) For races at professional non TAB meetings conducted by registered clubs, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
- (f) For races at Picnic Race Meetings: Of the balance of the advertised prizemoney remaining after deducting therefrom the amounts determined by the Directors from time to time as payable to the horses placed 5<sup>th</sup> to 10<sup>th</sup> inclusive in such races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

[2] amended 1/7/05, 1/9/05, 1/8/08, 5/2/09, 1/8/12]

**(2A) Allocation to placegetters of jumps races:** Except with the prior approval of the Directors:

- (a) any prizemoney must be paid to the nominators, trainers and riders of the placegetters of hurdle and steeplechase races according to the following scales:
  - (i) For races with prizemoney of \$35,000 or more: Of the balance of the advertised prizemoney remaining after deducting therefrom the amounts determined by the Directors from time to time as payable to the horses placed 6th to 10th inclusive in such races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
  - (ii) For races with prizemoney of less than \$35,000: Of the balance of the advertised prizemoney remaining after deducting therefrom the amounts determined by the Directors from time to time as payable to the horses placed 5th to 10th inclusive in such races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
- (b) for all starters that do not receive prizemoney pursuant to (2A)(a) above, a starter subsidy must be paid in an amount equal to the amount determined by the Directors in accordance with (2A)(a), with trainers and riders to receive payment allocations as if the subsidy were prizemoney.

[(2A) adopted 5/2/09; amended 5/3/09, 1/8/12]

**(3) Allocation to Nominators, trainers and riders:** In all races conducted in Victoria the total prize money shall be allocated to nominators, trainers and riders of the placegetters, as prescribed by the Directors from time to time and published in the Prescribed Fees Schedule.

(3) amended 1/8/08, 1/8/12]

**(4) Picnic Race Meeting prizemoney:** Notwithstanding anything else to the contrary in this LR 16, in all races conducted at a Picnic Race Meeting with prizemoney of less than \$2,000 (excluding the value of trophies), that prizemoney must only be paid to the Nominator.

**(5) Allocation of Picnic Race Meeting prizemoney to placegetters:** Notwithstanding anything else to the contrary in this LR 16, in all races conducted at a Picnic Race Meeting with prizemoney of less than \$2,000 (excluding the value of trophies), the allocation of that prizemoney to placegetters shall be determined by the Picnic Race Club and approved by Racing Victoria when submitted for publication in Inside Racing.

**AR 40** After every race meeting the Secretary of the Club holding the meeting shall forthwith forward to the Secretary of the Principal Racing Authority a report containing:

- (a) Names of horses which started in each race.
- (b) Particulars of age, colour and sex.
- (c) Weights carried.
- (d) Names of owners, trainers and riders and the pedigrees when known of the placed horses.
- (e) Positions of horses placed in the race.
- (f) A statement of all fines inflicted and all complaints to and decisions of the Stewards.
- (g) The name of all horses sold or claimed in any selling or claiming race.

- (h) Any overweight carried, whether it has been duly declared or not.

[amended 30/4/03]

**AR 41** The Stewards of every race meeting shall forward a report to the Secretary of the Principal Racing Authority which shall include a statement of any action taken by them. [amended 30/4/03]

#### **LR 17 Publication of reports**

Racing Victoria may publish all or any of the particulars from a report given pursuant to AR 40 or AR 41.

#### **LIMITATION OF FIELD SIZE**

##### **LR 18 Limit of field size**

(1) **Non-jumps races:** For all races except hurdle and steeplechase races, the Committee of a Club holding a race meeting or the Stewards may limit the number of horses to be started in any race at such meeting.

(2) **Jumps races:** For all hurdle and steeplechase races:

- (a) the maximum number of horses to be started in any race is fourteen (14); and
- (b) the Committee of a Club holding a race meeting or the Stewards may limit the number of horses to be started in any race below the maximum number stated in LR 18(2)(a).

[former LR 18 deleted and replaced 5/2/09]

##### **LR 19 Consolation races**

If the number of horses left in any race exceeds the limit fixed for such race under LR 18 by ten or more horses, the Committee of the Club holding the race meeting may, with the prior approval of the Directors or of a person designated by them for the purposes of this Rule, conduct an additional race (the "consolation race") at the race meeting in which are automatically entered (without the payment of any additional fee) the horses excluded from the original race, provided that:

- (a) the consolation race must be conducted over the same distance and under the same conditions as the original race;
- (b) the prizemoney for the consolation race must not be less than one-half of the amount of prizemoney of the original race; and
- (c) the weights for the consolation race must be adjusted in accordance with LR 41(3) or LR 41(4).

**AR 42** The Principal Racing Authority may divide, or authorise the Committee of a Club or the Stewards to divide, any race into two or more divisions in such circumstances and upon such terms as the Principal Racing Authority thinks fit. [amended 30/4/03]

#### **DIVISION OF RACES**

##### **LR 20 Division of races**

(1) **When a race may be divided:** If the number of horses left in any race exceeds the limit fixed for such race under LR 18 and a consolation race is not held pursuant to LR 19, the race may be divided and run in two or more divisions in accordance with the provisions of this LR 20.

(2) **Order of running divisions:** Divisions must be run in such order as the Committee of the Club may decide. The division which is run first must be referred to as the first division, and so on.

(3) **Prizemoney:** The prizemoney for every division must not be less than 75% of the prizemoney for the original race.

(4) **Allotment of horses to divisions:**

- (a) Racing Victoria must allot the horses to the divisions by placing them alternately in the respective divisions in order of rotation according to weights, including penalties incurred after the time appointed for the closing of entries.
- (b) Where two or more horses are to carry the same weight, the allotment of such horses must be alternated in alphabetical order according to their names.

(5) **Reallotment 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) 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.

(6) **No objection or liability:**

(a) **No objection:** No objection may be made on the ground that any horse has been incorrectly allotted or not allotted to any division.

(b) **No liability:** No liability is incurred by Racing Victoria or any Club, Committee or Stewards for any mistake made in the allotment of any horse or horses to divisions.

## ELIMINATION OF SURPLUS HORSES FROM RACES

### LR 21A Procedures for eliminating surplus horses from races

Subject to LR 21E, if the number of horses left in any race (including any consolation race or division) exceeds the limit fixed for such race under LR 18, the number of horses must be reduced to the field limit by eliminating horses as set out in LR 21B, LR 21C or LR 21D.

In applying this rule for balloting, in all races where reference is made to prizemoney, no account shall be taken of Super VOBIS bonuses or any other bonuses won by a horse.

[added 1/10/03; amended 4/3/04]

### LR 21B Ratings Based Handicap Races

(1) **Method of elimination of surplus horses:** Subject to LR 21B(2) elimination must be effected in order from the horse or horses with the lowest Ballot Ratings figure upwards as follows:

(a) Horses with the lowest Ballot Rating will be eliminated first.

(b) When two or more horses are of the same Ballot Rating oldest will be eliminated first.

(c) When two or more horses are of the same Ballot Rating and age elimination shall be in order of lowest aggregate prizemoney received.

(d) When two or more horses are of the same Ballot Rating, age and aggregate prizemoney, elimination shall be by lot.

[amended 1/8/02, 1/10/03, 4/3/04, 1/5/08]

(2) **Adjustments – Penalties after declaration of weights:** For the purpose of elimination pursuant to LR 21B(1), if the conditions of the race provide for penalties for wins after the declaration of weights, the handicapper may promote minimum horses in the elimination order by altering their Ballot Rating, which shall not affect their weight in the race. [amended 1/10/03, 4/3/04]

[LR 21C Deleted 1/9/12]

### LR 21D Non-handicap races

(1) **Weight-for-age and set-weight races (other than Maiden Races)**

Method of elimination of surplus horses:

FIRST – horses which have not received \$30,000 for being placed 1<sup>st</sup> to 5<sup>th</sup> inclusive in any flat race in the 24 months\* prior to the date of the race, in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

SECOND – horses which have not received \$60,000 for being placed 1<sup>st</sup> to 5<sup>th</sup> inclusive in any flat race in the 24 months\* prior to the date of the race, in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

THIRD – horses which have not received \$90,000 for being placed 1<sup>st</sup> to 5<sup>th</sup> inclusive in any flat race in the 24 months\* prior to the date of the race, in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

FOURTH – remaining horses in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

\* which commences from and includes corresponding day two years prior

[amended 4/3/04, 1/8/06]

For the purpose of this Rule LR 21D(1), "prizemoney" shall not include:

(a) prizemoney earned in Picnic races;

(b) for other races worth less than \$35,000, prizemoney received for finishing 5<sup>th</sup> to 10<sup>th</sup>; or

(c) for races worth \$35,000 or more that were not Group or Listed Races, prizemoney received for finishing 6<sup>th</sup> to 10<sup>th</sup>.

[added 1/9/12]

(2) **Set weights and penalty races**

Method of elimination of surplus horses:

FIRST – horses which have received no weight penalty for the race, in order of lowest aggregate prizemoney received. Horses in this category with equal aggregate prizemoney shall be eliminated by lot.

SECOND – horses which have received the lowest weight penalty for the race, and so on upwards until the safety limit is reached. Horses in the same weight penalty category shall be eliminated in order of lowest aggregate prizemoney received. Horses in the same weight penalty category with equal aggregate prizemoney shall be eliminated by lot.

[amended 4/3/04]

For the purpose of this Rule LR 21D(2), "prizemoney" shall not include:

(a) prizemoney earned in Picnic races;

(b) for other races worth less than \$35,000, prizemoney received for finishing 5<sup>th</sup> to 10<sup>th</sup>; or

(c) for races worth \$35,000 or more that were not Group or Listed Races, prizemoney received for finishing 6<sup>th</sup> to 10<sup>th</sup>.

[added 1/9/12]

(3) **Early Season Selected 2YO races**

Method of elimination of surplus horses:

FIRST – horses which have not been placed 1<sup>st</sup> to 4<sup>th</sup> inclusive in a race and have not been placed 1<sup>st</sup> to 3<sup>rd</sup> inclusive in a 2YO official trial in any Metropolitan Area of Australia or official trial in Victoria. If horses in this category exceed the number to be eliminated, then elimination shall be by lot.

SECOND – horses which have not been placed 1<sup>st</sup> to 4<sup>th</sup> inclusive in a race but which have been placed 1<sup>st</sup> to 3<sup>rd</sup> inclusive in a 2YO official trial in any Metropolitan Area of Australia or official trial in Victoria. Official trial winners will receive preference over those placed second and third. Horses placed second will receive preference over those placed third. Surplus horses in this category remaining after the exhaustion of such preferences shall be eliminated by lot.

THIRD – horses which have not won a race.

[amended 1/8/02, 5/9/02, 1/9/09]

(4) **Maiden set weights and maiden weight-for-age flat races**

Method of elimination of surplus horses:

(a) First: Raced horses which have not won prizemoney in any of their last four starts on the flat. The horse with the greatest number of consecutive runs since winning prizemoney must be eliminated first according to age, oldest first and in the case of horses of the same age elimination must be by lot.

(b) Second: Horses which have received the lowest average prizemoney within their last four starts on the flat. Horses

which have equal average prizemoney must be eliminated by lot.

For the purpose of this Rule LR 21D(4), "prizemoney" shall not include:

- (a) prizemoney earned in Picnic races;
- (b) for other races worth less than \$35,000, prizemoney received for finishing 5<sup>th</sup> to 10<sup>th</sup>; or
- (c) for races worth \$35,000 to \$59,999, prizemoney received for finishing 6<sup>th</sup> to 10<sup>th</sup>.

[LR 21D(4) renumbered from LR 21C(3) 4/3/04; amended 1/8/08, 1/9/12]

#### (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 21D(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.

For the purpose of this Rule LR 21D(5), "prizemoney" shall not include:

- (a) prizemoney earned in Picnic races;
- (b) for jumps and flat races worth less than \$35,000 prizemoney received for finishing 5<sup>th</sup> to 10<sup>th</sup>;
- (c) for flat races worth \$35,000 to \$59,999, prizemoney received for finishing 6<sup>th</sup> to 10<sup>th</sup>; or
- (d) for jumps races worth \$35,000 or more, prizemoney received for finishing 6<sup>th</sup> to 10<sup>th</sup>.

[LR 21D(5) renumbered from LR 21C(2) 4/3/04, LR 21D(5) deleted and replaced 01/04/14]

#### LR 21E Special elimination conditions

Notwithstanding anything contained in LR 21B, 21C or 21D:

- (1) **Special conditions for feature races:** If the advertised value of the prizemoney for a race (including the value of trophies) is \$75,000 or more, the Committee of the Club conducting the race, with the prior approval of the Directors or of a person designated by the Directors for the purposes of this Rule, may do any one or more of the following:
  - (a) set special conditions: include special conditions for the race specifying the procedure to be followed in eliminating horses from the race, in which case LR 21B, 21C and 21D will not apply;
  - (b) eliminate any horses: eliminate any horse or horses from the race; and
  - (c) exempt horses from elimination: exclude any horse or horses from the elimination procedure.

[(1) amended 1/7/05]

- (2) **Special conditions for races forming part of a series:** The Committee of a Club conducting a race or races forming part of a series of races may, with the prior approval of the Directors or of a person designated by the Directors for the purposes of this Rule, include special conditions in respect of such race or races

specifying the procedure which must be applied in the elimination of horses.

#### (3) Horses racing on consecutive days:

- (a) This LR 21E(3) does not apply to:
  - (i) an open class race at a race meeting conducted by the same club on consecutive days; [amended 1/8/02]
  - (ii) any Group or Listed race; or [amended 1/8/04]
  - (iii) any race for which special conditions are set in accordance with LR 21E(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.

[amended 1/8/02, 1/8/04]

#### (4) Horses entered after advertised closing time: If in the case of a race other than a Group or Listed Race horses are entered after the advertised closing time pursuant to LR 25(4) or LR 25(5), the order of elimination must be:

- (a) First: any horse which is declared an acceptor in races to be conducted on consecutive days of racing as specified in LR 21E(3).
- (b) Second: any horse entered after the advertised closing time pursuant to LR 25(4) or LR 25(5), with such elimination to be effected in accordance with the elimination procedure applicable to the race.
- (c) Third: If it is necessary to eliminate further horses, such elimination must be effected in accordance with the elimination procedure applicable to the race.

[amended 1/5/04]

[LR 21E renumbered from LR 21D 4/3/04]

#### LR 21F No objection or liability

- (1) **No objection:** No objection may be made on the ground that a winner or a horse placed second, third, fourth or fifth has been permitted to start in contravention of LR 21B, 21C, 21D or 21E.
- (2) **No liability:** No liability of any nature shall be incurred by any Club, Committee or Stewards by reason of any mistake made in the application of any portion of LR 21B, 21C, 21D or 21E.

[LR 21E renumbered from LR 21D 4/3/04]

#### DISTANCES OF RACES

**AR 43** No race shall be less than 800 metres.

[LR 22A deleted 4/6/09]

#### LR 22B Stewards may alter distance of races

The Stewards may alter the distance of any race provided that:

- (a) no race of 2,400 metres and further may be varied by more than 400 metres; and
- (b) no race of less than 2,400 metres may be varied by more than 200 metres.

[amended 8/7/04]

#### RESTRICTIONS APPLICABLE TO CERTAIN HORSES

**AR 44** Yearlings shall not run in any race or official trial. [amended 11/4/12]

#### LR 23A Two-year-olds

A two-year-old horse must not start in any race for which horses over the age of two years are eligible except:

- (1) **1 October-31 December:** From 1 October to 31 December, a race of not more than 1,000 metres conducted at a Country Race Meeting.
- (2) **1 January-31 July:** From 1 January to 31 July, a race of not more than 2,000 metres.

**AR 45A** Two-year-olds shall not be allowed to start in any race before the First day of October, or such other date as the Principal Racing Authority concerned shall determine, and thereafter two-year-olds shall not be allowed to start:

- (a) In a race over a distance exceeding 2,000 metres.
- (b) In a handicap for which horses over the age of two years are eligible run before the first day of January, or such other date as the Principal Racing Authority concerned shall determine.

[amended 30/4/03; renumbered from AR 45 1/06/11]

#### **AR 45B**

- (1) Subject to AR 45B(2), a horse that is aged 12 years is not permitted to race.
- (2) The Stewards may give their express permission for a horse aged 12 to start in a race or races during its 12 year old racing season, if:
  - (a) the trainer provides to the Stewards a veterinary report in respect of the horse's condition and suitability to race, and any other information, examination or report as required by the Stewards; and
  - (b) the Stewards are satisfied that the horse is suitable to race.
- (3) Any permission granted by the Stewards pursuant to AR 45B(2) expires at the conclusion of the horse's 12 year old racing season, or earlier as provided by the Stewards.
- (4) Upon a horse turning 13 years of age, it is immediately retired and de-registered under these Rules and is ineligible to race, trial or be trained.
- (5) If a horse aged 12 participates in any race without permission given by the Stewards in accordance with this rule or if a horse over 12 years participates in a race:
  - (a) the trainer and any other relevant person may be penalised; and/or
  - (b) the horse may be disqualified for the relevant race.

[AR 45B deleted and replaced 1/08/15]

#### **LR 23B Poorly-performed older horses**

A horse must not be entered for any flat race at a race meeting to be held at a Metropolitan Race Meeting if the horse:

- (a) is 5 years old or more; and
- (b) has started in ten or more races on the flat; and
- (c) has not earned \$5,000 in advertised prizemoney in flat races (excluding VOBIS bonuses and other breeders' bonuses).

[amended 4/3/10]

#### **LR 23C Unruly or wayward horses**

- (1) **Stewards may suspend:** The Stewards may suspend any horse which they consider has been non-competitive, sufficiently unruly or wayward.
- (2) **Suspended horse may not start:** Any horse so suspended must not start in any race until such time as it has performed in any test, jump out or official trial to the satisfaction of the Stewards. [amended 1/9/09, 1/8/17]

#### **LR 23D Elimination of restricted class horses from Black Type races**

In Group and Listed races in which horses older than three can compete, entries are accepted on the condition that the nomination of any horse eligible for a Restricted Race under AR 1A may be rejected by the Racing Victoria Handicapping Panel at the time of the closing of entries. [adopted 1/8/08]

#### **RECKONING THE AGE OF HORSES**

**AR 46** The age of a horse shall be reckoned as follows:

- (a) If it was foaled between the first day of July and the thirty-first day of December:
  - (i) from the first day of August in the year in which it was foaled if its dam was first covered on or after the first day of September in the previous year, as that covering is recorded by the Stud Book.
  - (ii) from the first day of August in the year previous to the year in which it was foaled if its dam was first covered before the first day of September in the year previous

to the year in which it was foaled, as that covering; is recorded in the Stud Book.

- (b) If it was foaled between the first day of January and the thirtieth day of June, from the first day of August in the year previous to the year in which it was foaled.

Provided that the Australian Racing Board, in exceptional circumstances, may by Order vary the conditions provided by this Rule. [replaced 1/8/00; proviso added 27/8/07]

#### **GROUP AND LISTED RACES**

**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. [amended 1/8/16]

**AR 46B** The official results and horse performance records for races run under These Rules are those recorded by RISA. [added 11/3/04]

#### **DECLARATIONS OF ACCEPTANCE**

##### **LR 24A Lodgement of declarations of acceptance**

- (1) **Form:** All declarations of acceptance must be made by the Nominator or trainer or by the Authorised Agent of either of them in such form and by such means as is prescribed by Racing Victoria from time to time.
  - (2) **Time:** Subject to LR 24A(3), declarations of acceptance must be lodged with Racing Information Services Australia before such time on such day as may be prescribed by the Committee of the Club. [amended 1/2/11]
  - (3) **Extension of time:**
    - (a) if there are less than 11 horses declared as acceptors for a race the prescribed closing time for declaration of acceptance may be extended by thirty minutes.
    - (b) If a race is deleted at acceptance time, a race or races may have the prescribed closing time for declaration of acceptance extended by thirty minutes for the purpose of a division.
- [(3) amended 18/6/07, 1/8/11]

##### **LR 24B Entry lapses if declaration not made on time**

The entry of any horse not declared an acceptor at the prescribed time lapses and the fee published in the Prescribed Fee Schedule is charged [amended 3/7/03; amended 8/3/12]

##### **LR 24BB Entry, Acceptance and non-Acceptance fees**

- (1) **Entry fees:** The entrance fee for all races including, without limitation, Group and Listed Races shall be the amount set by Racing Victoria and published in the Prescribed Fee Schedule. [amended 1/8/03; amended 8/3/12]
  - (2) **Acceptance fees:** The following acceptance fees must be paid in respect of each horse:
    - (a) **Final Acceptance Fees:** for any Group or Listed flat race, as specified by Racing Victoria from time to time and published in the Prescribed Fee Schedule.
    - (b) **Total Acceptance Fees:** for any Group or Listed flat race, as specified by Racing Victoria from time to time and published in the Prescribed Fee Schedule.
    - (c) **Other Acceptance Fees:** for any other race as specified by Racing Victoria from time to time and published in the Prescribed Fee Schedule.
    - (d) **Jumping Races:** For any jumping race, regardless of the amount of prizemoney: nil
- [(2) adopted 1/8/03; amended 1/9/05, amended 1/8/11; amended 8/3/12]

- (3) **Non-Acceptance Fees:** The following non-acceptance fees must be paid in respect of each horse not declared an acceptor:
- (a) For any race other than those covered in LR 24BB(2) a non-acceptance fee, as specified by Racing Victoria from time to time, and published in the Prescribed Fee Schedule, will apply.

[ (3) adopted 1/8/03; added 8/3/12 ]

[LR 24BB renumbered from LR 31A effective 1/8/03]

#### LR 24BBB Payment of fees

Fees in respect of entries, declarations and scratchings:

- (a) timing: must be paid at such time and in such manner as is prescribed by the Directors and published in the Prescribed Fee Schedule;
- (b) recovery if unpaid: if unpaid at the time prescribed by the Directors, may be recovered from the trainer of the horse in respect of the Race to which the fee relates or, failing payment by the trainer, from the Nominator.

[LR 24BBB renumbered from LR 31B effective 1/8/03; added 8/3/12]

#### LR 24C Emergency acceptors

- (1) **Clubs may make provision:** Unless otherwise determined by the Stewards, a Racing Club or Picnic Racing Club may make provision for up to four emergency acceptors in any race. [amended 18/6/07, 29/10/09]
- (2) **Withdrawal:** Any horse named as an emergency acceptor which has not obtained a place in the field prior to the official release of the final list of scratchings is deemed to be withdrawn. [amended 1/8/09]

#### LR 24D Limit on declarations

- (1) **Declaration for one race only:** Subject to LR 24D(2), a horse must not be declared an acceptor for more than one race to be conducted on any day except for races at Picnic Race Meetings.
- (2) **Emergency acceptors may be declared for other races:**
- (a) An emergency acceptor may be declared for a race at another race meeting on the same day.
- (b) An emergency acceptor in a Group or Listed race may be declared an acceptor in another race at the same race meeting.
- (3) **Consequences of breach:** If a horse is declared an acceptor for races in breach of LR 24D(1):
- (a) Elimination of horse: such horse must be eliminated from races in excess of one as follows:
- (i) if the horse is declared an acceptor for more than one race at the same race meeting it must be eliminated from a race or races at the discretion of the Committee of the Club conducting the meeting;
- (ii) if the horse is declared an acceptor for more than one race meeting on the same day it must be eliminated from the meeting with the later closing time for declarations of acceptance. If declarations of acceptance are taken at the same time, the horse must be eliminated from the meeting or meetings in excess of one by lot; and
- (b) Liability of Nominator or trainer: the Nominator or trainer of such horse is liable for:
- (i) the scratching fee for any race from which the horse is eliminated; and
- (ii) such penalty as the Stewards may impose.

#### LR 24E Omission from list of acceptances

- (1) **Reinstatement:** If a horse which has been properly declared as an acceptor is omitted from the list of acceptances such horse may, subject to the approval of the Stewards, be reinstated in the field at any time up to three hours after the time set down for final declarations of acceptance.
- (2) **If the race has been divided:** If the race in which the horse has been reinstated pursuant to LR 24E(1) has been divided, the horse must be allotted to such division as the Stewards determine.

#### (3) If the barrier draw has been conducted:

- (a) One or two horses: Subject to paragraph (b), if the barrier draw for the race in which the horse has been reinstated pursuant to LR 24E(1) has already been conducted, then:
- (i) the barrier position for the horse must be determined by lot drawn from the total number of horses which may start in the race;
- (ii) the horse in the original draw with the same barrier position and all horses drawn outside that horse must be moved out to accommodate the horse previously omitted; and
- (iii) if the inclusion of the omitted horse results in a horse being eliminated pursuant to LR 21, then any horse so eliminated is, only for the purposes of determining the barrier positions, deemed to have been scratched at the time of the inclusion of the omitted horse and not eliminated from the race.
- (b) More than two horses: If three or more horses are reinstated to a race pursuant to LR 24E(1), then the barrier draw must be conducted again.

#### LR 24G No liability or objection

- (1) **No liability:** No liability of any nature is incurred by Racing Victoria or by any Club by reason of error or failure in dealing with declarations of acceptance resulting in a horse not starting in a race, but any acceptance fee or non-acceptance fee must be waived or refunded. [amended 1/8/03]
- (2) **No objection:** No objection may be made or upheld on the grounds that a horse has been permitted to start contrary to this LR 24.

### NOMINATIONS AND ENTRIES

#### AR 47

- (1) No horse shall be entered for or run in any race except for one for which it is eligible under these Rules.
- (2) A horse shall be eligible for any race only if it possesses the qualifications (if any) imposed by the conditions of the race.
- (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. [amended 1/8/16]
- (4) Any person who enters or runs a horse in a race for which it was ineligible may be penalised.

[AR 47 amended 1/10/07]

#### AR 48

- (a) The Secretary of the Club shall from time to time publish the days on which entries may be lodged with him or with any other person on his behalf to be named in such notice, and all entries shall be subject to the provisions of the Rules.
- (b) Entries for all races shall be made in the name of the owner (or, if the horse is leased, the lessee) and shall be in writing signed by the owner (or, if the horse is leased, the lessee) or the trainer of the horse or the authorised agent of any of them, provided that a lessor may enter a horse under lease by him for any race to be run after the expiration of the lease. In the event of the lessee entering a horse for a race to be run after the expiration of the lease, the lessee shall not scratch such horse without the consent of the lessor (which consent shall be in writing), unless otherwise directed by the Principal Racing Authority provided that if such consent is refused, the lessor and not the lessee shall be liable for all future payment of fees or forfeits in connection with such entry.
- (c) All entries shall be made as prescribed and, if required by the race conditions or the Local Rules or any regulations or arrangements established by the Principal Racing Authority, be accompanied by the necessary fee. [sub-rule (c) amended 24/8/00]
- (d) If no other hour be fixed the list of entries shall close at 4pm.

[amended 30/4/03]



## LR 25 Closing time and late entries

- (1) **No entry after closing time:** Subject to the provisions of this LR 25, a horse may not be entered for any race after the advertised closing time or late entry closing time as published in Inside Racing.
- (2) **Races which are postponed, abandoned or deleted:** If a race is postponed to another day, abandoned or deleted, any horse that was not scratched or otherwise withdrawn from the postponed, abandoned or deleted race may be entered as an original entry for another race at any other meeting for which weights have yet to be issued and/or as an extended entry up until 4pm on the day before acceptances for any meeting for which weights have been issued. [amended 3/4/03, 1/5/04, 1/5/08, 8/5/08]
- (3) **Late entry time in race conditions:** If a late entry closing time is specified in the conditions of a race, horses may be entered until that specified late entry closing time subject to payment of the late entry fee published in the Prescribed Fee Schedule, as required by the conditions of the race. [added 8/3/12]
- (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. [amended 8/3/12]
- (4A) **Refund of Late Entry Fee:** If a horse is entered in a race as a late entry in accordance with LR 25(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 21A-21E (inclusive). [added 2/9/10]
- (5) **Small number of entries:**
  - (a) If at the advertised closing time less than fifteen eligible entries have been received for a TAB Race or less than ten eligible entries have been received for any race other than a TAB race, Racing Victoria shall call for further entries until:
    - (i) 10:00am on the next day (ignoring Saturdays, Sundays and Victorian Public Holidays) after the day of the advertised closing time; or
    - (ii) Such other time as Racing Victoria may direct.
  - (b) If at the advertised closing time fifteen or more eligible entries have been received for a TAB Race or ten or more eligible entries have been received for any race other than a TAB race, Racing Victoria may call for further entries for the purpose of a division until:
    - (i) 10:00am on the next day (ignoring Saturdays, Sundays and Victorian Public Holidays) after the day of the advertised closing time; or
    - (ii) Such other time as Racing Victoria may direct.[5] amended 18/6/07]

## AR 49

- (1) A person under the age of 18 years shall not have an interest whether by lease or a share in ownership or outright ownership in any racehorse.
- (2) No person shall enter or cause to be entered in any race, official trial or jump-out a racehorse in which a person under the age of 18 years has an interest whether by lease or a share in ownership or outright ownership.
- (3) Should any horse start in an official trial or race in contravention of sub-rule (2) then it may be disqualified for such official trial or race.

[AR 49 deleted and replaced 1/12/10]

**AR 50** All nominations and entries are subject to approval, and the Committee of any Club, or the Stewards, may decline to receive, or at any time after having received, reject any nomination or entry without giving any reason for so doing. If any nomination or entry be rejected under this Rule, the fees paid in respect thereof shall be refunded.

**AR 51** All declarations of forfeit, acceptance, non-acceptance, or withdrawal (sometimes called "scratching") shall be made before such time on such day as may be prescribed by the Committee of the Club. Unless varied by or in accordance with any Local Rule and except to the extent of any such variation, every such declaration shall be accompanied by the necessary fee or payment (if any) in

cash paid to the Secretary of the Club or person authorised by him. Any such declaration once made may not be withdrawn subject to any Local Rule in respect of postponed meetings. [amended 24/8/00]

**AR 51A** If permission to withdraw a horse is given after the scratching deadline time and before the release of the final list of scratchings, the Stewards may at their discretion permit the next available emergency acceptor to be included in the field. [added 1/9/09]

**AR 52** If the Secretary of the Club accept any entry without payment of the necessary fee or allow a horse whose subscription or stake has not been paid to start in a race he may be fined.

**AR 53** The Principal Racing Authority may direct that no Club shall receive:

- (a) Nominations by any person, or of any horse in which he is interested at the time of nomination.
  - (b) Nominations of any horse or horses owned by any person at the time of such direction, and may further direct that any such nominations already received be rejected.
- A horse the subject of any such direction shall not be eligible to run in any race in Australia without the permission of the Principal Racing Authority making the direction. Provided that any Principal Racing Authority may waive the application of this Rule within its own area in favour of a bona-fide lessee of a horse owned by a person suffering disabilities under this Rule, in which case the provisions of Rule 185 shall apply in the same manner as if such owner was a disqualified person.

[amended 30/4/03]

## BLEEDING ATTACKS

### AR 53A

- (1) An attack of bleeding shall be the appearance of blood at both nostrils, irrespective of quantity, unless in the opinion of the Stewards such bleeding was caused by external trauma.
- (2) If a horse suffers an attack of bleeding at any time the fact of such bleeding shall be reported by the Trainer without delay to the Stewards.
- (3) If any Principal Racing Authority advises in writing that any horse has suffered an attack or attacks of bleeding such advice shall be prima facie evidence that such horse has suffered an attack or attacks of bleeding. [amended 30/4/03]
- (4) A horse which has in the opinion of the Stewards suffered an attack of bleeding shall not without permission of the Stewards:
  - (a) be trained, exercised or galloped on any racecourse for a period of two months thereafter;
  - (b) start in any race for a period of three months, and then only after a satisfactory gallop of at least 1,000 metres in the presence of a Steward.
- (5) If a horse suffers more than one attack of bleeding such horse shall be ineligible to start in any race.
- (6) If a horse displays blood at one nostril, the trainer shall without delay report such occurrence to the Stewards. [added 1/12/05]
- (7) Unless the Stewards are satisfied that the presence of blood provided for in sub-rule (6) was attributable to external trauma, the horse shall before racing again be required to undergo a satisfactory gallop of at least 1,000 metres in the presence of a Steward. [added 1/12/05]

**AR 53B** Following a horse suffering a bleeding attack the Stewards shall:

- (a) record such bleeding attack and any related embargo imposed on the horse in the National Stewards Embargo Register, and also, if applicable, record such bleeding attack and any related embargo imposed on the horse in the horse's Document of Description which shall be presented by the trainer to the Stewards as soon as possible after the bleeding attack; and
- (b) record the National Stewards Embargo Register any subsequent permission given for the horse to resume racing, and also, if applicable, in the horse's Document of Description, which shall be presented as soon as possible by the trainer to the Stewards for that purpose.

[deleted and replaced 1/7/05]

**AR 53C** In the event of an entire horse being gelded or a female horse being spayed the owner of such horse or his agent shall, prior to nominating such horse for a race or official trial, or transferring the ownership of such horse:

- (a) notify the trainer, who shall submit a stable return reporting such change if a gelding; and
- (b) notify the Stewards or the Registrar, who shall –
  - (i) record such amendment in the records of the Registrar of Racehorses; and,
  - (ii) if applicable, amend the Document of Description of the horse concerned.

[AR 53C added 1/11/99; deleted and replaced 1/7/05; amended 1/9/09]

## STABLE RETURN/DESCRIPTION ON ENTRY

### AR 54

- (1) The trainer of a horse must within 48 hours of its entering or leaving his stable lodge a stable return containing such information as is required by the Principal Racing Authority; provided that if such horse has been or is to be nominated for a race or official trial such stable return must be lodged immediately. [amended 1/9/09]
- (2) If a horse trained outside Australia is entered for a race or official trial, a stable return for such horse must be lodged with the Principal Racing Authority no later than the time for the declaration of final acceptances for such race or the time for the closing of entries for such official trial. [amended 1/9/09]
- (3) When a stable return for a horse has been duly lodged the trainer shall immediately lodge an amended stable return when any particulars on the previous return have changed.
- (4) Any trainer who fails to lodge, in whole or in part, a stable return or any amendment thereof in accordance with the provisions of this rule may be penalised and the entry of such horse for any race or official trial may be rejected or cancelled. [amended 1/9/09]

[previous AR 54 deleted 1/7/05; new AR 54 adopted 1/10/06]

### LR 26 Identity of horses entered

- (1) **Persons to be satisfied as to identity:** A person entering a horse for any race or official trial or running such horse in any race or official trial must:
  - (a) **identity:** satisfy themselves, and when directed to do so the Stewards, as to the identity of the horse; and
  - (b) **description:** describe the horse in accordance with the particulars shown in the Document of Description when entering the horse.  
[amended 1/9/09]
- (2) **Stewards may require statutory declaration:**
  - (a) **Requirement:** Any person entering or having entered a horse for any race or official trial may be called upon by the Stewards to declare by statutory declaration the truth of all particulars contained in the entry.
  - (b) **Failure:** If a person fails to make a declaration required pursuant to paragraph (a) or if it is proved to the satisfaction of the Stewards that the declaration when made is in any respect untrue, then:
    - (i) the Stewards may declare that the entry of such horse is invalid;
    - (ii) such person may be penalised by the Stewards; and
    - (iii) all the fee in respect of such entry remains payable.  
[(2) amended 1/9/09]

### 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.

[added 1/8/16]

**AR 55** In entering a horse in several races closing simultaneously, it will be sufficient to give its name and description in one of the nominations and the name only in the others.

**AR 56** Every entry form or the stable return forming part thereof shall state:

- (i) the name or names of every person or persons having any share or interest in the ownership or lease of the horse shown therein;
- (ii) the name of the horse; and
- (iii) the name of the trainer (if any).

Provided that in the case of a leased horse it shall be sufficient to show the name or names of all the lessees of the horse and provided further that in the case of a horse nominated by a syndicate, the name of the syndicate and the nominated trustees or registered manager of the syndicate.

The nominator, trainer or any other person contravening this rule may be penalised by the Stewards. [amended 1/9/09]

### LR 27 Stable returns

- (1) **Forms part of entry:** A stable return and any amendment thereto on the authorised form provided for the purpose duly completed and lodged at the Office of a Principal Racing Authority is part of any entry for a race at a race meeting in Victoria, including a Picnic Race Meeting.
- (2) **Stable return essential for entry to race or official trial:**
  - (a) **Horse trained in Australia:** A horse trained in Australia may not be entered for a race or official trial unless its name and particulars have been included on a stable return and lodged with the Secretary of a Principal Racing Authority:
    - (i) before the closing time for entries for the race or official trial; or
    - (ii) if entries for a race close more than 60 days before the advertised date for the running of the race, at the time for the first declaration of acceptance for such race. If a stable return is not so lodged the entry is void.
  - (b) **Horse trained outside Australia:** An entry for a race or official trial for a horse trained outside Australia becomes void if a stable return for that horse is not lodged with the Secretary of a Principal Club by the time for declaration of final acceptances.  
[(2) amended 1/9/09]
- (3) **Amendments to stable returns:** The trainer must lodge an amendment to a stable return on the authorised form provided for the purpose if:
  - (a) any particulars on the stable return have changed; or
  - (b) a horse leaves or joins his or her stable.

**AR 56A** No horse, if in Australia, shall be entered for or run in any race, official trial or jump-out unless it is trained by a person with a licence or permit to train. Provided that this rule shall not apply to a horse entered for a race the entries for which close more than 60 days prior to the advertised date for the running of such race. Further provided that this rule shall not apply to any other race excepted under the Rules. [amended 30/4/03, 14/6/07, 1/8/08, 1/9/09]

### LR 27A Stabling prior to race

- (1) Where a horse has been entered for any race, unless the permission of the Stewards has been granted, from time of entry to arrival on course prior to racing, the horse in question shall be stabled only at the premises from which the horse's trainer is licensed to train.
- (2) Where a horse is entered for a race in which the entries close more than 60 days prior to the advertised date for the running of the race, sub-rule (1) shall not apply from the time of entry, but shall apply from the period commencing 6 days prior to the advertised date for the running of the race.
- (3) In this rule, a horse is "stabled" if it is stabled, yarded, or otherwise confined in any manner for any period of time, but does not apply to a horse that is being transported.
- (4) The trainer and any other person who was in charge of a horse at a time relevant to sub-rule (1) or (2) and who in the opinion

of the Stewards has breached, or was a party to breaching sub-rule (1) or (2) may be penalised, and the horse concerned may be withdrawn from the race or disqualified. [amended 1/9/09]

[LR 27A adopted 1/6/06]

**LR 28 Horse must be trained for 28 days before a race or official trial**

Unless prior permission has been obtained from the Stewards, a person must not enter or permit a horse to run in any race or official trial:

- (a) unless the horse has been trained for the period of 28 days immediately before the running of the race or official trial by a holder of a trainers' licence granted in a category specified under LR 35A(1A) excluding the holder of a Pre-Trainer licence; or
- (b) where, during the same period, the horse has been stabled overnight at:
  - (i) premises that are not licensed under the Rules; or
  - (ii) premises of the holder of a Pre-Trainer licence.

[LR 28 amended 1/6/06, 1/8/09, 1/9/09]

**AR 56B** Any person who, in the opinion of the Stewards, fails to declare any share or interest in, misrepresents or provides any misleading or inaccurate information regarding the ownership of a horse, or is a party to any breach of this rule, may be penalised by the Stewards and the horse may be disqualified. [amended 1/9/09]

**AR 57**

- (1) The manager may be removed or replaced by a memorandum signed by the joint owners or lessees or syndicate members representing a majority interest in the horse.
- (2) The manager of a horse shall, alone of the joint owners, lessees or syndicate members be entitled to:
  - (a) enter, nominate, accept or scratch such horse for any race;
  - (b) engage a jockey to ride such horse for any race;
  - (c) receive any prize money or trophy won by such horse; or
  - (d) act for and represent the joint owners, lessees or syndicate members in relation to the horse in all respects for the purpose of these Rules.
- (3) The entry or nomination of every such horse for any race shall state thereon the name of the manager.
- (4) The trainer of any such horse who enters, nominates, accepts or scratches such horse shall be deemed to have done so with the authority of the manager and all other nominators.

**AR 58** Full particulars in writing of every dealing or change of interest in respect of such horse or any appointment or change of trainer occurring after the entry and before the race for which such horse is entered shall be forthwith furnished by the nominator to the person with whom such entry was made.

**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.

[deleted 1/7/05, AR 59 added 1/9/13]

**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.

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

**AR 59B**

- (a) A licensed person who wishes to participate in racing in the territory of a Principal Racing Authority or a racing association other than that in which he last participated, shall obtain from the Principal Racing Authority or racing association concerned, or the stewards thereof, a certificate to the effect that he is under no disability.
- (b) In the event of a trainer wishing to race or official trial or jump-out a horse in a territory of a Principal Racing Authority or racing association other than that in which the horse last raced, shall obtain from the Principal Racing Authority or racing association concerned or the stewards thereof, a certificate to the effect that such horse is clear to race. [amended 1.9.09]
- (c) The certificate provided for in subrule (a) of this rule shall be submitted to the stewards as soon as possible after the person concerned has arrived in the territory of the Principal Racing Authority to which he has been cleared, and the certificate provided for in subrule (b) of this rule shall be submitted to the stewards at least one hour before the horse concerned is to take part in its first race or official trial or jump-out in the new area. [amended 1.9.09]
- (d) In the event of any non-compliance with the provisions of subrule (c) of this rule, the stewards may prevent the licensed person concerned from taking part in racing activities in their area, or may prevent the horse concerned from taking part in any race, official trial or jump-out in their area.

**AR 60** The nominator of a horse which has been registered as a racehorse outside Australia must provide in writing by entry closing time to the Principal Racing Authority in the area in which the horse is entered in to race:

- (a) In the case of a horse which has never started in a race, a statement to that effect;
- (b) In the case of a horse which had its last start in a race in an overseas country, a statement advising:
  - (i) the total number of starts;
  - (ii) the racecourse and date of each start;
  - (iii) the type of race and the distance;
  - (iv) the finishing position and the weight carried; and
  - (v) the total of the prizemoney offered for each race and the amount received for winning or being placed in any such race.

Details of performance in overseas countries must be certified by an official of the controlling body of racing in the territory overseas in which such horse last raced.

[amended 30/4/03]

**AR 61** No alteration or addition shall be made in any entry after the time fixed for closing without the authority of the Committee of the Club, or the Stewards as hereinafter provided.

**AR 62**

- (a) Any nomination or entry made contrary to these Rules shall be rejected as invalid, and the Committee of the Club or the Stewards may make such order as they think fit in respect of any stake or fee paid or payable; provided that the Committee of the Club or Stewards (if satisfied that the horse intended to be nominated or entered is sufficiently identified) may permit or order any error or omission whenever made in or from or relating to or affecting any nomination or entry to be corrected or made good at any time before the race in respect of which such nomination or entry was made.
- (b) Any such permission may be given and any such order may be made retrospectively.
- (c) Any person responsible for a nomination or entry contrary to these Rules may be penalised by the Principal Racing Authority or Stewards.

[amended 30/4/03, 1/9/09]

**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. [previous AR 63 deleted 1/10/07; new AR 63 added 1/9/09, amended 1/8/16]

#### AR 64

- (1) Without limiting any power contained in these Rules, the Stewards may prevent or suspend a horse from participating in track work, or from starting in any jump-out, official trial or race, for any period and upon any conditions that the Stewards consider appropriate if, in the Stewards' opinion:
  - (a) the horse has a galloping action or races in a manner which is likely to pose a safety risk to either itself, any other horse, or to any person;
  - (b) the horse has barrier manners which are considered to be unruly or intractable and/or which may pose a safety risk to itself or any other horse in a race or to any person.
- (2) Where the Stewards suspend or prevent a horse from starting in any jump-out, official trial or race for a temporary period in accordance with AR 64(1), the Stewards may also order that the horse not be permitted to be nominated or entered for any official trial or race (as applicable) until the horse has:
  - (a) participated to the satisfaction of the Stewards in any test, jump-out or official trial (or series of tests, jump-outs or official trials); and/or
  - (b) passed any veterinary examination or any other examination considered appropriate.

[AR 64 deleted 1/10/07, AR 64 added 1/2/14]

#### LR 29 Horses becoming ineligible after entry – Transfer to another race

The entry of any horse which becomes ineligible for a race between the time of entry closing and declaration of acceptance for that race must be transferred to the race of the next higher class at the same race meeting which does not vary by more than 200 metres from the distance of the race for which the horse was entered. If the horse transferred to a race is not declared as an acceptor for that race no fee will be charged. [amended 1/8/03]

[LR 29(2) deleted 1/8/03]

### PHYSICAL DISABILITIES AND UNFITNESS TO RACE

#### AR 64A

- (1) A horse that is totally blind in one eye is ineligible for any race, official trial, jump-out or trackwork.
- (2) A horse that has partially impaired vision is ineligible for any race, official trial, jump-out or trackwork unless the Stewards are satisfied on specialist veterinary evidence that the impairment does not constitute a danger to such horse or other participants in a race, official trial, jump-out or trackwork.
- (3) In the event of a horse being suspected of being blind or having impaired vision the owner of the horse or his agent shall as soon as practicable notify the Stewards, who shall then ensure that:
  - (a) details of the horse's impaired vision and any related embargo are recorded in the National Stewards Embargo Register; and,
  - (b) if applicable, details of the horse's impaired vision and any related embargo are recorded and are certified by the relevant veterinary surgeon on its Document of Description.
- (4) Any person who, in contravention of subrules (1) or (2) of this rule, enters or runs a horse in a race, official trial or jump-out or permits a horse to engage in trackwork, or fails to notify the Stewards as required by subrule (3), commits a breach of these Rules unless he proves to the satisfaction of the Stewards that he was not aware, and should not reasonably have been aware, that the horse has the blindness or impaired vision specified in this rule.

[AR 64A deleted and replaced 1/11/99, 1/7/05; amended 1/9/09]

#### AR 64B

- (1) A horse that has had a limb neurectomy or any artificial form of permanent limb desensitisation is ineligible for any race, official trial, jump-out or trackwork. [amended 14/6/07, 1/9/09]
- (2) A horse that has had any artificial form of temporary limb desensitisation is ineligible for any race, official trial, jump-out or to participate in trackwork for such time as the Stewards may specify. [added 14/6/07; amended 1/9/09]

- (3) Notwithstanding the provisions of sub-rule (1) of this rule, a horse that had a palmar digital neurectomy prior to 1st September 1999 is eligible to race provided that prior to 1st September 1999 the details of the surgery undergone have been endorsed on the Document of Description for the horse, and the Stewards have received and accepted from a qualified veterinarian a written certificate of fitness of the horse to race. [formerly (2), renumbered 14/6/07; amended 1/7/05]
- (4) In the event of a horse undergoing neurectomy surgery or any artificial form of permanent limb desensitisation the owner of the horse or his agent shall as soon as practicable notify the Stewards, who shall then ensure that:
  - (a) details of the surgery or artificial desensitisation and the horse's ineligibility to race are recorded in the National Stewards Embargo Register; and
  - (b) if applicable, the Document of Description for the horse is endorsed with details of the surgery or artificial desensitisation and the horse's ineligibility to race. [formerly (3), renumbered 14/6/07]

[AR 64B deleted and replaced 1/10/99]

**AR 64C** A horse which has had a tracheostomy, with or without a tracheotomy tube inserted, is ineligible for any race, official trial, jump-out or to participate in trackwork. [added 17/6/98; amended 1/9/09]

**AR 64D** If at any time the Stewards have reason to doubt the fitness of any horse to race they may declare such horse ineligible to race until such time as its fitness is established by such trial or test or examination as they may specify. [added 1/11/99]

#### AR 64E

- (1) No mare or filly shall race or take part in any official trial, jump-out or trackwork after day 120 of its pregnancy. [amended 1/9/09]
- (2) A trainer shall notify the Stewards in writing as soon as practicable:
  - (a) the pregnancy of any mare or filly in his charge; and
  - (b) the date of last service of such mare or filly. [added 1/11/99; amended 1/6/04]

#### AR 64F

- (1) A horse that has been subjected to a firing procedure in Australia is ineligible for any race, official trial, jump-out or trackwork. [amended 1/10/01, 1/9/09]
- (2) Notwithstanding the provisions of sub-rule (1) of this rule, a horse that was subjected to a firing procedure prior to 1st October 2001 is eligible to race provided that prior to 1st October 2001 it was inspected by the Stewards and the Document of Description for the horse was endorsed with the details of such firing.
- (3) In the event of a horse being subjected to a firing procedure the owner of the horse or his agent shall as soon as practicable notify the Stewards who shall then ensure that:
  - (a) details of the procedure and the horse's ineligibility to race are recorded in the National Stewards Embargo Register; and
  - (b) if applicable, the Document of Description of the horse is endorsed with details of the procedure and the horse's ineligibility to race. [added 1/10/01; amended 1/7/05]

#### AR 64G

- (1) A horse which is engaged to run in any race, official trial or jump-out must not be stomach-tubed without the permission of the Stewards:
  - (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, without the permission of the Stewards:
  - (a) stomach-tubes a horse;
  - (b) attempts to stomach-tube a horse;
  - (c) causes a horse to be stomach-tubed; or
  - (d) is a party to the stomach-tubing of a horse, or an attempt to stomach-tube a horse,

contrary to this rule, commits an offence and may be penalised.

- (3) Where the Stewards are satisfied that a horse has, or is likely to have been, stomach-tubed contrary to the provisions of this rule, the Stewards may prevent the horse from starting in any relevant race, official trial or jump-out.
- (4) Where a horse has been stomach-tubed contrary to this rule, the horse may be disqualified from any relevant race in which the horse competed.
- (5) For the purpose of this rule, "stomach-tubed" and variations of that term means any application to a horse of a naso-gastric tube.

[AR 64G deleted and replaced 1/9/13, 1/2/15]

#### 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).

[added 1/6/04, amended 1/1/13, deleted and replaced 1/8/16]

#### 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.

[adopted 1/7/05, deleted and replaced 1/7/14, 1/8/16]

#### 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.

[added 1/7/14, deleted and replaced 1/8/16]

#### AR 64K

- (1) The following animal diseases or conditions are declared to be notifiable, and must be notified and dealt with in accordance with subrules (2) to (8) of this rule:

African horse sickness  
Borna disease  
Contagious equine metritis  
Dourine  
Epizootic lymphangitis  
Equine encephalomyelitis (Eastern and Western)  
Equine encephalomyelitis (Venezuelan)  
Equine encephalosis  
Equine herpes-virus 1 (abortigenic and neurological strains)  
Equine infectious anaemia  
Equine influenza  
Equine piroplasmiasis (Babesiosis)  
Equine viral arteritis  
Getah virus  
Glanders  
Hendra virus  
Japanese encephalitis  
Potomac fever  
Screw-worm fly - New World (*Cochliomyia hominivorax*)  
Screw-worm fly - Old World (*Chrysomya bezziana*)  
Strangles  
Surra (*Trypanosoma evansi*)  
Trichinellosis  
Warble fly myiasis  
West Nile virus infection

[(1) deleted and replaced 1/9/09]

- (2) A person who owns or is in charge of, or has in his possession or control, a horse which the person suspects or should reasonably suspect is infected with a notifiable disease or condition, and who does not, as soon as possible after he should have suspected or became aware that the horse is infected, report the fact to the Principal Racing Authority in that State or Territory by the quickest means of communication available to the person is guilty of an offence.
- (3) A person who owns or is in charge of, or has in his possession or control, a horse which the person suspects or shall reasonably suspect is infected with a notifiable disease or condition must as far as practicable keep that horse separate from other horses or animals not so infected. A person who contravenes this sub-rule is guilty of an offence.
- (4) If they reasonably suspect any premises, place or area to be contaminated with a notifiable disease or condition, the Stewards may by order in writing declare it to be an infected place. Such written notice of an order declaring any premises, place or area to be an infected place must be given to the owner or person in charge or in apparent control of the premises, place or area to which the order relates.
- (5) If they reasonably suspect any vehicle to be contaminated with a notifiable disease or condition, the Stewards may by order in writing declare it to be an infected vehicle. Such written notice of an order declaring a vehicle to be an infected vehicle must be given to the owner or person in charge or in apparent control of the vehicle to which the order relates.
- (6) Any person (other than a person expressly authorised to do so by the Stewards) who brings, moves, takes or allows any person to bring, move, or take any animal, fodder or fitting into, within or out of any such premises, place, area or vehicle,

declared under sub-rules (4) or (5), or who causes, permits or assists any vehicle to enter or leave any such premises, place or area is guilty of an offence.

- (7) Without limiting their powers, the Stewards may attach conditions to an authorisation referred to in sub-rule (6) including conditions that the animal, fodder, fitting or vehicle to which the authorisation relates must first be disinfected to the satisfaction of the Stewards and in a manner specified by the Stewards before leaving or being taken out of the infected place or infected vehicle; and must not go or be brought to any other premises or place where any specified animals, fodder or fittings are located.
- (8) The Stewards may give any direction or order with respect to bio-security precautions that shall be taken by any person on licensed premises, or any person handling or riding racehorses. [amended and renumbered 1/9/09]
- (9) An order made under this Rule comes into effect on the day it is made. [renumbered 1/9/09]

[AR 64K adopted 27/8/07]

#### **LR 29A Compliance with AR 64K(8)**

During the period in which any direction or order with respect to biosecurity precautions are in place in accordance with AR 64K(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).

[LR 29A adopted 7/9/07; amended 1/9/09]

[LR 29AA deleted 1/10/13]

[LR 29AB deleted 1/10/13]

[LR 29AC deleted 1/10/13]

**AR 64L** A horse suffering from an infectious disease shall not be brought on a racecourse or training track. [added 1/06/11]

#### **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).

[added 1/08/14, replaced 1/8/16]

#### **AR 64N**

- (1) A trainer must not, without the express permission of the Principal Racing Authority (or the Stewards exercising powers delegated to them), enter or permit a horse that has been administered a dose of vaccine against, including but not limited to, equine herpesvirus 1 and 4, equine influenza, Hendra virus, strangles or tetanus, to participate in any race during the five clear days (as defined in AR 1) following midnight on the day the dose of vaccine was administered.
- (2) A trainer must ensure a record of any administration of a dose of 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 dose of vaccine, or the Stewards reasonably suspect that a horse has been administered a dose of vaccine, during the five clear days prior to the day of a race, the Stewards may order the withdrawal of the horse from the relevant race.
- (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 following Sunday (7th day of month).

[added 1/8/16, replaced 1/10/16]

**AR 65** The name of any horse disqualified by a Principal Racing Authority may be struck out of any engagements by the Secretary of any Club who has received any entry of such horse. [amended 30/4/03]

**AR 66** No person who has once subscribed to a stake shall be allowed to withdraw except as provided by these Rules.

**AR 67** A race shall be void when there is not more than one entry and forfeits and entrance moneys shall be returned.

**AR 68** It shall not be competent for the nominator of a horse in any subscription or entry to use any name other than his own, unless it is an assumed name which is registered by the Principal Racing Authority of the territory in which such horse is raced, or the syndicate name where the horse is owned or leased by a syndicate. [amended 30/4/03]

#### **AR 68A**

- (1) No person shall enter or cause to be entered a horse in a race with the primary purpose of affecting the weight to be allocated to any other horse entered in such race.
- (2) No person shall declare or cause to be declared any horse as an acceptor for a race with the primary purpose of affecting

either the weight allocated to any other horse that is accepted for such race or the total number of horses accepted for such race. [deleted and replaced 1/9/09]

- (3) Any person who, in the opinion of the Stewards, is guilty of a breach of this rule may be penalised and the nomination or acceptance for the horse may be rejected or cancelled. [amended 1/9/09]
- (4) If in the opinion of the Stewards there has been a breach of subrule (1) of this Rule, the Stewards may, if practicable, direct the handicapper to reissue a set of revised weights. [added 1/9/09]

[AR 68A amended 1/10/06]

## DECLARATIONS OF RIDERS

### LR 30A 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 Victoria no later than the following time (or such other time as the Directors may direct):
  - (a) at a time specified by Racing Victoria Limited 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. [original paragraph (b) rescinded 4/10/08]
- (2) **Failure to declare:** If the declaration of a rider is not made as required by LR 34A(1) the Stewards may do either or both of:
  - (a) order the withdrawal of the horse; and
  - (b) penalise the nominator or trainer. [amended 1/9/09]

### LR 30B Substitution of declared riders

- (1) **No substitution without Stewards' approval:** Once a rider has been declared no other rider may be substituted without the permission of the Stewards.
- (2) **Approval by the Stewards:** The Stewards may, having regard to the particular circumstances (including but not limited to the availability of riders), approve the substitution of:
  - (a) a Licensed Jockey for a Licensed Jockey;
  - (b) an Apprentice for an Apprentice (provided that an Apprentice who is not entitled to claim in the Metropolitan Area may not replace an Apprentice entitled to claim an allowance and vice versa);
  - (c) a Jockey for a non-claiming Apprentice and vice versa.

[LR 31A renumbered as LR 24BB effective 1/8/03]

[LR 31B renumbered as LR 24BBB effective 1/8/03]

## RIDERS FEES

### LR 32 Riders Fees

- (1) **Rides at race meetings:**
  - (a) If a horse (other than an emergency acceptor) is withdrawn before Final Scratching Time a rider who has been declared to ride such horse must be paid an engagement fee of an amount equal to the relevant riding fee payable in accordance with the Prescribed Fee Schedule.
  - (b) If a race is abandoned, no riding fee is payable to any rider engaged to ride in the race unless the rider has been officially weighed out to ride in such race.
  - (c) To the extent that Racing Victoria has and continues to pay the riding fees to jockeys and riders as described in the Prescribed Fee Schedule, those fees are paid on the behalf of owners to facilitate the engagement of rides by jockeys and riders. [amended 1/11/04; 8/3/12; 17/7/14]
- (2) **Fee for official trials:** The fees payable to jockeys and apprentices for rides in official trials conducted on any Course are as prescribed by the Directors and published in the Prescribed Fee Schedule. [amended 1/11/04, 1/9/09; 8/3/12]
- (3) **Picnic Riders – Remote Meeting Allowance:** An allowance will be payable to all Picnic Riders riding at a Picnic Race meeting conducted at a course more than 250 kilometres from Melbourne in an amount prescribed by the Directors and published in the Prescribed Fee Schedule. [adopted 1/11/04, amended 1/8/11; 8/3/12]

## SYNDICATES

**AR 69** A horse shall not be entered or raced except by:

- (a) A natural person, or a combination of not more than twenty natural persons.
- (b) A syndicate.
- (c) A combination of one or more registered syndicates and/or natural persons totalling in all not more than twenty.

Provided the syndicate has been registered in accordance with the Rules of Racing and complies with the Regulations. [AR69(c) amended 1/1/17, AR69 replaced 1/2/17]

**AR 69A** For the purpose of these Rules the word "syndicate" shall mean and include any one of the following owning or leasing a racehorse:

- (a) A company (as defined in AR 1).
- (b) A combination of persons not exceeding twenty (or fifty in the case of a horse racing syndicate entitled to exemption under ASIC Corporations (Horse Schemes) Instrument 2016/790 (or any instrument, regulation or class order that replaces or supersedes that Instrument)).[amended 1/2/17]
- (c) A firm (as defined in AR 1).
- (d) A stud (as defined in AR 1) which has been registered as a syndicate in the name of the stud.

**AR 69B** Every natural person who has a right to participate or an interest (whether actual, prospective or contingent) with a combination of persons not exceeding twenty:

- (i) In any undertaking or scheme relating to the racing of one or more horses; or
- (ii) In any common enterprise in relation to one or more horses in which he is led to expect benefit or advantage from the enterprise or the promoter of it; or
- (iii) In any arrangement in relation to one or more horses which in substance involves the investment of money in circumstances in which he will or may have an interest in one or more horses or any benefit or advantage from the racing of it;

shall be deemed to be a member of a syndicate and the syndicate shall be deemed to be the owner or lessee and to enter or race (as the case may be) the relevant horses.

**AR 69C** A horse may be entered or raced by a syndicate which has been registered on or after the 1st day of August, 1982, provided that the legal possession of the horse has been vested in a manager or that a company registered as a syndicate has appointed under seal a registered manager.

**AR 69D** A natural person only shall be nominated as the manager of a syndicate.

**AR 69E** The number of syndicates a natural person, company, firm or stud, shall be a member of or have an interest in may be determined by the Regulations.

**AR 69F** [rescinded 1/12/98]

**AR 69G** Application to register a Syndicate shall be made by lodging with a Principal Racing Authority a written application containing such information as is prescribed by the Regulations. No Syndicate name shall be registered or used which has not been approved by the Principal Racing Authority and the Registrar. [amended 30/4/03]

**AR 69H** The Australian Racing Board may from time to time make Regulations (in these Rules called "the Regulations") making such provision in relation to syndicates as it may deem appropriate in relation to the formation, conduct and termination of syndicates, and otherwise howsoever in respect of them. Without limiting the generality of the foregoing, it may make Regulations in respect of the following:

- (i) The information to be furnished to a Principal Racing Authority in relation to the registration of a syndicate;
- (ii) The form of Certificate of Registration to be issued in respect of a syndicate, the person to whom it is to be issued, and the person to have and retain the possession of the certificate;
- (iii) The representation of a syndicate for the purposes of the Rules of Racing;
- (iv) The name in which a syndicate may be registered and the powers of a Principal Racing Authority to

- register or refuse to register or require the alteration of the name of a syndicate;
- (v) The information to be furnished to a Principal Racing Authority in relation to each additional horse to be entered or raced by a syndicate;
  - (vi) The renewal or registration of a syndicate;
  - (vii) The details respecting a syndicate which are to be published in the Racing Calendar;
  - (viii) The mode and circumstances of cancellation of registration of a syndicate;
  - (ix) The service of notices upon or communications with a syndicate and the members of it;
  - (x) The termination of a syndicate and matters relating thereto;
  - (xi) Procedures upon any change in membership of a syndicate;
  - (xii) The fees to be paid in relation to a syndicate, with the level of those fees being as prescribed by the Board of RISA.

[AR 69H amended 5/7/02, 30/4/03, AR69H (xii) amended 1/11/11]

**AR 69I** No syndicate may be registered or continue to be registered if and while any horse owned or leased by the syndicate is under disqualification or if and while any member thereof is a person whose interest in any horse would, under the Rules, operate to prohibit such horse from being entered for or started in any race.

**AR 69J** Notwithstanding anything in these Rules, a Principal Racing Authority may at any time call upon the trustees or registered manager of a syndicate to show cause why the registration of the syndicate should not be cancelled or suspended. [amended 30/4/03]

**AR 69K** Every person or company committing a breach of any of the Rules relating to syndicates or of the Regulations made in relation thereto or who fails to comply with any of the requirements thereof may be penalised by the Principal Racing Authority or the Stewards who may also disqualify any horse owned or leased by the syndicate. [amended 30/4/03, 1/9/09]

**AR 69L** Every member of a syndicate shall in all respects and for all purposes be bound by these Rules and the Regulations irrespective of the nature or extent of the interests or rights of such members in the syndicate, and the provisions of any rules or constitution governing the syndicate or any agreement or stipulation as between the members of the syndicate.

**AR 69M** A Principal Racing Authority shall not have any responsibility for the due observance by the persons concerned of any syndicate agreement or any other instrument relating to a syndicate or for the performance of any legal or equitable obligations of any members of a syndicate. [amended 30/4/03]

**AR 69N** If but for the provisions of this Rule a horse would under these Rules be ineligible for a race by reason of the interest of a person who is a member of a company, combination, firm or stud, registered as a syndicate which is the owner or lessee of such horse and such horse has started in a race at a meeting or is nominated for a race at a meeting, then the Committee of the Club conducting the meeting or the Stewards officiating at it may (after considering the circumstances associated with that ownership leasing or membership and such other circumstances that they may consider relevant) rule that the horse was eligible for the race in which it started or is eligible for the race for which it is nominated, whereupon notwithstanding anything in these Rules, the horse will be eligible for the race, but if the horse has won or wins prize money the proportion of that prize to which such person would otherwise be entitled shall be retained by and become the property of the Club conducting the meeting.

**AR 69O** In cases where a syndicate has owned, part owned or leased a horse, and that syndicate now wishes to own, part own or lease a subsequent horse, a separate notification must be lodged in respect of each subsequent horse and each notification must be accompanied by the fee prescribed from time to time by the Board of RISA. No Application to Register a Racehorse, endorse a Transfer or record a Lease will be accepted unless accompanied by the separate notification form, together with the prescribed fee. [amended 1/11/11]

**AR 69P**

- (i) Any person or persons wishing to make an offer to promote shares in a racehorse or racehorses must hold an Australian Financial Services Licence issued

by the Australian Securities and Investments Commission.

- (ii) Prior to an offer of shares being made the holder of an Australian Financial Services Licence must be recorded in the Register of Promoters held by the Principal Racing Authority.
- (iii) Promoters must obtain approval from the Principal Racing Authority for each Product Disclosure Statement prior to an offer being made.
- (iv) Any Principal Racing Authority which records a promoter shall notify the same to the Registrar of Racehorses within fourteen (14) days.

[amended 30/4/03, 1/8/07, 1/10/08]

**SYNDICATE REGULATIONS**

- (a) The members of a syndicate may apply to the Principal Racing Authority for approval to race a horse. [amended 30/4/03]
- (b) Application shall be made in writing in the prescribed form signed by all members of the syndicate and where a company is an applicant or member of a syndicate under the seal of such company and shall be accompanied by:
  - (i) a copy of the syndicate agreement (except where a company is the sole applicant);
  - (ii) [deleted 1/3/88]
  - (iii) an address to be the registered address for the syndicate;
  - (iv) the prescribed fee;
  - (v) details of registration of the syndicate by any other Principal Racing Authority;
  - (vi) in the case of a firm or business name a copy of the Certificate of Registration of same and any renewal thereof.
 [amended 30/4/03]
- (c) The syndicate agreement shall be in a form prescribed by the Principal Racing Authority to which the application is made and shall contain the following:
  - (i) the name and address and date of birth of each member and the share of each member in the horse;
  - (ii) a statement setting out all financial arrangements agreed between the members and in particular the method of calculating and the timing of payment of any contributions due from members toward racing, training and other expenses;
  - (iii) provision for the appointment of a manager in whom the legal possession of the horse is to be vested for the syndicate;
  - (iv) a declaration that each member has read the Australian Rules of Racing and the regulations concerning syndicates and interests in horses and any Local Rules of the Principal Racing Authority to which the application is made relating thereto, and that except for traffic convictions involving a fine, had not been convicted of any criminal offence;
  - (v) a term imposing on a manager in whom legal possession of the horse is vested an obligation to keep proper books of account and to send to each member of the syndicate a copy of the accounts each and every three months and to send each member an audited copy of the annual accounts;
  - (vi) any other provisions that the Committee of the Principal Racing Authority considers desirable either generally or in particular cases.
 [amended 30/4/03]
- (d) An application for approval by a company to race a horse shall be made in the prescribed form and shall be accompanied by copies of:
  - (i) Certificate of Incorporation;
  - (ii) If the company has a constitution, that constitution;
  - (iii) the name and address of each director and his date of birth;
  - (iv) the name and address of each member; and
  - (v) the address of the registered office;
 and by the prescribed fee.

The Principal Racing Authority to which the application is made may in its discretion and to the extent it considers appropriate dispense with the requirement to submit the



names and addresses of members. [regulation (d) amended 5/7/02, 30/4/03]

- (e) The Principal Racing Authority shall have complete discretion whether to approve any syndicate as the owner or lessee of a horse or any members thereof as lessees or manager of a horse for the syndicate or in the case of a company the Registered manager thereof but it shall refuse to approve a syndicate of which any member is a disqualified person. [amended 30/4/03]
- (f) Every syndicate agreement approved by the Principal Racing Authority and any other instrument that the Principal Racing Authority considers desirable either generally or in a particular case shall be registered by the secretary of that Principal Racing Authority. The name of every company and of every person approved to be the Registered manager for a company and the manager of any syndicate not being a company shall be registered by the secretary of the Principal Racing Authority and published in the Racing Calendar. A Certificate of Registration shall be issued to the manager of every syndicate. [amended 30/4/03]
- (g) A Principal Racing Authority may in its absolute discretion at any time and without assigning any reason suspend or cancel the registration of a syndicate.

Without prejudice to the foregoing registration shall be cancelled if:

- (i) any member registered manager director or officer of the syndicate is or becomes a disqualified person or a person whose interest in a horse would, under these Rules, operate to prohibit the horse from being entered for or starting in a race;
- (ii) the manager of the syndicate or any member thereof fails to supply to the Principal Racing Authority or its Stewards within a stipulated time such information as the Principal Racing Authority (or the Stewards at the direction of the Principal Racing Authority) may require;
- (iii) being a company registered alone as a syndicate:
  - (a) a winding up order is made or a receiver, receiver and manager or official manager is appointed in respect of it;
  - (b) any Registered manager for or officer of the company fails to supply to the Principal Racing Authority or its Stewards within a stipulated time such information as the Principal Racing Authority (or the Stewards at the direction of the Principal Racing Authority) may require.

[amended 30/4/03]

- (h) The registration of a syndicate will not be affected by the fact that:
  - (i) a member of the syndicate other than the manager of the horse for the syndicate has disposed of the whole or part of his share since the agreement was registered, provided that no share of any one such member is disposed of more than once in any period of 28 days and provided that notification of each such disposition signed by the transferor and the transferee and containing a declaration by the transferee that he possesses a copy of the syndicate agreement and that he has read the Australian Rules of Racing and the Regulations concerning syndicates and interests in horses and any Local Rules of the Principal Racing Authority by which the syndicate is registered relating thereto is lodged with the Principal Racing Authority within seven days of the disposition; or
  - (ii) a member of the syndicate has died, provided that written notification of death is lodged with the Principal Racing Authority within 28 days; and provided further that if the Principal Racing Authority by notice sent to the registered address of the syndicate calls for a new formal agreement to be lodged with the Principal Racing Authority for approval, then at the expiration of 28 days after the date of the notice or such other period that the notice may prescribe the registration of the agreement previously lodged shall be cancelled;
  - (iii) there has occurred any changes of the directors and of the shareholders of a company registered as a

syndicate or of the members of a syndicate not being a company providing that notification thereof shall be made to the Principal Racing Authority within 28 days and shall be published in the Racing Calendar provided however the Principal Racing Authority may in its discretion and to the extent it considers appropriate dispense with this requirement.

[amended 30/4/03]

- (i) (1) The registration of a syndicate may be cancelled by the Principal Racing Authority upon written application by the manager of the syndicate or a company registered as a syndicate if the Principal Racing Authority is satisfied:
  - (a) that the manager has given written notice, addressed to each member, at their last known respective address by means of a certified mail letter of the application;
  - (b) after the expiration of one month from such notice having been given, members holding an interest of not less than twenty-five percent in the syndicate have given notice in writing to the Principal Racing Authority of their objection.
- (2) The registration of a syndicate shall be cancelled by the Principal Racing Authority if the syndicate has so resolved by resolution passed by members holding an interest of at least seventy-five percent in the syndicate.

[(i) amended 30/4/03]

- (j) Notice of the suspension cancellation or reinstatement of the registration of a syndicate shall be given in the Racing Calendar and that publication shall be deemed sufficient notice to all members and other persons.
- (k) Application for renewal of registration of a syndicate shall be made annually prior to the 1st August. The syndicate shall provide such information as the Principal Racing Authority requires and shall pay the prescribed renewal fee [amended 30/4/03].

**AR 70** [rescinded 6/4/80]

## **DEATH OF NOMINATOR**

**AR 71**

- (a) If a horse be entered or nominated for a race and the nominator shall die after such entry and before the race, such entry shall not become void, but the representatives of the person so dying, or the person or persons who become entitled to the horse in consequence of such death, or any purchaser of the horse from such representatives, or from the person or persons so becoming entitled to the horse as hereinbefore mentioned, shall, within such time in each particular case as the Principal Racing Authority consider reasonable, register with the Secretary of the Principal Racing Authority of the territory in which such race is to be run the fact of such change of ownership.
- (b) Thereupon the said representatives, or person or persons so becoming entitled as aforesaid, or the said purchaser shall, subject to the approval of such Principal Racing Authority be regarded as the nominator of such horse and shall become entitled to the same rights and benefits and subject to the same liabilities and payments as the person who made such entry had he continued to live.
- (c) Unless or until such change of ownership is registered every horse for which any forfeit is unpaid after its nominator's death shall be placed in the Forfeit List without mentioning the nominator's name.
- (d) If a person enter or run for any race any horse previously nominated by a deceased nominator he shall be considered thereby to have taken upon himself all such horse's engagements, his name shall be substituted for that of the nominator, he shall be liable for all forfeits on account of such horse, and his name may be placed in the Forfeit List in respect thereof.

[amended 30/4/03]

## STAKES AND FORFEITS

**AR 72** A person entering a horse for a race thereby becomes liable for the entrance money and stake or forfeit; but no forfeit or sum which falls due after the death of such horse shall be payable.

### AR 73

- (1) The Stewards may order the withdrawal of any horse from a race if, 45 minutes before the time appointed for the starting of the race or such earlier time as may be specified by the Local Rules or race conditions, there remains unpaid:
  - (a) any subscription, stake or fee which, in accordance with the race conditions or the Local Rules or any arrangements established by the Principal Racing Authority pursuant to the Local Rules, is required to be paid before the race; or
  - (b) any arrears due from any person for such horse; or
  - (c) any arrears due for the same or any other horse from any person by whom such horse is wholly or partly owned, or in whose name or under whose subscription it is entered.
- (2) In this rule, "arrears" includes:
  - (a) any sum payable as subscriptions, fines, fees, stakes or forfeits in respect of any race at the same or any other race meeting conducted under the Rules of any Principal Racing Authority; and
  - (b) any sum in respect of which a person has been declared a defaulter or placed on the Forfeit List.

[rule deleted and replaced 24/8/00; amended 30/4/03]

### LR 33A Payment of Arrears

For the purposes of AR 73, all arrears within the meaning of AR 73 must be duly paid within the terms as set out from time to time by Racing Victoria. If arrears remain unpaid Racing Victoria may in its absolute discretion reject nominations and acceptances. [amended 1/8/03]

**AR 74** The Committee of any Club shall not be responsible to the winner of any race for the stakes or forfeits therein, except in cases where the same may be made payable at the time of closing the entries.

## THE FORFEIT LIST

**AR 75** A Forfeit List shall be kept at the office of the Principal Racing Authority, and shall from time to time be published in the Calendar and transmitted with all additions thereto to other Principal Racing Authorities, Associations and such other Clubs or bodies as the Principal Racing Authority may think fit. It shall include all due and unpaid subscriptions, fines, fees, stakes, forfeits (except fees payable on entry) and prize money recoverable and unpaid under AR 173 and shall state the names and also the assumed name (if any) of the persons from whom, and the horses (if any) in respect of which the same are due. Fines, subscriptions, fees, stakes, forfeits and prize money recoverable and unpaid under AR 173 which have been placed in the Forfeit List must be paid directly into the office of the Principal Racing Authority, and until so paid they shall not be removed from the List. Forfeits and other liabilities herein mentioned incurred at any meeting in any other territory or country may be included in the list by the authority of the Principal Racing Authority. [amended 30/4/03]

### AR 76

- (a) So long as any person is in the Forfeit List, he shall be subject to the same disabilities and penalties as are declared by Rule 182 to apply to persons who are disqualified.
- (b) So long as any horse is in the Forfeit List, such horse shall not be entered or run for any race, or be trained upon any course where these Rules are in force.

**AR 77** If a horse which, or nominator of which is in the Forfeit List, be entered for any race, the person entering such horse may be fined.

### LR 33B Revocation of licence or permit for unpaid fines

The Directors may cancel or revoke the licence or permit granted to any person who has not paid any fine imposed upon them under the Rules within thirty days after the date on which the fine is due and payable.

## SALE WITH ENGAGEMENTS

**AR 78** In the following rule reference to sale includes a gift or other transfer of ownership or, where the context permits, a lease.

### AR 79

- (a) In the absence of any agreement to the contrary, and subject to any Local Rules, horses shall be taken to be sold with their engagements. Such sale shall be registered in accordance with the Rules and the transfer of the engagements shall be submitted to the Committee of the Club or to the Stewards for approval. If such approval be granted the vendor's liability shall cease and the purchaser shall thereupon become liable for all payments in respect of such engagements.
- (b) If the approval of the Committee or Stewards shall not have been obtained as aforesaid with respect to any engagement within fourteen days of the vendor having requested the purchaser in writing to obtain such approval the vendor may upon payment of all forfeits then due strike the horse out of such engagements.

## REGISTRATION OF RACING COLOURS

### LR 34A Racing colours must be registered

- (1) **Registration essential:** Except with the special consent of the Stewards officiating at the race meeting, a horse may not start in a race unless the jockey or rider of the horse is wearing racing colours registered by any of:
  - (a) Racing Victoria;
  - (b) another Principal Racing Authority; or
  - (c) the controlling body of racing in an overseas territory in which the horse commonly or ordinarily races.
- (2) **Notification on entry:** the entry of a horse for a race must include:
  - (a) the registration number of the racing colours; or
  - (b) in the case of racing colours registered outside Australia, other proof of registration of the racing colours as required by the foregoing LR 34A(1) acceptable to the Stewards.

### LR 34B Registration by Racing Victoria

- (1) **Colours generally:** Subject to LR 64, Racing Victoria may, subject to payment by the applicant of such registration fees as are prescribed by the Directors from time to time, and published in the Prescribed Fee Schedule, register:
  - (a) racing colours not registered in the name of any other person; and
  - (b) the exclusive right of a person to use such racing colours. [added 8/3/12]
- (2) **Certain commercial logos, etc:** Without limiting the generality of LR 34B(1) and notwithstanding LR 64, Racing Victoria may, subject to payment by the applicant of a registration fee as published in the Prescribed Fee Schedule, register:
  - (a) as racing colours any trademark, logo, design or other distinguishing pattern, colour or feature promoting or associated with any racing stable, licensed syndicator or Stud and not with any other business enterprise or undertaking; and
  - (b) the exclusive right of the relevant racing stable, licensed syndicator or Stud to use such racing colours. [amended 8/3/12]
- (3) **Registration may be refused or conditional:** Racing Victoria may in its absolute discretion:
  - (a) refuse to register any racing colours; or
  - (b) register racing colours subject to such terms and conditions as Racing Victoria thinks fit.
- (4) **Expiration and renewal:** Registration by Racing Victoria of racing colours and of the exclusive right of a person to use such racing colours expire on the day that is one year, or such longer period as Racing Victoria may direct from time to time, after the last preceding date of such registration, but such registration may be renewed by Racing Victoria pursuant to LR 34B(1) or LR 34B(2).
- (5) **Transfer on death of registered user:** Where the registered user of registered racing colours is a natural person, the personal representative of such a deceased registered user of

registered racing colours may with the consent of Racing Victoria:

- (a) become the registered user of those racing colours; and
- (b) transfer the registration of such racing colours and of the right to use the racing colours to a relative of the deceased.

- (6) **Cancellation of registration:** Racing Victoria may at any time for any reason cancel the registration of any racing colours and of the right of any person to use any racing colours including, without limiting the generality of the foregoing, if the racing colours have not been and are not being used as racing colours in accordance with the Rules and to the satisfaction of Racing Victoria.

#### LR 34C Same or similar racing colours

- (1) **Declared at time of entry:** If two or more persons declare the same or similar racing colours at the time of entry, the Stewards concerned may:
- (a) decide who may use the racing colours; and
  - (b) direct the other person or persons to ensure that the rider of the horse nominated by them use other racing colours or carry some distinguishing mark as ordered by the Stewards.
- (2) **Riders presenting to ride:** If two or more riders presenting to ride in any race are wearing the same or similar racing colours, the Stewards concerned may:
- (a) decide which rider may wear the racing colours; and
  - (b) direct that the other rider or riders are to use other racing colours or to carry some distinguishing mark as directed by the Stewards.

#### LR 34D Offences

- (1) **Declaring colours on entry:** A person must not in entering a horse declare:
- (a) unregistered racing colours; or
  - (b) registered racing colours without the permission of the registered user of the racing colours.
- (2) **Rider presenting to race:** The trainer or other person in control of a horse at a race meeting may be penalised if the rider presents for a race in racing colours:
- (a) that are not registered; or
  - (b) are other than those declared at the time of entry of the horse for the race.
- [amended 1/9/09]

### TRAINERS

#### LR 35A Licences

- (1) **Applications:** An application to the Directors for the grant of a licence to train must:
- (a) be in such form;
  - (b) provide such information; and
  - (c) be accompanied by such fee, as is prescribed and published in the Prescribed Fee Schedule in respect of the category of licence applied for.
- [amended 1/8/09; added 8/3/12]
- (1A) **Categories:** An application for the grant of a licence to train may be made for the following categories of trainer:
- (a) Pre-Trainer;
  - (b) Restricted;
  - (c) General;
  - (d) General A;
  - (e) Training Partnership (being up to 3 persons);
  - (f) Visiting General A Trainer;
  - (g) Visiting General Trainer;
  - (h) Visiting Restricted Trainer;
  - (i) Visiting Pre-Trainer;
  - (j) Visiting International Trainer; and
  - (k) Any other category as Racing Victoria allows from time to time.
- [added 1/8/09, amended 1/7/16]
- (2) **Persons ineligible:** A person may not be granted or hold a licence to train if the person is:
- (a) the holder of a licence or approval to ride at race meetings under the Rules, except that a person approved to ride at Picnic Race Meetings may be granted and hold a Pre-Trainer or Restricted Trainer licence and that a holder of a Jockey-A Cross-Country licence or Jockey-B Cross-

Country licence may be granted and hold a Pre-Trainer licence [LR 35A (2)(a) amended 6/2/14];

- (b) licensed or registered as, or carries on the vocation of, a bookmaker or riders agent; or
- (c) the holder of an office or position specified in paragraph (b) of LR 15.

[amended 1/8/09, 9/12/10]

- (3) **Directors may prescribe certain pre-requisites, requirements qualifications and training units:** The Directors may from time to time prepare and cause to be published on the Racing Victoria website the Racing Victoria Trainer Licensing Policy which shall prescribe:
- (a) educational qualifications, training units and experience levels which must be attained as a pre-requisite to the grant of a licence to train; or
  - (b) any other pre-requisite or requirement for the grant of a licence to train as deemed appropriate,
- in relation to each of the licence categories referred to in LR 35A(1A). [amended 1/8/09]
- (4) **Relief from requirements:** The Directors may, in exceptional circumstances and in their discretion, relieve an applicant for a licence to train from any of the requirements made pursuant to LR 35A(3). [amended 1/8/09, 1/10/09]
- (5) **Grant or Refusal to Grant Licence to Train:** Having received an application under LR 35A(1), the Directors may:
- (a) refuse to grant a licence to train; or
  - (b) grant a licence to train subject to such terms and conditions as the Directors think fit.
- [amended 1/8/09]
- (6) **Revocation:** The Directors may, at any time, revoke or vary the terms of a licence to train granted by them, including, without limitation, where the holder of the licence:
- (a) is not actively using the licence; or
  - (b) ceases to meet the requirements to be granted a licence in accordance with the Rules and the Racing Victoria Trainer Licensing Policy referred to at LR 35A(3); or
  - (c) breaches any term or condition on that person's licence to train.
- [amended 1/8/09]
- (7) **Term of licence:** All licenses to train expire on the 31 July next after issue unless:
- (a) revoked in accordance with LR 35A(6);
  - (b) cancelled;
  - (c) suspended;
  - (d) disqualified; or
  - (e) otherwise provided for in the terms and conditions of a trainer's licence.
- [added 1/8/09]

#### LR 35B Requirements for grant of licence to train

It is a pre-requisite to the grant to a person of a licence to train that the person meets the requirements set out in the Racing Victoria Trainer Licensing Policy referred to in LR 35A(3). [amended 1/8/06, 5/3/07, 1/8/09]

#### LR 35C [deleted 1/8/09]

#### LR 35D Trainers to advise of certain circumstances

- (1) **Trainers unable to attend race meeting:** A Trainer who is unable to attend a race meeting held in Victoria at which horses trained by him or her are to be racing must lodge in writing with the Stewards attending the meeting the name of a person who is the holder of a licence to train or is registered under these rules as a trainers' assistant, who will act on the trainer's behalf at the race meeting in his or her absence. [amended 1/8/09]
- (2) **Trainer leaving Victoria:** Before leaving Victoria, a trainer holding a licence granted by the Directors must nominate in writing to Racing Victoria:
- (a) the period of his or her proposed absence; and
  - (b) the name of a licensed trainer or trainers' assistant who has consented in writing to such nomination who is to be left in charge of the racehorses trained by him or her during such period. [amended 1/8/09]
- (3) **Change of residence or location of stables:** A trainer must notify Racing Victoria forthwith in writing upon changing:
- (a) his or her place of residence; or

- (b) the location of his or her stables, and the Directors may if they see fit as a result of such notification review his or her licence.

[amended 1/8/09]

**(4) Material change in circumstances from time of application for licence or renewal of licence:** A trainer must notify Racing Victoria as soon as practicable in the event that:

- (a) the trainer ceases to train;
- (b) the trainer ceases to meet the requirements set out in the Racing Victoria Trainer Licensing Policy relevant to the category of licence granted to the trainer, including where:
- (i) a material or significant change occurs in the trainer's financial affairs which may adversely affect the capacity of the trainer to pay his or her debts when they fall due;
- (ii) the trainer (or training partnership) ceases to train the required minimum or maximum number of horses;
- (c) the trainer ceases to meet any condition stipulated in the grant or continuation of the licence;
- (d) the trainer is charged with an indictable criminal offence; or
- (e) the trainer is convicted of an indictable criminal offence.

[(4) added 1/8/09]

### LR 35E Trainer to keep wages book

- (1) **Obligation to keep:** A trainer must keep a wages book in which:
- (a) the name, class of employment and earnings of each employee, whether Jockey, Apprentice, stablehand or person otherwise engaged in connection with racehorses is regularly entered; and
- (b) each employee by his or her signature receipts such earnings.
- (2) **Inspection:** Every trainer must make the wages book available for inspection on demand by the Stewards or a person authorised in writing by the Secretary of Racing Victoria.

### LR 35F Training Partnerships

- (1) Two trainers who have been granted a licence to train under LR 35A may be given permission to train in partnership with one another. [amended 1/10/09]
- (2) Trainers who have permission to train in partnership:
- (a) must not train any horses as individuals or in another training partnership;
- (b) share all responsibilities, duties and obligations under the Rules in regard to the training of racehorses.
- (3) An application for permission to train in a partnership shall:
- (a) be in such form;
- (b) provide such information; and
- (c) be accompanied by such fee as is prescribed by the Directors and published in the Prescribed Fee Schedule. [added 8/3/12]
- (4) The Directors may in their absolute discretion relieve applicants for permission to train in partnership from the preconditions set out in this Rule.
- (5) 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) 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) 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) Where there has been a breach of the Rules by one or both of the trainers training in partnership, then both trainers shall be deemed jointly and severally responsible and may be charged and penalised accordingly. [amended 1/9/09]

- (9) 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. [amended 1/9/09]

- (10) Sub-rules (8) and (9) do not apply where the relevant breach or penalty imposed:

- (a) does not relate in any way to the training of racehorses; or
- (b) involves conduct of a kind that may be subject to a penalty under AR 175(a).

[amended 1/9/09]

[LR 35F adopted 1/8/06 (previous LR 35F rescinded 1/12/05); amended as stated]

### LR 35G 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 35G(1), the trainer will have complied with that rule by recording on the form prescribed by the Principal Racing Authority 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 35G(1) will have been satisfied where the form referred to in LR 35G(2) has been completed in respect of that pre-trainer once in a twelve month period. [added 11/4/12]

### LR 35H: Horses must not be led from a motor vehicle

A trainer:

- (1) must not, while driving a motor vehicle on a road, lead a horse from the motor vehicle, including by tethering the horse to the motor vehicle; or
- (2) who is a passenger in, or on any part of, a motor vehicle must not lead a horse while the motor vehicle is moving on a public road.

For the purposes of this Rule, "motor vehicle" and "road" have the same meaning as defined in the *Road Safety Act 1986* (Vic).

[added 11/4/12]

### TRAINERS

**AR 80** A trainer temporarily visiting the territory of another Principal Racing Authority may, with the permission of that Authority, for the period of one month from arrival, or such further period as such Principal Racing Authority may allow, train a horse or horses in that territory. [amended 30/4/03, 1/8/08]

**AR 80A** Any person training horses under the provisions of AR 80 shall comply with the conditions of licence currently applying in the territory in which such person is visiting.

**AR 80B** A trainer who does not ordinarily reside in the territory of the Principal Racing Authority where he has a race horse or race horses trained by him and in training within the territory of the said Principal Racing Authority shall be deemed to be personally in charge of such race horse or horses at all times. He may from time to time notify the said Principal Racing Authority in writing of the name of a licensed person who is for the purpose and for the period notified to be left in charge thereof and he shall do so for any period

during which he is not personally within the territory of the said Principal Racing Authority. The person so nominated must be a person licensed by the said Principal Racing Authority who himself has consented in writing to be so nominated. Both the trainer and his nominee shall be bound by all the rules and regulations of the said Principal Racing Authority. [amended 30/4/03]

**AR 80C** Every horse competing at a race meeting shall be attended at all times while it is on the course at such meeting. In the event of a breach of this Rule the trainer may be penalised.

**AR 80D** A trainer must ensure that every horse that is being led or ridden outside his stable premises in a public roadway or thoroughfare prior to sunrise wears a rug or other gear with reflective strips and that its rider or attendant wears a reflective vest of a design approved by the Stewards. Any person breaching this rule or found responsible for a breach of this rule may be penalised. [adopted 1/3/05; amended 1/9/09]

#### **AR 80E**

- (1) Any person commits an offence if he has in his possession or on his premises any substance or preparation that has not been registered or labelled, or prescribed, dispensed or obtained, in compliance with the relevant State or Commonwealth legislation.
- (2) The Stewards may take possession of any substance or preparation mentioned in sub-rule (1), and may use it as evidence in any relevant proceedings.

[AR 80E adopted 1/12/05]

#### **AR 80F**

- (1) A trainer shall not, without having made written application and obtained the consent of the Stewards, stable any horse trained by him in any location other than his registered stable address as notified on his current licence renewal or application form. [amended 1/8/08]
- (2) Any person found in breach of this rule may be penalised and the nomination of the horse concerned may be refused. [amended 1/9/09]

[AR 80F adopted 14/6/07]

#### **AR 80G**

- (1) A Principal Racing Authority may license up to three persons to train as a training partnership.
- (2) Persons who train as a training partnership share all responsibilities, duties, obligations and rights provided by the Rules in relation to the training of racehorses.
- (3) A person who is licensed to train as a member of a training partnership shall not train as an individual or in another training partnership in Australia or elsewhere.
- (4) Notwithstanding AR 80, a training partnership permanently training horses in more than one state or territory must be licensed to do so by the Principal Racing Authority in each relevant jurisdiction.
- (5) A minimum number of horses as determined by the relevant Principal Racing Authority shall be trained by a training partnership.
- (6) If one person in a training partnership commits a breach of the Rules then all persons in the training partnership shall be deemed jointly and severally responsible and may be penalised accordingly.
- (7) Sub-rule (6) may not apply if a person satisfies the Stewards that the relevant breach of the Rules does not relate directly to the training of racehorses. [paragraph (b) deleted 1/10/08]
- (8) A trainer must inform the Stewards in writing prior to withdrawing from or dissolving a training partnership. Upon receipt of such advice, the Stewards may order that horses trained by the partnership shall not race, official trial or jump-out until they are satisfied that such horses are being trained in accordance with the Rules. [amended 1/9/09]

[AR 80G adopted 1/8/08]

## **JOCKEYS AND RIDERS**

### **AR 81**

- (1) No person shall ride in a race held under these Rules unless he holds the appropriate qualification granted in accordance with the Local Rules of the Principal Racing Authority in whose territory the race is run. [deleted and replaced 1/5/02; amended 30/4/03]
- (2) Subject to any Local Rule, the Stewards of a meeting may grant permission to ride to any visiting rider at such meeting who holds a licence or permit to ride from the Principal Racing Authority or an Association in the territory from which he comes, and who produces a certificate that he is not disqualified or suspended from the Principal Racing Authority or Association under the jurisdiction of which he last rode. [amended 30/4/03]
- (3) A visiting rider who holds a licence or a permit to ride issued by an overseas racing authority may be permitted to ride, subject to any conditions or restrictions a Principal Racing Authority or its stewards may in their discretion impose. [amended 30/4/03]
- (4) It shall be a condition precedent to the granting under this Rule of any licence or permit or permission to ride that the applicant undertakes to submit, prior to, during or after fulfilling his riding engagement in any race, official trial, jump-out or riding trackwork to any tests that are intended to detect in his body the presence of any alcohol or drug or its metabolites or artifacts. [amended 1/9/09]

### **LR 36A Persons permitted to ride in races**

A person must not ride in a race at any race meeting (unless such meeting has been exempted from the operation of this Rule) unless that person is:

- (a) licensed as a jockey by the Directors;
- (b) permitted to ride at specified race meetings by an Official empowered by the Directors to permit jockeys to ride at such meetings; or
- (c) an Apprentice who has obtained a permit from the Directors to ride in races.

[amended 1/7/16]

### **LR 36B Licences and permits**

- (1) **Application:** Requirements for grant of a licence to ride: An application to the Directors for the grant or renewal of a licence or permit to ride must meet the requirements set out in the Racing Victoria Jockey Licensing Policy (as amended from time to time).
- (2) **Categories:** An application for the grant of a licence or permit to ride may be made for the following categories of jockey:
  - (a) Jockey;
  - (b) Jumps Jockey 'A';
  - (c) Jumps Jockey 'B';
  - (d) Picnic Jockey;
  - (e) Apprentice Jockey;
  - (f) Visiting Jockey;
  - (g) Visiting Jumps Jockey 'A';
  - (h) Visiting Jumps Jockey 'B';
  - (i) Visiting Picnic Jockey;
  - (j) Visiting Apprentice Jockey;
  - (k) Visiting International Jockey; and
  - (l) any other category as Racing Victoria allows from time to time.

[LR 36B deleted and replaced 1/7/16]

### **LR 36BA Jumps Riders Skills Panel**

- (1) **Appointment:** The Directors or their delegate may appoint a Jumps Riders Skills Panel. If the Directors or their delegate appoint a Jumps Riders Skills Panel, the Directors or their delegate must:
  - (a) appoint not less than five (5) persons to constitute the Jumps Riders Skills Panel, of which at least three (3) are to be:
    - (i) retired jockeys with acknowledged experience in jumps racing; or
    - (ii) experienced equestrian riders or instructors; and

- (b) appoint a suitable replacement for any member of the Jumps Riders Skills Panel where that member is absent or unable to attend to their duties;
  - (c) define the term of office and remuneration (where necessary) of persons appointed to the Jumps Riders Skills Panel;
  - (d) specify the quorum, which must comprise at least three (3) Jumps Riders Skills Panel members, one of which must be a Racing Victoria Steward;
  - (e) appoint the Chair of the Jumps Riders Skills Panel, who must be a Racing Victoria Steward;
  - (f) appoint an executive officer to assist the Jumps Riders Skills Panel;
  - (g) empower the Racing Victoria Stewards to penalise any rider referred to the Jumps Riders Skills Panel who fails or refuses to:
    - (i) attend when directed; or
    - (ii) comply with or fulfil any reasonable direction of the Jumps Riders Skills Panel; and
  - (h) empower (to the extent that the Rules allow) the Racing Victoria Stewards to suspend or limit in any way a rider's permission to ride in jumps races if they reasonably determine that any aspect of the rider's race riding technique, method or practice may be hazardous to the rider or other riders, or may be hazardous to the welfare of any horse.
- (2) **Function:** The function of the Jumps Riders Skills Panel is to:
- (a) meet as required each calendar year;
  - (b) consider referrals made by the Racing Victoria Stewards, the Licensing Panel, or the Racing Victoria Board;
  - (c) seek to improve the safety for all participants of the Victorian Racing Industry by ensuring jumps riders have the necessary skill to participate as a jumps rider;
  - (d) assess, assist and mentor jumps riders by providing remedial or technique training to jumps riders referred to the Jumps Riders Skills Panel;
  - (e) critically analyse and provide feedback on jumps rider activity especially related to any aspect of their race riding technique, method or practice which may:
    - (i) be hazardous to them or fellow jumps riders;
    - (ii) be contrary to the interests of horse welfare; or
    - (iii) involve a breach of the Rules;
  - (f) provide assistance and advice to the Stewards, Licensing Panel and the Racing Victoria Board on matters concerning a jumps rider's skills and suitability to be granted, or hold, a licence or permit to ride in jumps races;
  - (g) where deemed appropriate in the opinion of the Jumps Riders Skills Panel, recommend to the Jumps Review Panel, Stewards, Licensing Panel or the Racing Victoria Board that a jumps jockey be directed to undertake remedial action (including further jumps training or trials);
  - (h) be involved in the assessment process for potential new jumps jockeys and provide recommendations to Racing Victoria regarding the assessment processes regarding any jumps rider applications;
  - (i) make recommendations to Racing Victoria in relation to:
    - (i) Rules relating to jumps riders; or
    - (ii) Racing Victoria's rider licensing policy;
    - (iii) whether a person (licensee or new applicant) should hold (or be granted) a licence to ride by the Licensing Panel or Directors;
  - (j) provide assistance to Racing Victoria in relation to the continuous improvement of the National Racing Industry Training Package (or equivalent); and
  - (k) provide requested feedback to the referring Steward or Licensing Panel as soon as practicable.
- (3) **Removal or resignation from Jumps Riders Skills Panel:**
- (a) The Directors may define appointment terms for members of the Jumps Riders Skills Panel, those terms being no longer than three years, with members being eligible for re-appointment after that three year period.
  - (b) The Directors or their delegate, in their absolute discretion, may remove a member of the Jumps Riders Skills Panel at any time with immediate effect.
  - (c) Any member of the Jumps Riders Skills Panel may resign by giving notice in writing to the CEO of Racing Victoria.

[LR 36BA adopted 5/2/09, deleted and replaced 1/7/16]

#### **LR 36BB Riders Skills Panel**

- (1) **Appointment:** The Directors or their delegate may appoint a Riders Skills Panel. If the Directors or their delegate appoint a Riders Skills Panel, the Directors or their delegate must:
- (a) appoint not less than five (5) persons to constitute the Riders Skills Panel, of which at least:
    - (i) three (3) are to be retired jockeys with acknowledged experience in race riding; and
    - (ii) two (2) are to be members of the Racing Victoria Stewards Panel;
  - (b) appoint a suitable replacement for any member of the Riders Skills Panel where that member is absent or unable to attend to their duties;
  - (c) define the term of office and remuneration (where necessary) of persons appointed to the Riders Skills Panel;
  - (d) specify the quorum, which must comprise at least three (3) Riders Skills Panel members, one of which must be a Racing Victoria Steward;
  - (e) appoint the Chair of the Riders Skills Panel, who must be a Racing Victoria Steward;
  - (f) appoint an executive officer to assist the Riders Skills Panel;
  - (g) empower the Racing Victoria Stewards to penalise any rider referred to the Riders Skills Panel who fails or refuses to:
    - (i) attend when directed; or
    - (ii) comply with or fulfil any reasonable direction of the Riders Skills Panel; and
  - (h) empower (to the extent that the Rules allow) the Racing Victoria Stewards to suspend or limit in any way a rider's permission to ride in races if they reasonably determine that any aspect of the rider's race riding technique, method or practice may be hazardous to the rider or other riders, or may be hazardous to the welfare of any horse.
- (2) **Function: The function of the Riders Skills Panel is to:**
- (a) meet as required each calendar year;
  - (b) consider referrals made by the Racing Victoria Stewards, the Licensing Panel, or the Racing Victoria Board;
  - (c) seek to improve the safety for all participants of the Victorian Racing Industry by ensuring riders have the necessary skill to participate as a rider;
  - (d) assess, assist and mentor riders by providing remedial or technique training to riders (including jockeys, apprentice jockeys, jumps jockeys, and picnic jockeys) referred to the Riders Skills Panel;
  - (e) critically analyse and provide feedback on rider activity especially related to any aspect of their race riding technique, method or practice which may:
    - (i) be hazardous to them or fellow riders;
    - (ii) be contrary to the interests of horse welfare; or
    - (iii) involve a breach of the Rules;
  - (f) provide assistance and advice to the Stewards, Licensing Panel and the Racing Victoria Board on matters concerning a rider's skills and suitability to be granted, or hold, a licence or permit to ride;
  - (g) where deemed appropriate in the opinion of the Riders Skills Panel, recommend to the Stewards, Licensing Panel or the Racing Victoria Board that a jockey be directed to undertake remedial action (including further training or trials);
  - (h) be involved in the assessment process for potential new apprentices and provide recommendations to Racing Victoria regarding the apprentice appointment process or the assessment processes regarding any other rider applications;
  - (i) make recommendations to Racing Victoria in relation to:
    - (i) Rules relating to riders; or
    - (ii) Racing Victoria's rider licensing policy;
  - (j) provide assistance to Racing Victoria in relation to the continuous improvement of the National Racing Industry Training Package (or equivalent); and
  - (k) provide requested feedback to the referring Steward or Licensing Panel as soon as practicable.
- (3) **Removal or resignation from Riders Skills Panel:**
- (a) The Directors may define appointment terms for members of the Riders Skills Panel, those terms being no longer than three years, with members being eligible for re-appointment after that three year period.

- (b) The Directors or their delegate, in their absolute discretion, may remove a member of the Riders Skills Panel at any time with immediate effect.
- (c) Any member of the Riders Skills Panel may resign by giving notice in writing to the CEO of Racing Victoria.

[LR 36BB added 1/7/16]

#### LR 36C Grant by the Stewards of special permission to ride

- (1) **Special permission to ride at Metropolitan Race Meetings:** Stewards officiating at a Metropolitan Race Meeting may permit a rider holding a licence or permit to ride only at Provincial Area Race meetings to ride at the Metropolitan Race Meeting.
- (2) **Fees:** It is a condition of approval pursuant to LR 36B(1) or (2) that the rider pay such fees as prescribed by the Directors and published in the Prescribed Fee Schedule. [added 8/3/12]

[LR 36C amended 1/7/16]

#### LR 36CA Horses must not be led from a motor vehicle

A rider or jockey:

- (1) must not, while driving a motor vehicle on a road, lead a horse from the motor vehicle, including by tethering the horse to the motor vehicle; or
- (2) who is a passenger in, or on any part of, a motor vehicle must not lead a horse while the motor vehicle is moving on a public road.

For the purposes of this Rule, "motor vehicle" and "road" have the same meaning as defined in the *Road Safety Act 1986* (Vic). [added 11/4/12]

#### LR 36D Medical Record Book

- (1) **Initial entries:** Every person who is ordinarily resident in Victoria and is granted a jockey's licence or Apprentice's permit by Racing Victoria, ("**the rider**") must, not later than 30 days after being issued with a medical record book by Racing Victoria:
  - (a) present the medical record book to his or her registered medical practitioner; and
  - (b) instruct the practitioner to record in the book all medical information relating to the rider which may be of significance to carrying on the vocation of a jockey or apprentice, including (but not limited to):
    - (i) any significant medical condition;
    - (ii) significant injuries previously sustained, whether in racing or elsewhere;
    - (iii) significant illnesses suffered in the past;
    - (iv) any unusual disposition to injury;
    - (v) allergies, particularly which may have implications for any form of medical treatment;
    - (vi) tetanus vaccination record.
- (2) **Rider must have book present:** The rider:
  - (a) must have the medical record book with him or her at all times that the rider is engaged in riding as a jockey or apprentice in Victoria, whether at trackwork, official trials or in a race; and
  - (b) may not ride if he or she does not have the medical record book with him or her.

[amended 1/9/09]
- (3) **Rider who is injured or ill:** A rider who suffers any injury, whether in racing or otherwise, or suffers a serious illness, must:
  - (a) present the medical record book to the attending registered medical practitioner; and
  - (b) instruct the practitioner to:
    - (i) enter details of the injury or illness in the medical record book; and
    - (ii) express an opinion, to be recorded in the medical record book, as to whether or not the rider is fit to continue riding as a jockey or apprentice. A negative opinion must be recorded in red ink.
- (4) **Not to ride if unfit:** If the most recent entry in the rider's medical record book indicates that the rider is not fit to ride as a jockey or apprentice, the rider must not ride as a jockey or apprentice whether at trackwork, official trials or in any race until a registered medical practitioner records in the medical record book an opinion that the rider is fit to ride as a jockey or apprentice. An opinion to that effect may be given by a

registered medical practitioner at a race meeting. [amended 1/9/09]

- (5) **Production to Stewards:** The rider must present his or her medical record book to a Steward upon request.
- (6) **Stewards may order medical examination:** The Stewards may order a rider to undergo a medical examination by a medical practitioner specified by the Stewards if the Stewards have reason to be dissatisfied with the contents of the medical record book, and the rider must comply with the Stewards' order.
- (7) **No unauthorised entries:** An entry must not be made in a medical record book except by a registered medical practitioner or by order of the Stewards.
- (8) **False entries:** A rider who makes or procures the making of a false, misleading or deceptive entry in the medical record book may be penalised. [amended 1/9/09]
- (9) **Casualty Room examinations:** Any rider involved in a race fall must attend the Casualty Room for examination unless taken to hospital. A report of such examination is to be recorded in duplicate in a book to be kept in the Casualty Room for that purpose.

[LR 36DA deleted 1/7/16]

#### USE OF ALCOHOL AND DRUGS

[AR 81A, 81AA, 81B & 82C deleted and replaced by AR 81A, B, C, D, E, F & G below – 1/10/08]

#### AR 81A

- (1) Any rider commits an offence and may be penalised if:
  - (a) a sample taken from him is found upon analysis to contain a substance banned by AR 81B; or
  - (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.

[amended 30/6/03, 1/6/15]
- (2) Any rider may be prevented by the Stewards from mounting or riding a horse in a race, official trial, jump-out, trackwork, or anywhere on a racecourse property, training facility or any other place if in their opinion, based on any information, their own observations or on medical or other competent advice, his faculties may be impaired by any substance banned by AR 81B or by any other cause. [amended 1/9/09]
- (3) In the event of an analysis of a sample taken from a rider pursuant to AR 8(jj) indicating the presence of a substance banned by AR 81B, or if a rider refuses or fails to deliver a sample when directed to do so, or tampers with or in any way hinders the collection of such sample, the Stewards may forthwith, pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down such person from riding.
- (4) In the event of a rider incurring a penalty or being prevented from riding under this rule he shall not resume riding until he delivers a sample, as directed by the Stewards, that is free of any substance banned by AR 81B.
- (5) For the purposes of AR 81A(4) a urine sample provided by a rider shall only be declared free of any substance banned by AR 81B if the sample contains a creatinine concentration of 200mg/L or greater. In the event that a rider provides a urine sample which does not contain this concentration, the rider shall be required to deliver a further urine sample or samples at the direction of the Stewards.

[AR 81A added 1/10/08; AR 81A(5) added 1/06/11]

[LR 36DAA deleted 1/8/11]

#### AR 81AA

- (1) Any Horse Handler commits an offence and may be penalised if:
  - (a) a sample taken from him is found upon analysis to contain a substance banned by AR 81BB; or
  - (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. [amended 1/6/15]

- (2) Any Horse Handler may be prevented by the Stewards from handling any horse in training, based on any information, their own observations or on medical or other competent advice that his faculties may be impaired by any substance banned by AR 81BB.
- (3) In the event of any analysis or a preliminary analysis of a sample taken from a horse handler pursuant to AR 8(jjj) indicating the presence of a substance banned by AR 81BB, or if a Horse Handler refuses or fails to deliver a sample when directed to do so, the Stewards may forthwith, pending the determination of any inquiry or other proceeding, or the result of any other analysis, stand down such person from handling horses.
- (4) In the event of a Horse Handler incurring a penalty under this rule or being stood down from handling horses he shall not unless otherwise authorised by the Stewards resume handling horses until he delivers a sample as directed by the Stewards that is found upon analysis to be free of any substance banned by AR 81BB.

[added 1/7/14]

**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:

Lysergic acid diethylamide (LSD) (0µg/L);

All barbiturates (0µg/L); All Cannabinoids - substances in this group include, but are not restricted to, 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid (15µg/L): Synthetic cannabinoid analogues and/or their metabolites, such as JW-018, JW073 and HU-210.

All diuretics (0µg/L):

Probenecid: (0µg/L)

Alcohol (at a concentration in excess of 0.02% on a breath analyser):

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).

Substances in this group excluded are: Levo-amphetamine: Levo-methylamphetamine: Phenylpropanolamine: Pseudoephedrine.

All anorectics – substances in this group include, but are not restricted to, Phentermine (500µg/L): Diethylpropion (0µg/L): Sibutramine (0µg/L).

All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by AR 81C): Codeine (0µg/L, save as specified in AR 81C): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L):Buprenorphine (0µg/L).

Substances in this group excluded are: Dihydrocodeine: Dextromethorphan: Pholcodine: Propoxyphene: Tramadol

All dissociative anaesthetics and related substances – substances in this group include, but are not restricted to: Ketamine (0µg/L): Phencyclidine (0µg/L): Tiletamine (0µg/L).

Gamma-hydroxybutyrate (GHB) and pro-drugs of GHB (1,4-butanediol: gammabutyrolactone) (10,000µg/L). Benzylpiperazine (500 µg/L) and phenylpiperazine (0µg/L) and their derivatives (0µg/L).

Tryptamine derivatives (0µg/L) (e.g. dimethyltryptamine: alphamethyltryptamine: hydroxydimethyltryptamine and related substances)

All benzodiazepines – substances in this group include: but are not restricted to: Diazepam (200µg/L): Nordiazepam (200µg/L): Oxazepam (200µg/L): Temazepam (200µg/L): Alprazolam

(100µg/L, as alpha-hydroxyalprazolam): Clonazepam (100µg/L, as 7-aminoclonazepam): Flunitrazepam (100 µg/L, as 7-aminoflunitrazepam): Nitrazepam (100µg/L, as 7-aminonitrazepam): Bromazepam (0µg/L): Clobazam (0µg/L): Flumazenil (0µg/L): Lorazepam (0µg/L): Midazolam (0µg/L): Triazolam (0µg/L): and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon: zolpidem: zopiclone).

[AR 81b added 1/10/08; amended 30/6/03, 16/9/10, amended 1/11/11]

**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:

Lysergic acid diethylamide (LSD) (0µg/L);

All barbiturates (0µg/L);

Cannabinoids (11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid) (15µg/L);

Alcohol (at a concentration in excess of 0.05% on a breath analyser);

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).

Substances in this group excluded are: Levo-amphetamine: Levo-methylamphetamine:Phenylpropanolamine: Pseudoephedrine.

All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by AR 81C): Codeine (0µg/L, save as specified in AR.81C): Oxycodone (0µg/L): Fentanyl (0µg/L): Alfentanil (0µg/L): Pethidine (0µg/L): Methadone (0µg/L): Heroin (0µg/L): Monoacetylmorphine (0µg/L): Hydromorphone (0µg/L): Buprenorphine (0µg/L).

Substances in this group excluded are: Dihydrocodeine: Dextromethorphan: Pholcodine: Propoxyphene: Tramadol.

All dissociative anaesthetics and related substances – substance in this group include, but are not restricted to: Ketamine (0µg/L): Phencyclidine (0µg/L): Tiletamine (0µg/L).

All benzodiazepines – substances in this group include, but are not restricted to, Diazepam (200µg/L): Nordiazepam (200µg/L): Oxazepam (200µg/L): Temazepam (200µg/L): Alprazolam (100µg/L) as alphahydroxyalprazolam): Clonazepam (100µg/L, as 7-aminoclonazepam): Flunitrazepam (100µg/L, as 7-aminoflunitrazepam): Nitrazepam (100µg/L, as 7-aminonitrazepam): Bromazepam (0µg/L): Clobazam (0µg/L): Flumazenil (0µg/L): Lorazepam (0µg/L): Midazolam (0µg/L): Triazolam (0µg/L): and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon: zolpidem: zopiclone).  
[added 1/7/14]

**AR 81C** Notwithstanding the provisions of AR 81B and AR 81BB, when codeine and/or morphine are detected in a sample taken from a rider or a horse handler then the sample shall be deemed not to contain codeine and morphine if:

- (a) the total codeine and morphine concentration is less than 2,000Sg/L; or
- (b) the total codeine and morphine concentration achieved in confirmatory testing is in the range 2,000 to 15,000µg/L inclusive and at least one of the following applies:
  - (i) the codeine to morphine ratio contained in the sample is greater than 1.0; or
  - (ii) the rider or Horse Handler satisfies the Stewards that there is no illegal use of opiates or opioids by the rider or Horse Handler.

[added 1/10/08, deleted and replaced 1/7/14]



**AR 81D** The Stewards may stay in whole or in part, and for such period and under such terms and conditions as they think fit, the operation of any penalty imposed for a breach of AR 81A or AR 81AA. Provided that, in the event of any failure to comply with any of the terms and conditions of the stay, the Stewards may order that the penalty take effect.

[added 1/10/08, deleted and replaced 1/7/14]

**AR 81E** Notwithstanding the provisions of AR 81A and AR 81AA, a Principal Racing Authority may permit a rider or horse handler to receive a specified banned substance, subject to the following conditions:

- (a) the medication must be essential treatment for a substantial illness, condition or ailment suffered by the rider or horse handler;
- (b) the medication must be prescribed by a medical practitioner who is a recognised specialist in the relevant field of medicine;
- (c) the specialist medical practitioner must certify:
  - (i) the nature of the illness, condition or ailment being suffered by the rider or horse handler;
  - (ii) that no alternative, non-banned substance would serve the same purpose for the illness, condition or ailment concerned;
  - (iii) that the medication would not affect the rider in a race, trial or trackwork to the extent that it could in any way constitute a danger to other riders;
  - (iv) that the medication would not affect the horse handler in the carrying out of his duties and/or constitute a danger to himself or to others;
- (d) The rider or the horse handler must if requested submit to medical examination by a specialist medical practitioner appointed by a Principal Racing Authority to advise it on the matters referred to in subparagraphs (i), (ii), (iii) and (iv) of paragraph (c) of this rule.
- (e) The rider or horse handler must:
  - (i) before riding or handling any horse make application to the Principal Racing Authority for permission to ride or handle a horse with a specifically prescribed banned substance in his system;
  - (ii) adhere strictly to his prescribed medication, and must report to the Stewards immediately he forms the intention to discontinue or in any way vary his prescribed medication;
  - (iii) report to the Stewards immediately he believes that either his illness, condition or ailment or his medication may have some influence on his ability to ride or handle a horse effectively and/or safely;
  - (iv) renew his application for exemption on each occasion on which he applies for the renewal of his licence, registration, permit or other qualification.

[added 1/10/08; amended 1/9/09, deleted and replaced 1/7/14]

#### **AR 81F**

- (1) (a) No rider shall present himself to ride in any race, official trial, jump-out or trackwork unless he is physically fit to fulfil the requirements of such activity.
- (b) A rider shall report to the Stewards, as soon as practicable, any injury, sickness, abnormality or condition that may affect or may have affected him in the performance of his riding duties.

[amended 1/9/09]

- (2) Any rider may be required by the Stewards to present medical evidence or to undergo a medical or physical examination to prove his fitness to the satisfaction of the Stewards.
- (3) When a rider fails to fulfil any race riding engagement due to reasons of fitness or health then, unless otherwise permitted by the Stewards, he must gain a satisfactory medical clearance prior to arrival on course for his next race riding engagement and produce proof of such clearance to the Stewards prior to riding. Any rider who fails to do so may be penalised and/or stood down from riding.

[AR 81F added 1/10/08]

#### **AR 81G**

- (1) A pregnant rider shall not ride in races, official trials jump-outs or trackwork after the first trimester of her pregnancy. [amended 1/9/09]

- (2) A pregnant rider may ride during the first trimester of her pregnancy provided that, as soon as practicable after becoming aware that she is pregnant, she provides to the Stewards a certificate from a relevantly qualified medical practitioner that it is safe for her and the foetus for her to ride in races, official trials, jump-outs and trackwork, and that her pregnancy creates no impairment to her capacity to control a racehorse. [amended 1/9/09]

[AR 81G added 1/10/08]

#### **LR 36E Defaulting riders**

(1) **Disabilities:** Unless the Directors otherwise direct, a jockey or Apprentice whose licence or permit is withdrawn is subject to the same disabilities as those which attach to a disqualified person pursuant to AR 182.

(2) **Publication:** The names of defaulting jockeys and Apprentices may be published in Inside Racing.

**AR 82** A rider shall not when mounted on a horse use any telephone, radio or other electronic appliance, apparatus, instrument or equipment capable of receiving, transmitting or playing information, unless permitted by the stewards.

[rule deleted 1/10/02; see amended AR 195A, rule added 1/1/13]

#### **MISCONDUCT**

**AR 83** Every jockey or apprentice may be penalised:

- (a) If he misconduct himself in any way, or
- (b) If, without the consent of the Stewards and the nominator of any horse he rides or is to ride in any race, he accept or agree to accept any pecuniary or other gift or other consideration in connection with any horse in such race, provided that he does not require the consent of the Stewards in respect of any pecuniary or other gift or consideration from the nominator of the horse he rides or is to ride;
- (c) If he bet, or facilitates the making of, or has any interest in a bet on any race or contingency relating to thoroughbred racing, or if he be present in the betting ring during any race meeting; or
- (d) If he bet, or has any interest in a bet on any race, or contingency relating to thoroughbred racing involving a race in which he is riding. For the purposes of this rule, bet includes a lay bet (as defined in AR 175B(7)).

[amended 1/8/01, 1/9/09, (d) added 1/3/13]

**AR 84** A licensed jockey or apprentice shall not own, take a lease or have any interest in any racehorse, and if he does such jockey or apprentice shall be disqualified and any person having any interest with him and the trainer of such horse may be penalised. [amended 1/9/09]

**AR 85** In the event of a jockey or apprentice jockey licensed or indentured by any recognised racing authority in any country in the world having an interest in the ownership or lease of a racehorse such horse shall be ineligible to race in Australia.

#### **LR 36F No publications or interview without permission**

A jockey or apprentice licensed by Racing Victoria must not, without first obtaining the permission of the Directors:

- (a) write any article for publication in a newspaper or other printed periodical, magazine or book; or
- (b) except in respect of past events, grant any interview about racing for inclusion in any radio or television program.

#### **RIDING ENGAGEMENTS**

##### **AR 85A**

- (1) All engagements for any apprentice jockey to ride in races shall be approved by his master or by his master's duly appointed representative.
- (2) No person shall act in the capacity of riders agent unless he has been licensed in that capacity.
- (3) A licensed person may not also be licensed as a riders agent, except where:
  - (a) the person is a licensed or registered stablehand; or
  - (b) otherwise authorised by a Principal Racing Authority in its discretion. [replaced 1/5/15]

- (4) No jockey, apprentice jockey or the master of an apprentice jockey shall authorise any person to be his riders agent unless such person has been licensed in that capacity.
- (5) Any riders agent who without the permission of the stewards enters any restricted area on a racecourse on raceday may be removed therefrom and may be penalised. [amended 1/9/09]
- (6) A Principal Racing Authority shall publish in its Racing Calendar a list of the persons it has licensed as riders agents. [amended 30/4/03]

#### **LR 36FA Riders Agent Licences**

(1) As provided for in AR 85A(2), a person must not act in the capacity of a riders agent unless he or she has been licensed in that capacity.

(2) An application to the Directors for the grant or renewal of a riders agent licence must:

- (a) be in such form;
  - (b) provide such information; and
  - (c) be accompanied by such fee;
- as is prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

(3) 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) 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) Directors may prescribe certain pre-requisites, requirements, qualifications and training units:

In relation to each of the licence categories referred to in LR 36FA(3), 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) 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 36FA(5).

(7) Grant or Refusal to Grant a Riders Agent Licence: Having received an application under LR 36FA, 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) 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) Term of licence: All rider agent licenses expire on the 31 July next after issue unless:

- (a) revoked earlier in accordance to LR 36FA(8);
- (b) cancelled;
- (c) suspended;
- (d) disqualified; or
- (e) otherwise provided for under the terms and conditions of a riders agent licence.

[added 1/7/16]

**AR 85B** Any jockey or apprentice jockey may be penalised if, in the opinion of the stewards, he fails or refuses to fulfil a race riding engagement. Provided that the stewards may penalise also any person responsible for an apprentice jockey who, in their opinion, contributed to such apprentice jockey committing a breach of this rule. [amended 1/9/09]

#### **AR 85C**

(1) A licensed jockey or an apprentice jockey shall not, without the express written permission of the Principal Racing Authority that has issued his licence, have any interest in or be otherwise involved in the buying, selling, trading or leasing of thoroughbred bloodstock.

(2) A Principal Racing Authority may impose terms or conditions on a permission granted under sub-rule (1).

(3) A person who fails to comply with sub-rule (1) or with a term or condition imposed under sub-rule (2) is guilty of an offence.

(4) For the purpose of this rule thoroughbred bloodstock means:

- (a) a thoroughbred horse included in the Australian Stud Book or the Stud Book of a recognised turf authority; or
- (b) a thoroughbred horse registered to race by the Registrar of Racehorses or by a recognised turf authority.

[AR 85C added 1/12/10]

#### **LR 36G Permission to leave racecourse**

No rider with a riding engagement at a race meeting shall leave the racecourse without first obtaining permission from the Stewards.

#### **RIDERS GEAR**

**AR 86** Riders must wear thoroughly clean and appropriate dress.

#### **LR 36H Gear**

Riders must use only gear which is safe and of good quality.

#### **LR 36I Names on silks**

All riders riding in races in Victoria must wear breeches displaying their first initial and surname on both thighs. The lettering must be black and the letters of the riders names must conform to the following dimensions:

Height: 40 mm

Length: not to exceed 275 mm

#### **LR 36J Attendance to trackwork**

Jockeys must attend Courses regularly for the purpose of riding trackwork, including during any period that the jockey may be suspended from riding in races. [amended 1/9/09]

#### **LR 36K No smoking**

A rider must not smoke while riding a horse in a race, exercising or in work on a racecourse or training track.

#### **LR 36L Use of on-course saunas**

(1) No rider shall enter or use a sauna located on-course unless:

- (a) the riders name has been recorded in the register maintained by Racing Victoria of riders authorised by Racing Victoria to enter or use a sauna located on-course; and
- (b) the rider has first obtained the permission of the person authorised by the Stewards to supervise the use of the sauna on the day of the race meeting.

(2) No rider's name shall be recorded in the register of riders authorised by Racing Victoria to enter or use a sauna located on-course unless the rider satisfies, and continues to satisfy, the admission criteria as may be required by the Directors from time to time.

(3) Every rider admitted to use a sauna located on-course must:

- (a) comply with the procedures and guidelines on the use of saunas notified by the Directors from time to time; and
- (b) comply with the directions of persons authorised by the Stewards to supervise the use of the saunas on the day of the race meeting.

- (4) Where a rider breaches any part of this LR 36L, the Stewards may:
- (a) suspend the riders privilege to use on-course saunas for such periods of time as the Stewards think fit; and/or
  - (b) stand down the rider from riding on the day that the breach occurred; and/or
  - (c) remove the rider's name from the register of riders authorised to enter or use saunas located on-course; and/or
  - (d) penalise the rider as otherwise provided under the rules.
- [LR 36L adopted 6/6/02; amended 1/9/09]

**AR 86A** No rider shall in any official trial, jump-out or in trackwork wear any apparel or use any equipment which has not been approved by the Stewards. [amended 1/9/09]

**AR 86B** Every rider when riding a horse shall wear footwear approved by the Stewards. [added 1/11/99]

**AR 87** Every licensed or registered person or permit holder shall when mounted on a horse wear a properly affixed helmet which conforms to one of the standards that have been approved by the Australian Racing Board.

Note: Pursuant to AR 87 the Australian Racing Board has ordered that:

- (a) The following standards are approved by the Australian Racing Board:
    - (i) AS/NZS 3838 2006;
    - (ii) United States (US) ASTM F11 63-01;
    - (iii) British Standards (BS) EN 1384/1996 onwards;
    - (iv) United States (US) ASTM F11 63-04a (reapproved 2011);
    - (v) PAS 015:2011
    - (vi) VG1 01.040, recommendation for use 12/12/2014.
  - (b) all helmets must be fitted with a nylon interlocking chinstrap clip attachment;
  - (c) all helmets must be clearly marked with a date of manufacture; and
  - (d) the use of helmets is subject to the conditions of AR 87AA.
- [amended 1/10/00, 3/11/03, 1/10/06, (a)(iv) added 1/11/11]

#### **AR 87A**

- (1) While being ridden every horse shall be properly bridled and saddled and every saddle used in official trials, jump-outs, tests or trackwork shall equipped with safety irons of a design approved by the Stewards. Provided that in official trials and jump-outs if a rider wears race boots the saddle shall be equipped with race irons. [amended 1/8/04, 1/9/09]
- (2) While being led outside the confines of any stable premises every horse shall have a bit in its mouth, which bit shall be attached to a lead. [deleted and replaced 1/11/99]
- (3) Every person leading or attending a horse shall wear fully enclosed and substantial footwear of a standard approved by the Stewards. [added 1/9/09]

#### **AR 87AA**

- (1) Every rider shall be responsible for the care and condition of his helmet.
- (2) A helmet is not regarded as serviceable and must be immediately replaced by the rider when:
  - (a) a period of 5 years has expired since its date of manufacture, or
  - (b) it sustains a severe impact, or
  - (c) the wearer suffers from concussion following a fall.
- (3) The Stewards may at any time take possession of a helmet for inspection and may at their absolute discretion confiscate any helmet that does not comply with the requirements of this rule and/or the requirements of AR 87. [deleted and replaced 1/12/05]

[added 1/8/99; amended 1/1/05, 1/10/06]

**AR 87AAA** Every licensed or registered person or permit holder shall when mounted on a horse during darkness have affixed to his helmet a safety warning light of a type approved by the Stewards. Provided that this Rule does not apply to any location where Stewards have ruled that sufficient artificial lighting exists. [adopted 1/8/04; amended 1/10/06]

#### **AR 87B**

- (1) Every rider shall when mounted on a horse wear a properly fastened Approved or permitted safety vest the standard of which has been prescribed by Order of the Board. Provided that every such Approved or permitted safety vest shall be in a satisfactory condition and shall have attached to it a manufacturer's label that states that it complies with the relevant standard prescribed by the Board.
  - (2) Notwithstanding compliance with subrule (1), no safety vest may be worn in a race, official trial or jumpout unless it is an Approved safety vest. Such Approved Level 1 safety vests are: Hows Racesafe, Ozvest, Racelite Pro, Vipa, Vipa I, USG Flexi Race and Airowear Swift. [amended 1/08/14, 1/05/15, 1/02/16]
  - (3) The Stewards may confiscate or order the satisfactory repair of any safety vest that does not comply with the requirements of subrules (1) and (2).
- Note:** Pursuant to AR 87B, the Australian Racing Board has ordered that the following two standards of safety vests only are prescribed: ARB Standard 1.1998 and European Standard EN 13158. [amended 1/8/07, deleted and replaced 1/7/14]

#### **LR 36LL** [rescinded 1/12/05]

**AR 87C** Any rider who has been found guilty of a breach of AR 87 or AR 87B may be penalised. Provided that the master and/or any other person who was in charge of an apprentice jockey at any relevant time may also be penalised unless he satisfies the Stewards that he took all proper care to ensure that the apprentice complied with the rule/s. [deleted and replaced 1/8/99; amended 1/9/09]

**AR 87D** Any rider required by these rules to wear an Approved safety vest may be penalised if he wears or has in his possession any safety vest that does not conform with a standard which has been prescribed by the Board or which has been modified in any way. [added 1/8/99; amended 1/8/07, 1/9/09, 1/12/10, deleted and replaced 1/7/14]

**AR 88** Riders may use spurs provided they are blunt and of a type approved by the Stewards. [amended 1/8/01]

#### **LR 36M Personal Protective Equipment for Clerks of the Course**

- (1) Every person engaged by the Committee of the Club or Racing Victoria to perform the duties of a Clerk of the Course at a race meeting shall when mounted on a horse:
  - (a) wear a properly fastened safety vest of a standard which has been prescribed by the Directors, or by the Australian Racing Board pursuant to AR 87B, which has attached to it a manufacturer's label that states it complies with a relevant prescribed standard; and
  - (b) wear a properly affixed skull cap which conforms to AS/NZS 3838 1998 or a standard approved by the Australian Racing Board in accordance with AR 87.

[(1) amended 5/8/10]
- (2) Every Clerk of the Course shall be responsible for the care and condition of his or her skull cap by ensuring that it is serviceable and must immediately replace the skull cap when:
  - (a) a period of 5 years has expired since its date of manufacture; or
  - (b) it sustains a severe impact; or
  - (c) the wearer suffers from concussion following a fall.
- (3) Any person who has been found guilty of a breach of LR 36M(1) or (2) may be penalised. Any club official responsible for the engagement and/or supervision of the Clerk of the Course may also be penalised unless the Stewards are satisfied that such club official took all reasonable care to ensure that the Clerk of the Course complied with LR 36M(1) and (2). [amended 1/9/09]

[LR 36M adopted 3/4/03]

**AR 89** Any person betting with or for a jockey or apprentice or giving or offering a rider any pecuniary or other gift or consideration contrary to these Rules may be penalised. [amended 1/9/09]

**AR 90** In the absence of a special agreement registered with the Principal Racing Authority the fees of jockeys and riders shall be prescribed by the Principal Racing Authority. [amended 30/4/03]

**AR 91** Any rider who has a riding engagement at any race meeting shall be present in the jockeys room no later than 45 minutes before the advertised starting time for the first race in which he has a riding engagement and, unless otherwise permitted by the Stewards, shall thereafter remain in the jockeys room until he has completed his riding engagements, when he shall seek the permission of the Stewards to leave the jockeys room. [previous AR 91 rescinded 1/7/00; new AR 91 added 1/9/09 (formerly AR 118)]

## **APPRENTICES' ALLOWANCES**

### **AR 92**

- (1) Any apprentice entitled under the Rules to ride in races may claim, in accordance with the following scales, a weight allowance in such races on the flat as the Local Rules of a Principal Racing Authority permit. [amended 30/4/03]
- (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 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 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 [Further provisos 1/1/99, 1/8/05]  
[amended 30/4/03, 1/8/07, 1/8/16]
- (3) For races run in a Provincial 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 and/or a Provincial Area 3kg  
If he has not ridden 50 winners on the flat in a Metropolitan Area and/or a Provincial Area 2kg  
If he has not ridden 80 winners on the flat in a Metropolitan Area and/or a Provincial Area 1.5kg  
[amended 30/4/03]
- (4) For races run other than in a Metropolitan Area or a Provincial Area:  
If he has not ridden 20 winners on the flat 3kg  
If he has not ridden 50 winners on the flat 2kg  
If he has not ridden 80 winners on the flat 1.5kg
- (5) No apprentice may claim a weight allowance outside the Metropolitan Area greater than the allowance he is entitled to claim within the Metropolitan Area.
- (6) An apprentice may claim during a race meeting the same allowance to which he was entitled when the acceptances for that race meeting officially closed. [deleted and replaced 1/8/11]
- (7) No horse shall have its weight reduced below 43.5kg by reason of any allowance.
- (8) For the purposes of calculating the weight allowance for an apprentice all dead-heats for first place shall count as winning mounts.
- (9) All winning mounts ridden by an apprentice on the flat before his apprenticeship shall be included as winning mounts.
- (10) A winning rides book shall be issued to every apprentice, and it shall be the responsibility of the apprentice and his master to ensure that it is in the possession of the apprentice at every race meeting he attends, and that winning mounts are entered in his winning rides book and endorsed by a steward before the apprentice leaves the racecourse on any day on which he has ridden a winner or winners.

- (11) No apprentice shall claim an allowance to which he is not entitled and any horse that has been ridden in a race by an apprentice whose weight in the race has been adjusted by an allowance to which he is not entitled may be disqualified for the race.
- (12) Except with the permission of the Stewards, every apprentice must claim his full allowance, and any apprentice who fails to do so commits an offence and may be stood down for such ride.
- (13) (a) Subject to paragraph (b) of this sub-rule winning rides in flat races held outside Australia shall be regarded for the purpose of this rule as winning rides in an Australian Metropolitan area.  
(b) Winning rides in flat races held at New Zealand Premier meetings (as defined by New Zealand Thoroughbred Racing (Inc)) shall be regarded for the purposes of this rule as winning rides in a Metropolitan area, and winning rides in flat races at all other New Zealand meetings shall be regarded as winning rides in a Provincial Area, provided that for purposes of this rule a winning ride in a Group or Listed race at any race meeting in New Zealand shall be deemed a winning ride in a Metropolitan area.  
[sub-rule (13) added 30/6/03; deleted and replaced 1/2/11, amended 11/4/12]
- (14) Any apprentice and/or his master may be penalised for any breach of this rule and any person concurring in or conniving at such breach may also be penalised. [previously sub-rule (12) renumbered (13) 1/5/02; renumbered (14) 30/6/03]

### **AR 92A**

- (1) A Principal Racing Authority may appoint a Riding Skills Panel for the purpose of assisting in the mentoring of and provision of remedial or technique training for riders, including jockeys, apprentice jockeys and approved riders.
- (2) A rider may at any time be referred by the Stewards to the Riding Skills Panel for mentoring or such remedial or technique training as they see fit.
- (3) The Stewards may penalise any rider so referred who fails or refuses to attend when directed or fails or refuses to comply with or to fulfil any reasonable direction of the Riding Skills Panel.
- (4) The Stewards may suspend or limit in any way a rider's permission to ride in races if they find that any aspect of his race riding technique, method or practice may be a hazard to himself or other riders, or may be contrary to the interests of horse welfare or may involve a breach of the Rules.

[AR 92A adopted 1/10/06; amended 1/8/09]

### **LR 37 Apprentice allowances in Victoria**

An apprentice may claim a weight allowance in accordance with the three-tier scale provided for in AR 92 only in handicap flat races (other than Group and Listed races) for which the advertised prizemoney (not including trophies) is \$119,000 or less and maiden flat races, except where the conditions of the race provide for no allowances. [LR 37 deleted 28/6/02; new LR 37 adopted 4/3/04; amended 1/7/05, 1/8/12]

### **LR 37A Designated Race Meetings**

Racing Victoria may designate certain Country Race Meetings as Designated Race Meetings at which winning rides by an apprentice are not considered winners for the purpose of AR 92(3). [added 7/4/11]

## **APPRENTICES**

### **LR 38A Application to take on an Apprentice**

- (1) **Approval for trainer or owner:** A trainer or owner may not take on an Apprentice except with the prior written approval of the Directors, which the Directors may refuse to grant without giving reasons or may grant on such terms and conditions as the Directors think fit.
- (2) **Application to take on an Apprentice:** An application by a trainer or owner for approval of the Directors to take on an Apprentice must be:
  - (a) made in writing on the form prescribed for the purpose by the Directors; and

- (b) accompanied by such information as the Directors may prescribe.

[LR 38A amended 1/7/16]

#### LR 38B Employment agreement

- (1) **As approved:** A trainer or owner who takes on an Apprentice must enter into an employment agreement and deed of apprenticeship with the Apprentice in such form and containing such terms and conditions as the Directors prescribe from time to time.
- (2) **Copy to be lodged:** A certified copy of the employment agreement and deed of apprenticeship must be lodged with Racing Victoria within 7 days of the commencement of the apprenticeship and the original must be produced to Racing Victoria as and when required by Racing Victoria.
- (3) **Observance of terms:** The terms and conditions of the employment agreement and deed of apprenticeship:
- must be observed by the parties; and
  - may be enforced as though they formed a part of the Rules.

#### LR 38C Attendance at Racing Victoria training

- (1) **Attendance compulsory:** Attendance to the Apprentice Training Centre is compulsory on the scheduled dates for each Apprentice, and the Master must allow the Apprentice to do so.
- (2) **Fulfilment of obligations:** The Apprentice must fulfil all requirements of the Apprentice Training Program before the apprenticeship will be recognised by Racing Victoria as being complete, and the Master must allow the Apprentice to do so.

[LR 38D deleted 1/7/16]

#### LR 38E Presence at race meetings

- (1) **Requirement:** An Apprentice must not ride at a race meeting when his or her Master is not present unless the Apprentice is in the charge of another person who is:
- present at the race meeting; and
  - either:
    - a trainer; or
    - another person approved by the Stewards for that purpose; and
  - appointed in writing by the Master to have charge of the Apprentice at the race meeting.
- (2) **Apprentice attendance form:** At all race meetings Apprentices must sign an attendance form before weighing out, correctly identifying (among other things) the person who has charge of the Apprentice at the race meeting.

[adopted 5/6/08, LR 38E(3) deleted 1/7/16]

#### LR 38F Riding fees and prizemoney

- (1) Where an Apprentice is engaged to ride in a race or trial, the riding fee shall be deemed to be the aggregate consideration and value for the:
- taxable supply by the Apprentice of the ride; and
  - 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 is entitled as a rider to prizemoney under LR 16, the prizemoney shall be deemed to be the aggregate consideration and value for the:
- taxable supply by the Apprentice of the ride; and
  - 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 38D, EE and G deleted 1/7/16, LR 38H, I, J, K and L deleted 7/2/08]

## STABLE EMPLOYEES

### LR 39A No employment unless registered

A trainer must not employ or retain in employment any person in connection with the training, management or care of racehorses unless such person is registered in accordance with LR 39B or is otherwise licensed under the Rules. [amended 1/8/09]

### LR 39B Registration of Stable Employees

- (1) **Application before 1 August:**
- A person holding a trainer licence or a Racing Employee Contractor licence from Racing Victoria may, on or before the first day of August of each year, apply to Racing Victoria to register a person to be employed by him or her in connection with the training, management or care of racehorses (in this LR 39B referred to as a "Stable Employee").
  - Subject to the Rules and LR 39B(8), such registration remains in force until 31 July in the following year. [amended 1/8/09; amended 8/3/12]
- (2) **Applications after 1 August:** An application for the registration of a Stable Employee engaged after 1 August in each year, in respect of whom no transfer is registered as provided in this LR 39B, must be made at the time of such engagement. [amended 1/8/09]
- (2A) **Categories of Stable Employee:** An application for the registration of a person to be employed by a trainer under LR 39B may be made in the following categories:
- Stablehand;
  - Foreperson;
  - Assistant Trainer;
  - Racing Manager;
  - Visiting Stablehand;
  - Visiting Foreperson;
  - Visiting Assistant Trainer;
  - Visiting Racing Manager;
  - Visiting International Stablehand;
  - Visiting International Foreperson;
  - Visiting International Assistant Trainer;
  - Visiting International Racing Manager; or
  - any other category as Racing Victoria allows from time to time.
- [(2A) added 1/8/09; amended 1/1/11 and 1/7/16]
- (3) **Application form and fee:** An application for registration or transfer of a Stable Employee must:
- be made on a form specified for that purpose by Racing Victoria;
  - provide all information as specified on or in respect of such form; and
  - be accompanied by the fee as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule. [amended 1/8/09; added 8/3/12]
- (3A) **Directors may prescribe certain pre-requisites, requirements, qualifications and training units:** The Directors may from time prepare and cause to be published on the Racing Victoria website the Racing Victoria Stable Employee Registration Policy which shall prescribe:
- educational qualifications or training units and experience levels which must be attained as a pre-requisite to the registration of a Stable Employee;
  - any other pre-requisite or requirement for the registration of a Stable Employee as deemed appropriate, in relation to each of the registration categories referred to in LR 39B(2A). [(3A) added 1/8/09]
- (4) **Requirements for grant of Stable Employee registration:** It is a requirement to the grant of registration of a Stable Employee that the applicant demonstrates that he or she meets the requirements as set out in the Racing Victoria Stable Employee Registration Policy referred to in LR 39B(3A). [amended 7/2/08, 1/8/09]
- (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 from any of the qualifications, training units, pre-requisites or

requirements made pursuant to LR 39B(3A). [added 1/8/09; amended 1/10/09]

(5) **Grant or Refusal to Grant Stable Employee Registration:** Having received an application under LR 39B(1), the Directors may, in their absolute discretion:

- (a) refuse to register a person as an Employee; or
- (b) grant a Stable Employee registration subject to such terms and conditions as the Directors think fit.

[(5) amended 1/8/09]

(5A) **Revocation:** The Directors may in their absolute discretion, at any time, revoke, vary or cancel the registration of a Stable Employee, including, without limitation, where the holder of the registration:

- (a) has ceased employment with his or her employer;
- (b) is disqualified for any reason;
- (c) ceases to meet the requirements to be registered as a Stable Employee in accordance with the Rules; or
- (d) breaches any term or condition imposed on their registration.

[(5A) added 1/8/09]

(6) **Registration card:**

- (a) A registered Stable Employee engaged in official duties or accessing horse areas at a race meeting must wear a current Registration Card issued by Racing Victoria and shall be worn so as to be clearly visible to Officials.
- (b) A registered Stable Employee or trackwork rider must have in their possession a current Registration Card issued by Racing Victoria when fulfilling duties on a racecourse or training centre.

[amended 1/8/05, 1/8/09]

(7) **Notification of termination:** On termination of any Stable Employee's engagement the employer must either:

- (a) register a transfer of the employment to another trainer; or
- (b) notify Racing Victoria that such employment has been terminated whereupon the registration of the Stable Employee ceases.

[(7) amended 1/8/09]

(8) **Term of Registrations:** All registrations expire on the 31 July next after issue unless:

- (a) revoked or cancelled in accordance with LR 39B(5A); or
- (b) otherwise provided for in the terms and conditions of the registration of Stable Employee.

[(8) added 1/8/09]

(9) **Effect of suspension:** Unless otherwise permitted by the Stewards or Racing Victoria, and upon such conditions as they may in their discretion impose, a Stable Employee, while suspended shall not be employed or work in any racing stable during the period of his or her suspension. [added 1/8/09]

#### LR 39C Racing Employee Contractors

(1) **Authorisation:** Notwithstanding any other provisions of the Rules, a Racing Employee Contractor may with the approval of Racing Victoria:

- (a) employ a stablehand directly; and
- (b) enter into a contract to supply a trainer with the services of a stablehand employed by the Racing Employee Contractor.

(2) **Obligations:** A Racing Employee Contractor must:

- (a) register with Racing Victoria any stablehand employed by the Contractor;
- (b) provide such further information as is from time to time requested by Racing Victoria;
- (c) give to Racing Victoria a copy of every contract between the Contractor and every trainer for the supply to the trainer of the services of stablehands; and
- (d) exercise all such responsibility for the actions of a stablehand employed by the Contractor in accordance with the responsibilities exercised by trainers for stablehands directly in their employ.

#### LR 39D Horses must not be led from a motor vehicle

A stablehand:

- (1) must not, while driving a motor vehicle on a road, lead a horse from the motor vehicle, including by tethering the horse to the motor vehicle; or

- (2) who is a passenger in, or on any part of, a motor vehicle must not lead a horse while the motor vehicle is moving on a public road.

For the purposes of this Rule, "motor vehicle" and "road" have the same meaning as defined in the *Road Safety Act 1986* (Vic). [added 11/4/12]

### STABLEHANDS AND APPRENTICES

**AR 93** No trainer shall engage any person to work in his stable without a written report from his last employer. No trainer shall continue to employ any person in his stable without the consent of the Principal Racing Authority after notice has been served on him that such person has not fulfilled his engagement with his previous employer. Any person prohibited from employing or being employed under these Rules may apply for such consent. [amended 30/4/03]

**AR 94** Any person employed in a stable leaving his or her master before the terms of his or her engagement are complete may be penalised. [amended 1/9/09]

**AR 95** Any apprentice leaving his or her employment without the consent of his or her master or without just cause and any trainer or owner engaging or keeping such apprentice in his or her service may be penalised. [amended 1/9/09]

**AR 96** Any person who shall be proved to the satisfaction of the Principal Racing Authority or the Stewards to have tampered with any stablehand or apprentice may be penalised. [amended 30/4/03, 1/9/09]

### RETAINERS

**AR 97** No retainer shall be recognised unless it be in writing signed by the parties and lodged at the office of the Principal Racing Authority. [amended 30/4/03]

**AR 98** Employers retaining the same jockey have precedence according to the priority of their retainers.

**AR 99** If a jockey be prevented from riding by disqualification or suspension any person who has retained him may cancel the retainer.

**AR 100** In the absence of special agreement, a jockey's retainer shall be terminable by three months' notice in writing on either side, and not otherwise; but the Principal Racing Authority may at any time release an owner or jockey from a retainer for any cause appearing to them sufficient and on such terms as they think fit. [amended 30/4/03]

### AMATEURS

**AR 101**

- (1) No person shall be eligible to ride as an amateur:
  - (a) If he receives or shall have received any fee or reward in money or be or have been in any way reimbursed for his services for riding in any race, show or competition save for reimbursement of reasonable out-of-pocket expenses the amount of which shall be in the discretion of the Stewards.
  - (b) If he be or shall have been employed in any capacity in a racing stable for an aggregate period of six months or more, or at all within the previous year;
  - (c) If he be or shall have been directly or indirectly engaged in the business of training horses for fee or reward;
  - (d) If he be or shall have been a bookmaker or bookmaker's clerk;
  - (e) If he shall at any time have been disqualified or suspended; (provided that if the disqualification or suspension shall have been removed or if the term shall have expired the Principal Racing Authority may on application grant the applicant permission to ride as an amateur).
  - (f) If, in the opinion of the Stewards, he is not a fit and proper person to ride as an amateur; or
  - (g) If he has been prohibited by the Principal Racing Authority from riding as an amateur.[amended 30/4/03]
- (2) The Stewards may at any time call on any person who rides as an amateur to show that he is qualified under this Rule.

- (3) As from 1st August, 1991, reasonable out-of-pocket expenses, if to be paid, shall be lodged no later than on the day of the meeting with the Secretary of the Club, and/or with the permission of the Stewards thereafter paid to the amateur.

**AR 101A** Any approved or amateur rider who has a riding engagement at any race meeting shall not at such race meeting make or have an interest in a bet, or be present in the betting ring. [added 1/7/01]

**AR 101B** An amateur or approved rider who owns a horse entered in a race shall not without the permission of the Stewards accept an engagement to ride another horse in that race. [added 1/12/10]

**AR 102** An amateur shall not ride in any race except one restricted to amateurs without the consent of the Principal Racing Authority or the Stewards. [amended 30/4/03]

#### **LR 40 Float Drivers**

(1) No person or entity must provide horse floating and related services in relation to race meetings or official trials unless that person or entity is registered by Racing Victoria in that capacity.

(2) An application for registration as a float driver must be made by a person or entity in the business of providing horse floating (and related) services and:

- (a) be in such form;
- (b) provide such information; and
- (c) be accompanied by such fee; as is prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

(3) Categories: An application for the grant of a float driver registration may be made for the following categories of float driver:

- (a) Float Driver; or
- (b) Visiting Float Driver

(4) Directors may prescribe certain pre-requisites, requirements, qualifications and training units:

In relation to each of the registration categories referred to in LR 40(3), 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 float driver registration; or
- (b) any other pre-requisite or requirement for the grant of a float driver registration as deemed appropriate;

(5) Relief from requirements: The Directors may in their absolute discretion, relieve an applicant for a float driver registration from any of the requirements prescribed by LR 40(4).

(6) Grant or Refusal to Grant a Float Driver Registration: Having received an application under LR 40, the Directors may:

- (a) refuse to grant a float driver registration;
- (b) request whatever further information the Directors consider reasonable and appropriate; or
- (c) grant a float driver registration subject to such terms and conditions as the Directors consider reasonable and appropriate.

(7) Revocation: The Directors may, at any time, revoke, or vary the terms of a float driver registration granted by them, including, without limitation, where the holder of the registration:

- (a) is not actively using the registration;
- (b) ceases to meet the requirements to be granted a registration in accordance with the Rules of Racing; or
- (c) breaches any term or condition of that person's float driver registration.

(8) Term of registration: All float driver registrations expire on the 31 July next after issue unless:

- (a) revoked earlier in accordance to LR 40(7);
- (b) cancelled;
- (c) suspended;
- (d) disqualified; or
- (e) otherwise provided for under the terms and conditions of a float driver registration.

[LR 40 added 1/7/16]

[LR 40A, B, C and D deleted 1/7/16]

## **WEIGHTS, PENALTIES AND ALLOWANCES**

### **AR 103**

- (1) The top weight allocated for handicap flat races must not be less than 59 kilograms, except for Group 1 handicap races and races in which 2yos only can run, for which the allocated top weight must not be less than 58 kilograms. [amended 1/8/08, amended 1/1/12]
- (2) Notwithstanding the provisions of sub-rule (1), if at the declaration of acceptances for a handicap flat race the weight allocated to the highest-weighted acceptor (including any extra weight by way of re-handicap or penalty) is less than 58 kilograms (57 kilograms for Group 1 handicap races), or less than a higher weight determined by a Principal Racing Authority, then allocated weights for the race must be increased until the highest-weighted acceptor is weighted at not less than 58 kilograms (57 kilograms for Group 1 handicap races).

Provided further that the Principal Racing Authority concerned may, in its sole and absolute discretion, provide an exemption from this subrule for Group 1 handicap races. [amended 10/9/09, 1/1/12, 1/10/15, 1/03/16, 1/10/17]

- (3) The minimum weight allocated for handicap flat races must not be less than –
- (a) 50 kilograms for the Melbourne Cup and Caulfield Cup;
  - (b) 52 kilograms for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup;
  - (c) 53 kilograms for Group 2 handicap flat races;
  - (d) 54 kilograms for all other handicap flat races (provided that a Principal Racing Authority may in its discretion approve a minimum of 53 kilograms for the purposes of this subrule).

Provided further that the Principal Racing Authority concerned may approve applications made by racing clubs for a minimum weight of 50 kilograms for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup (paragraph (b) of this subrule) and also for 2-year-old and/or 3-year old horses in open-age handicap races to be allocated lower minimum weights than those prescribed by paragraphs (a), (b), (c) and (d) of this subrule.

[AR 103(3) amended 1/1/12, AR 103(3) deleted and replaced 1/2/14, amended 1/10/15, amended 1/10/16]

[AR 103 adopted 1/1/07]

[LR 41 deleted 1/8/17]

**AR 104** The Standard Weight-for-Age, expressed in kilograms, for flat races shall be from 1st August 2008 in accordance with the following schedule: [rule and schedule deleted and replaced 1/8/08] [new schedule appears at the end of these rules after LR 74]

**AR 104A** A weight allowance of 2kg to fillies and mares shall apply to all set-weight and set-weight-and-penalties races, other than those races that are restricted to fillies and mares. [adopted 1/8/08]

**AR 105** In all Standard Weight-for-Age races an allowance according to the following scale shall be made to all horses sired north of the line, and foaled between the 1st of January and the 31st July, viz.:

Distance	Age	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1200m and under	2y	---	---	---	---	---	3	3	3	3	3	3	3
	3y	2.5	2.5	2	2	2	2	1.5	1.5	1.5	1	1	1
	4y	.5	.5	.5	.5	---	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 1200m to 1600m	2y	---	---	---	---	---	3.5	3.5	3.5	3.5	3.5	3.5	3.5
	3y	3	3	2.5	2.5	2.5	2.5	2	2	2	1.5	1.5	1.5
	4y	1	1	1	1	.5	.5	.5	.5	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 1600m to 2000m	2y	---	---	---	---	---	4	4	4	4	4	4	4
	3y	3	3	2.5	2.5	2.5	2.5	2.5	2	2	2	2	2
	4y	1.5	1.5	1.5	1	1	1	.5	.5	.5	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 2000m to 2400m	3y	3.5	3.5	3	3	3	3	2.5	2.5	2.5	2	2	2
	4y	2	2	1.5	1.5	1.5	1.5	1	1	.5	.5	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
	---	---	---	---	---	---	---	---	---	---	---	---	---
Over 2400m to 3000m	3y	4	4	3.5	3.5	3.5	3.5	3.5	3.5	3	3	3	3
	4y	2.5	2.5	2	2	2	1.5	1.5	1	1	.5	.5	.5
	5y	---	---	---	---	---	---	---	---	---	---	---	---
	---	---	---	---	---	---	---	---	---	---	---	---	---
Over 3000m	3y	---	---	---	---	4	4	4	4	4	4	4	4
	4y	3	3	2.5	2.5	2.5	2	2	1.5	1.5	1	1	.5
	5y	---	---	---	---	---	---	---	---	---	---	---	---
	---	---	---	---	---	---	---	---	---	---	---	---	---

#### Allowances in KGs

**AR 106** No horse shall receive an allowance of weight or be relieved from extra weight, for having been beaten in one or more races; but this rule shall not prohibit an allowance to maidens, or the holding of races under the conditions of which the weights allotted to horses depend on whether or not they have won a race, or whether they have or have not won one or more races of a particular kind.

**AR 107** The conditions of a race shall not contain any provision that a horse shall carry extra weight for having run second, or in any lower place, in any race or races.

**AR 108** Allowances and extra weights shall not be affected by performances in matches or private sweepstakes.

**AR 109** Penalties are not cumulative unless so declared by the conditions of the race.

**AR 110** Winners of jumping races are not liable to carry penalties as such winners in races on the flat, and winners on the flat are not liable to carry penalties as such winners in jumping races, unless specially imposed by the conditions.

#### LR 42 Penalties apply from declaration of weights

Horses are liable to penalties provided in the conditions of any race as from the time of the declaration of weights for such race.

#### LR 42B Penalties for wins in Group and Listed Races run outside Australia

In determining a penalty in set weights and penalties races, Group and Listed Races run outside Australia shall mean those races published in Part 1 and part 2 of the International Cataloguing Standards. [adopted 1/8/06]

**AR 111** The handicapper shall append to the weights for every handicap the date and hour of his declaration of such weights.

#### AR 111A

- (1) The Stewards may, subject to sub-rule (2) of this rule, within any reasonable time, permit the handicapper to amend the allotted weight of any horse in a handicap race.
- (2) The Stewards may allow the handicapper to amend the allotted weight of a horse only if they are satisfied that the allotted weight was incorrect because of:
  - (a) a clerical error at the time of release of such weights, or
  - (b) incomplete or inaccurate information on the performances, age, sex or identity of any entry, or
  - (c) an error by the handicapper in the assessment of the age or sex of any entry or of the conditions for the race. [(c) amended 1/10/00]
- (3) The handicapper may, with the permission of the Stewards and before the declaration of acceptances, issue a substitute set of weights for a handicap race only when:
  - (a) a correctly nominated horse was not included in the original weights, or
  - (b) the original weights are not in accordance with the conditions for the race.

(4) Notwithstanding the foregoing provisions of this rule, an error in the allotted weight of any horse in a weight-for-age, set-weight, ratings-based, benchmark or set-weight-and-penalties race may be corrected at any time. [added 1/8/99; amended 1/10/07, 1/12/10]

(5) The handicapper may amend the allotted weight of a horse in a handicap race to carry an additional weight if, after weights are declared for that handicap race, that horse wins a race.

[added 1/8/99; amended 1/10/07, 1/12/10, AR 111A(5) added 1/2/14]

#### AR 112

- (a) [rescinded 1/9/91]
- (b) [rescinded 1/12/89]
- (c) Any prize not in money shall be estimated at its advertised value.
- (d) When horses run a dead-heat for first place each of such horses is liable to carry extra weight as winner of that race. Each such horse shall be deemed to have won in respect of such race the amount of the prize awarded in respect of the horse as a result of the race, and any extra weight shall be calculated accordingly. [amended 1/7/00]
- (e) If, however, in the conditions of a race a certain penalty or a certain weight has to be carried for winning a race specified by name, each horse running a dead-heat for such race shall carry the penalty or weight so fixed as if he had won outright.
- (f) For the purpose of calculating the value of prizemoney earned in other countries by a horse which is entered for an Australian race, the rate of exchange shall be used which was current on the first working day of January of the year in which such prizemoney was earned, as determined by a trading bank nominated by the Australian Racing Board. [(f) amended 1/4/99]

#### LR 43 Calculation of winnings of horses

Subject to the special conditions of a race, the amount a horse has won during any year commencing on the 1st of August includes all winnings and the value of all prizes won from or in respect of all recognised races in any country and from any walking over or receiving forfeit in any country from 1 August to the time appointed for the start of the race in question.

**AR 113** If the winner of any race is found by the Stewards or Committee to have been ineligible, or is subsequently disqualified for the race, the eligibility or weight of any other horse shall not be affected in respect of any other race run prior to such finding.

#### SCRATCHING

#### AR 114

- (1) (a) Subject to subrule (2) of this rule notice of withdrawal of a horse from any race shall be given to the Secretary of the Club or other official authorised to receive the same at least forty-five minutes before the time appointed to start such race, or such earlier time as the Local Rules may provide.
  - (b) Such notice shall be given in writing by the nominator or trainer or by the authorised agent of either of them.
  - (c) If no such notice be given the Stewards may nevertheless permit or order the withdrawal of the horse and may penalise the nominator or the trainer or both.
- (2) (a) Where a horse has been accepted for races to be run on the same day in different states or territories the nominator or trainer of the horse, unless he has the express permission of the Stewards, must by 9.00am on the day prior to the day of the race give to an official authorised to receive same, notice of the withdrawal of the horse from the race for which the horse has accepted but will not start.
  - (b) If no such notice is given the stewards may nevertheless permit or order the withdrawal of the horse and may penalise the nominator or the trainer or both.
  - (c) For the purposes of paragraph (a) nominator or trainer includes an authorised agent of either of them.

[amended 1/9/09, amended and added 11/4/12]

#### LR 44 Withdrawal after Final Scratching Time

- (1) **Stewards' permission required:** A horse may not be withdrawn after Final Scratching Time on the day of the race



for which it is an acceptor without the permission of the Stewards who may:

- (a) refuse to permit such withdrawal; or
- (b) permit such withdrawal with or without the imposition of a fine on the owner or trainer or both of the horse concerned; or
- (c) In the case of a horse recommended to be withdrawn on veterinary advice, permit such withdrawal and, for any race other than a Group or Listed race, make a determination according to the circumstances as to which, if any, of the provisions of LR 45(2)(c) must be applied.

[amended 1/8/03, 1/9/04]

(1A) **Emergency runner may be permitted to run:** In the event that the Stewards provide permission for a horse to be withdrawn after Final Scratching Time pursuant to LR 44(1) then the Stewards may, prior to the official release of the final list of scratchings and at their discretion, permit the next available emergency runner to take its place in the field. [added 1/8/09]

(2) **Change in track categories:** Stewards may grant permission for a trainer or owner to scratch a horse from a race after the Final Scratching Time on raceday if:

- (a) the track category has been changed by the Stewards after that Final Scratching Time; and
- (b) the application is made:
  - (i) if the horse is an acceptor for the first race, at least 45 minutes before the advertised starting time for that race; or
  - (ii) if the horse is an acceptor in a race other than the first race, prior to correct weight being declared on the race before that race.

[(2)(i) and (ii) added 1/08/12]

#### LR 45 Scratching fee

(1) **Amount of scratching fee:** Subject to LR 45(2), the trainer of a horse which is withdrawn from a race for any reason, other than because after the time of the final declaration of acceptance the horse has become ineligible to compete under the Rules, must pay the fees as applicable at such time and in such manner as is prescribed by the Directors and published in the Prescribed Fee Schedule. [amended 1/8/03, 1/9/04, 1/2/11; amended 8/3/12]

(2) **Horse withdrawn by Stewards or on veterinary advice:** If a horse is withdrawn from a race:

- (a) by order of the Stewards; or
- (b) by any person authorised to do so acting on veterinary advice and that advice is confirmed by a veterinary certificate acceptable to the Stewards and provided to them not later than 5pm on the second business day next following the day of the running of the race from which the horse was withdrawn then:
  - (c) in the case of (a) above the Stewards may, other than in a Group or Listed race where no scratching fee will be payable, make a decision as to whether:
    - (i) the trainer is or is not required to pay the scratching fee pursuant to LR 45(1), or
    - (ii) the trainer is required to pay the veterinary scratching fee as prescribed by the Directors and published in the Prescribed Fee Schedule; or
    - (iii) the veterinary scratching fee need not be paid but the horse so withdrawn will be ineligible to compete at any race meeting in Victoria during any of the thirty days following the Final Scratching Time for that race;
  - (d) in the case of (b) above, the person authorised must advise when lodging the withdrawal which of the options set out in (c)(ii) and (iii) is to apply;
  - (e) the final declaration of acceptance fee (if any) paid in respect of the horse must be refunded; and
  - (f) in the case of the circumstances described in LR 45(2)(b) for Group and Listed races, a veterinary clearance will be required to be submitted to the Stewards before the horse is permitted to start in another race.

[(2) amended 1/8/03, 1/5/04, 1/9/04, 1/2/11; amended 8/3/12]

(3) **Late Veterinary certificate:** If no veterinary certificate is received by the Stewards within the prescribed time under LR 45(2)(b) the scratching fee as prescribed by the Directors and published in the Prescribed Fee Schedule will apply and the

condition set out in LR 45(2)(c)(iii) will not apply. [added 1/8/03; amended 1/9/04; amended 8/3/12]

(4) **Refund of fees:** All nominations and acceptances lodged and received in respect to horses the subject of the condition imposed under LR 45(2)(c)(iii) in relation to races to be conducted during the thirty day period the subject of the condition shall be refunded. [added 1/8/03; amended 1/9/04]

(5) **Emergency Acceptors:**

- (a) A notice of withdrawal of an emergency acceptor from a race lodged after midnight on the day final acceptances were taken and before Final Scratching Time must be accompanied by any fee due under LR 45(1).
- (b) If such withdrawn emergency acceptor would have been withdrawn in accordance with LR 24C(2), then any fee so paid must be refunded.

[renumbered from (3) 1/8/03; amended 1/9/04, 7/4/05]

**AR 115** In the event of the postponement of a race or meeting to another day, scratchings made on the day on which such race or meeting as the case may be was to have been held shall be deemed to be void and the time for scratching extended to the prescribed scratching time on the day on which the race or race meeting is held.

**AR 116** If the Stewards order a race to be re-run, they may allow any horse to be withdrawn from the race up to fifteen minutes before the time appointed for the race to be re-run.

#### LR 45A Stable Security Precautions

(1) Prior to final acceptances being taken for any race the Stewards may determine that security precautions will apply to that race.

(2) Where the Stewards make a determination referred to in sub-rule (1) the trainer of any horse which has been accepted for such race shall, at the time of final acceptances or by such other time as determined by the Stewards, notify the Stewards where the horse will be located from the time of notification until the race.

(3) From the time of acceptances until the race the trainer shall ensure that:

- (a) the horse is located at the premises notified by the trainer pursuant to sub-rule (2); and
- (b) that the horse is available for inspection and testing by the Stewards.

(4) Where the Stewards have determined that security precautions apply pursuant to sub-rule (1) the Stewards, at their discretion, may supervise and/or guard a horse and may appoint other persons to do so.

(5) Where the Stewards have determined pursuant to sub-rule (1) that security precautions apply, the trainer or other person in charge of a horse shall comply with any direction given by the Stewards in respect of the requirements of this Rule.

(6) No person shall frustrate or hinder, or attempt to frustrate or hinder, the Stewards or any person appointed under sub-rule (4) from carrying out their duties under this Rule.

(7) Any person who in the opinion of the Stewards has breached, or was a party to breaching, any portion of this Rule may be penalised and the horse concerned may be withdrawn from the race or disqualified. [amended 1/9/09]

(8) Any directions as to security given by the Stewards under this Rule LR 7 shall apply, as far as is practicable, in addition to the regular security measures in place in the relevant stable.

[original LR 45A adopted 1/8/05; deleted and LR 45B renumbered LR 45A 1/6/06]

LR 45B [renumbered LR 45A on deletion of LR 45B 1/6/06]

#### SADDLING PADDOCK

**AR 117**

(1) All horses engaged to be run in any race shall be brought into the saddling paddock at a time provided for by Local Rule and shall remain there until ordered to proceed to the starting post.

(2) At any time after the designated time for horses to be brought to the saddling paddock, the Stewards may call on the nominator or trainer to satisfy them that their horse will start,

and if the Stewards are not so satisfied, or the nominator or trainer cannot be found, the Stewards may order the withdrawal of the horse and penalise the nominator and trainer or either of them. [amended 1/9/09]

- (3) No horse that has competed in a race shall, without the consent of the Stewards, be removed from the saddling paddock within half an hour of the finish of such race. [deleted and replaced 1/11/99]

#### **LR 46 Bringing horses to the saddling paddock**

- (1) **Time of entry:** Further to the provisions of AR 117 and subject to LR 46(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.

[LR 46(1) amended 19/08/11]

- (1) **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 46, "saddling paddock" includes the racecourse.

[LR 46(3) and (4) added 19/08/11]

#### **ACCESS TO CERTAIN AREAS ON RACEDAYS**

##### **LR 47A The weighing room**

Except with the prior permission of the Stewards a person may not enter or be permitted to enter the weighing room at a race meeting other than:

- (a) the jockey, rider, apprentice, owner, trainer or other person having the care of a horse engaged in the race; or
- (b) an Official.

##### **LR 47B Mounting yard and jockeys room**

- (1) **Mounting Yard:** Except with the prior permission of the Stewards a person must not enter or be permitted to enter the mounting yard at a race meeting other than:

- (a) jockeys, riders and apprentices with a riding engagement;
- (b) trainers with runners;
- (c) trainers with apprentices riding at the meeting;
- (d) owners with runners in a particular race who have been issued with a mounting yard ticket.

[amended 22/10/05]

- (2) **Jockeys Room:** Except with the prior permission of the Stewards, a person must not enter or be permitted to enter the jockeys room at a race meeting other than jockeys, riders and apprentices with a riding engagement. [added 22/10/05]

##### **LR 47C Use of swabbing stall on racedays**

- (1) **Access:**

- (a) **More than one hour before first race:** Subject to availability of a stall, trainers have access to the swabbing stall up to one hour before the advertised time of starting of the race for which their horse is engaged.
- (b) **Less than one hour before first race:** A trainer who wishes his horse to use a swabbing stall within one hour of the advertised time of starting must first seek permission from the Veterinary Surgeon on duty at the race meeting. Permission may be granted subject only to space and staff availability, but any urine sample passed within this one hour period may be collected and processed by the swabbing stall staff under the usual conditions for post-race collection and forwarded for analysis.

- (2) **Trainer to accompany horse and certify samples:** The trainer or a representative must:

- (a) accompany a horse to the swabbing stall for pre- or post-race sampling;
- (b) remain present at all times during the collection and where applicable, sealing and packaging of samples; and
- (c) certify in writing that the samples have been collected from the horse concerned.

#### **WEIGHING OUT**

**AR 118** When calculating a rider's weight in weighing-out or weighing-in:

- (a) no account shall be taken of fractions of a half kilogram, and,
- (b) the following items shall be included by the rider in the weight:
  - (i) any item of clothing worn by the rider, excluding the helmet, goggles, other face protection and gloves;
  - (ii) the saddle, lead bag and associated packing, excluding the saddle cloth;
  - (iii) any other gear attached or to be attached to the saddle.

[previous AR 118 amended and renumbered AR 91 1/9/09; new AR 118 added 1/9/09]

##### **LR 47D**

Riders must be in attendance in the Jockeys Room at least 45 minutes prior to the advertised starting time of any race in which they are engaged to ride. [adopted 1/8/02]

##### **LR 47E Weighing out in advance**

At any race meeting which has a scheduled interval of less than 40 minutes between races:

- 1) A rider must weigh-out at least 30 minutes prior to the advertised starting time of the first race in which they are engaged to ride.
- 2) If a rider is engaged to ride in consecutive races at a race meeting, that rider must weigh-out for both races at least 30 minutes prior to the advertised starting time of the first race. [added 1/8/17]

**AR 118A** A rider or any other person shall not, without the permission of the stewards, add to, remove from, or change any equipment with which the rider has been weighed out. [amended 14/6/07]

##### **AR 118AA**

- (1) When weighing-out for any race every rider must secure in his lead bag or saddle pouch any lead or other weight. [added 20/11/02]
- (2) All lead or other weight must be carried in the saddle or lead bag pouches and must be securely fastened therein. [added 1/6/08]

**AR 118B** To compensate for the wearing of safety gear in races, other than such safety gear which is not allowed in the scales pursuant to AR 148, the weight of all riders shall be calculated at one kilogram less than the weight that is registered on the scale at both weighing-out and weighing-in. [added 1/12/98; amended 1/8/07]

**AR 118C** It shall be an offence for any rider -

- (a) to in any way manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race;
- (b) to weigh-out or attempt to weigh-out for a race or ride in any race when wearing an Approved safety vest that has been modified in any way; or
- (c) to weigh-out or attempt to weigh-out or ride in any race unless he is wearing an Approved safety vest.

[amended 1/12/98, 1/10/00, 1/8/07, deleted and replaced 1/7/14]

**AR 119** If a rider after being declared is prevented by accident or illness or other cause from riding, the Stewards may permit another rider to be substituted.

## AR 120

- (a) If a rider intends to carry overweight in a race, he must declare the amount of his overweight to the Clerk of the Scales. If such overweight is half a kilogram or more the rider must first obtain the permission of the Stewards to carry such extra weight. The Clerk of Scales shall exhibit all overweight outside the weighing room.
- (b) If a rider, after having been declared is found to have accepted a ride for which he is overweight, such rider may be penalised and another rider may be substituted at the allotted weight, or nearer to the allotted weight.

[amended 1/9/09]

### LR 48 Procedure for horses carrying overweight in flat races

- (1) **Less than half a kilogram:** It is not necessary to declare or exhibit fractions of less than one half of a kilogram.
- (2) **Half a kilogram overweight:**
  - (i) **up to 55.5 kgs:** The Clerk of Scales may permit riders of horses handicapped up to and including 55.5 kgs to weigh out half a kilogram overweight as provided for in AR 120(a) without obtaining permission from the Stewards, provided the Nominator or trainer of the horse agrees.
  - (ii) **56 kg and above:** Riders must not ride half a kilogram overweight for horses handicapped at 56 kg except with the permission of the Stewards which may be granted only in special circumstances.
- (3) **One kilogram overweight:**
  - (i) **up to 51.5 kg:** If a rider is to be one kilogram overweight, permission must be obtained from the Stewards who may grant approval if the Nominator or trainer agrees and the horse is handicapped at 51.5 kg or less.
  - (ii) **52 kg and above:** A rider will not under normal circumstances be granted permission to ride one kilogram overweight if a horse is handicapped at 52 kg or more unless there is no other rider available.
- (4) **More than one kilogram overweight:** Unless special circumstances apply the Stewards will not permit a rider to ride 1.5 kg overweight unless there is no other rider available within one kilogram of the allotted weight.

### LR 48A Procedure for horses carrying overweight in jumping and highweight races

- (1) **Less than half a kilogram:** It is not necessary to declare or exhibit fractions of less than one half of a kilogram.
- (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) 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.
- (3) **One kilogram overweight:**
  - (i) **Up to 65.5kg:** If a rider is to be one kilogram overweight, permission must be obtained from the Stewards who may grant approval if the Nominator or trainer agrees and the horse is handicapped at 65.5kg or less.
  - (ii) **66kg and above:** A rider will not under normal circumstances be granted permission to ride one kilogram overweight if a horse is handicapped at 66kg or more unless special circumstances apply, the Nominator or trainer of the horse agrees, and there is no other suitable rider available.
- (4) **More than one kilogram overweight:** Unless special circumstances apply, the Stewards will not permit a rider to ride 1.5 kg overweight unless there is no other rider available within one kilogram of the allotted weight.

[LR 48A added 1/8/11]

**AR 121** Nominators and trainers are responsible for their horses carrying all proper weight and penalties, and in all cases where penalties have to be carried for winning, or allowances are claimed, the nominator, trainer or rider must notify the same to the Clerk of the Scales before the rider is weighed out.

### LR 49 Requirements after weighing out

- (1) **Riders:** Riders must:
  - (a) present themselves at the scales in the racing colours to be worn; and
  - (b) not change any clothing or equipment after weighing out.
- (2) **Saddles:** Saddles and any other gear used when weighing out must be handed to the trainers concerned or their representatives and must not be left unattended or taken back into the jockeys' room.

**AR 122** A rider shall mount the horse to be ridden by him in any race within such enclosure or place as the Stewards may appoint, and shall not without leave of the Stewards leave the jockeys room or such enclosure before proceeding to the starting post.

**AR 123** After a rider has left the jockeys room to ride in a race, and until he dismounts if not required to weigh in, or until he weighs in if so required,

- (a) No person other than the trainer or nominator, or their authorised agent, or an official in the course of his duties, or during the race another rider, shall except by leave of the Stewards, Judge or Starter, speak to or communicate in any way with such rider.
- (b) No other person save an official in the course of his duties or the trainer prior to the race shall except by leave of the Stewards, Judge or Starter touch the rider, or his horse or any of its equipment.
- (c) The rider shall not except by leave of the Stewards, Judge or Starter, speak to or communicate in any way with any person other than the trainer or nominator, or their authorised agent, or an Official in respect of his duties, or another rider during the race.

[amended 30/4/03]

## STARTING

### LR 50 Approval for horses to start in a race

- (1) **Unraced horse must have approval:** An unraced horse is not permitted to start in a race unless it has obtained the approval of the Stewards to start in a race following its satisfactory performance in a jump-out or an official trial, over at least 600 metres and with at least two other horses.
- (2) [deleted 1/8/17]
- (3) **Horses to be ridden into the starting stalls:** A horse taking part in a jump-out or official trial for the purpose of obtaining approval from the Stewards pursuant to LR 50(1) must be ridden into the starting stalls with, if required, the assistance of only one person who may lead it into the stalls.
- (4) **Jump-Outs:** Where a horse is entered in a jump-out for the purpose of obtaining an approval under LR 50(1), the trainer or other person in charge of the horse must:
  - (a) have officially named the horse prior to entering into the jump-out; and
  - (b) ensure the horse is wearing racing colours in the jump-out.
- (5) **Prohibited substance:** Where a horse is presented to engage in a jump-out being conducted at private premises for the purpose of obtaining an approval under LR 50(1) and a prohibited substance is detected in any sample taken from it prior to or following such engagement, the trainer and any other person who was in charge of the horse at any relevant time may be penalised.

[LR 50 deleted and replaced 1/1/10, LR 50 (3),(4) & (5) amended 1/8/17]

**AR 124** Every horse unless otherwise permitted by the Stewards shall be presented in the mounting yard no later than fifteen minutes prior to the advertised start time. [deleted and replaced 1/9/09]

**AR 125** Every horse shall parade and proceed, without delay, to the start as directed by the Stewards. [deleted and replaced 1/9/09]

## LR 51 Starting stalls

- (1) **Horses to be ridden to starting stalls:** Where practical horses must be ridden to the starting stalls however a lead may be given by the Clerk of the Course to any horse or horses:
- (a) With the permission of the Stewards, or
  - (b) If considered by the Clerk of the Course to be expedient following an incident occurring after the horses have left the saddling paddock.
- [amended 10/11/04]
- (2) **No other assistance:** A person other than the rider must not without the permission of the Stewards:
- (a) lead or accompany a horse to the starting post; or
  - (b) assist or attempt to assist or in any way interfere with any horse at the starting barrier.
- (3) **Entry to starting stalls:**
- (a) Horses must be ridden into the starting stalls unassisted where practical.
  - (b) Subject to the provisions of AR 128, horses are to be placed in the starting stalls in the order of the barrier draw except when horses are split into two divisions for example 1-10 and 11-20.
- (4) [deleted 1/8/09]

**AR 126** Every race shall be started by the Starter or such person appointed by the Principal Racing Authority, Committee of the Club or the Stewards in accordance with these rules. [deleted and replaced 1/9/09]

**AR 127** The Starter may give all such orders and take all such measures as he considers necessary for securing a fair start and shall report to the Stewards any rider who disobeys his orders or attempts to take any unfair advantage. [deleted and replaced 1/9/09]

## AR 128

- (1) Every rider shall ensure that his horse occupies its allotted barrier stall that is in the respective order as previously determined by the barrier draw.
- (2) If any horse starts from an incorrect barrier stall, the Stewards prior to the declaration of correct weight may confirm the official order of placings, declare the race to be void, or declare any horse concerned a non-starter.

[AR 128 repealed and replaced 1/9/09]

**AR 129** An open barrier or flag start must be specifically authorised by the Stewards, whereupon the Starter may remove any unruly horse from the place allotted by the barrier draw; and in such case he shall place it at such a distance to the outside of, or behind, the other runners where it cannot gain any advantage for itself, or cause any danger or prejudice the chances of any other horse; or if he considers it necessary he may recommend its withdrawal by the Stewards. [deleted and replaced 1/9/09]

**AR 130** If the start is from barrier stalls, no horse may start outside the barrier stalls and any horse which refuses to enter its barrier stall after all reasonable efforts have been made to place it therein, or any horse which becomes unduly fractious after being placed in its stall it may be withdrawn by the Stewards who may make such orders as are considered appropriate in respect to betting on such event. [deleted and replaced 1/9/09]

**AR 131** If a race be started from the incorrect starting position the Stewards may declare such race void and may further order that such race be re-run on that day. [deleted and replaced 1/9/09]

**AR 132** The Starter may signal a false start if he considers:

- (a) the barrier stalls have malfunctioned,
- (b) a horse has broken through the barriers before he had effected the start, or
- (c) for any reason, a fair start had not been effected.

[deleted and replaced 1/9/09]

**AR 132A** In the event that a false start has been signalled by the Starter and/or an official appointed for the purpose each rider must immediately restrain his mount and return to the starting point without delay. [added 1/9/09]

## LR 51A Strand Starts

- (a) The Stewards may authorise a hurdle or steeplechase race to be started by way of a strand start, under conditions approved by Racing Victoria in its discretion.

- (b) Where, at a strand start, a horse is unruly or fractious, the Starter may recommend that the Stewards withdraw it from the race.
- (c) Without limiting AR 132, the Starter may signal a false start at a strand start if he considers:
  - (i) the strand (or tape) or any part of the strand start process has malfunctioned;
  - (ii) a horse has broken through the strand before the Starter had effected the start.

[LR 51A added 1/9/09]

## LR 52 No flying start

There must not be a flying start of the horses in any race under any circumstances.

**AR 133** Unless a false start has been signalled by the Starter or the official appointed for the purpose all riders shall ride their mounts so as to fulfil their obligations under AR 135(b). [deleted and replaced 1/9/09]

## LR 53 Signalling false starts

- (1) **Warning device:** A Starter declaring a "False Start" must immediately activate the "False Start" warning device comprised of:
  - (a) A flashing light situated 200 metres from the start, placed 2 metres in from the inside running rail; and
  - (b) A siren situated near the flashing light, facing across the track and in the direction of the starting stalls.
- (2) **Flag:** If the "False Start" warning device malfunctions, the Starter and a flagman attired in a white coat and situated near the false start light will signify a "False Start" by means of red flags of dimensions 90cm x 68cm, attached to a 105cm stick.
- (3) **Notice to Stewards:** After declaring a "False Start", the Starter must immediately notify the Stewards to this effect.

**AR 134** The decision of the Stewards shall be final and conclusive upon any question of whether a start has been effected or whether a horse is declared a non-starter. [deleted and replaced 1/9/09]

**AR 134A** If in the opinion of the Stewards any horse was riderless at the time a start was effected, or was encumbered by equipment applied with the permission of or at the direction of the Starter, or if a horse was denied a fair start and such occurrence materially prejudiced the chances of that horse finishing in first, second or third placing, 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. Provided that a horse which is ultimately declared first, second or third placing in a race shall not be declared a non-starter. [amended 1/3/05]

**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. [added 1/8/16]

## RUNNING

### AR 135

- (a) Every horse shall be run on its merits.
- (b) The rider of every horse shall take all reasonable and permissible measures throughout the race to ensure that his horse is given full opportunity to win or to obtain the best possible place in the field.
- (c) Any person who in the opinion of the Stewards has breached, or was a party to breaching, any portion of this Rule may be penalised, and the horse concerned may be disqualified.
- (d) Any person who:
  - (i) in the opinion of the Stewards, has breached, or was a party to breaching, subrule 135(a); and
  - (ii) has a lay bet or an interest in a lay bet on the subject horse and/or has a bet or an interest in a bet on another horse in the subject race, must be penalised in accordance with AR 196(5).

[amended 1/9/09, (d) added 1/3/13]

**AR 135A** When by or on behalf of a trainer, any instruction is given to, or arrangement made with the rider of a horse engaged in a race that the horse be ridden in the race in a manner different from the

manner in which the horse was ridden at its most recent start or starts, it shall be the responsibility of the trainer or his duly authorised agent to notify the Stewards of any such instruction or arrangement as early as practicable but not later than 30 minutes prior to the race. Upon receipt of that notification the Stewards may make any public release in respect thereof as they deem to be appropriate. [adopted 1/3/05; amended 1/10/06, 1/10/12]

#### AR 136

- (1) If a horse:
  - (a) crosses another horse so as to interfere with that, or any other horse, or
  - (b) jostles, or itself, or its rider, in any way interferes with another horse or its rider, unless such jostle or interference was caused by some other horse or rider,such horse and any other horse in the same nomination may be disqualified for the race. [amended 1/2/01]
- (2) If a placed horse or its rider causes interference within the meaning of this Rule to another placed horse, or its rider, and the stewards are of the opinion that the horse interfered with would have finished ahead of the first mentioned horse had such interference not occurred, they may place the first mentioned horse immediately after the horse interfered with. For the purpose of this Rule "placed horse" shall be a horse placed by the Judge in accordance with AR 157. [amended 1/11/11]

**AR 137** Any rider may be penalised if, in the opinion of the Stewards,

- (a) He is guilty of careless, reckless, improper, incompetent or foul riding.
- (b) He fails to ride his horse out to the end of the race and/or approaching the end of the race.
- (c) He makes any celebratory gesture prior to his mount passing the winning post.
- (d) He excessively slows, reduces or checks the speed of his horse thereby causing interference, directly or indirectly, to any other horse in the race.

[amended 1/3/05, 1/10/06, 1/10/00, 1/9/09]

#### AR 137A

- (1) (a) Only padded whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in races, official trials or jump-outs.
- (b) Every such whip must be in a satisfactory condition and must not be modified in any way.
- (c) The Stewards may confiscate any whip which in their opinion is not in a satisfactory condition or has been modified.
- (d) Any rider who has been found guilty of a breach of this subrule may be penalised. Provided that the master and/or other person who is in charge of an apprentice jockey at the relevant time may also be penalised unless he satisfies the Stewards that he took all proper care to ensure the apprentice complied with the rule.
- (2) Only padded whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in trackwork.
- (3) The Stewards may penalise any rider who in a race, official trial, jump-out or trackwork, or elsewhere uses his whip in an excessive, unnecessary or improper manner.
- (4) Without affecting the generality of subrule (3) of this rule, the Stewards may penalise any rider who in a race, official trial or jump-out uses his whip:
  - (a) forward of his horse's shoulder or in the vicinity of its head; or
  - (b) using an action that raises his arm above shoulder height; or
  - (c) when his horse is out of contention; or
  - (d) when his horse is showing no response; or
  - (e) after passing the winning post; or
  - (f) causing injury to his horse; or
  - (g) when his horse is clearly winning; or
  - (h) has no reasonable prospect of improving or losing its position; or
  - (i) in such manner that the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that this was neither deliberate nor reckless.

(5) Subject to the other requirements of this rule:

- (a) In a race, official trial or jump-out prior to the 100 metre mark;
  - (i) The whip shall not be used in consecutive strides.
  - (ii) The whip shall not be used on more than 5 occasions save and except where there have only been minor infractions and the totality of the whip use over the whole race is less than permitted under AR 137A(5)(a) and (b) and also having regard to the circumstances of the race including distance and context of the race, such as a staying race or a rider endeavouring to encourage his mount to improve.
  - (iii) The rider may at his discretion use the whip with a slapping motion down the shoulder, with the whip hand remaining on the reins.
- (b) In the final 100 metres of a race, official trial or jump-out, a rider may use his whip at his discretion.

[AR137A(5) amended 26/9/09, amended 11/4/12, deleted and replaced 1/12/15, AR137A(5)(a)(ii) amended 1/1/17]

- (6) [rescinded 26/9/09]
- (7) (a) Any trainer, owner or authorised agent must not give instructions to a rider regarding the use of the whip which, if carried out, might result in a breach of this rule.
- (b) No person may offer inducements to a rider to use the whip in such a way that, if carried out, might result in a breach of this rule.
- (8) Any person who fails to comply with any provisions of this rule is guilty of an offence. [replaced 1/08/09]
- (9) An owner or his authorised representative, trainer, rider or Steward may lodge an objection against the placing of a horse where the rider during the race contravenes AR 137A(3) or (5). [added 1/08/09, replaced 26/9/09]
- (10) Notwithstanding the provisions of subrule (5) (a) & (b) of this rule, a Principal Racing Authority who has charge of the conduct of jumps racing may provide separately, and in its own discretion, for the regulation of the use of the whip in jumping events under its own Local Rules of Racing and any such provision/s will not be limited by the provisions of subrule (5) (a) & (b). [added 11/04/16]

[AR 137A deleted and replaced 1/8/09]

[AR 137AA deleted 1/8/09]

#### LR 53A

- (1) Further to the provisions of AR 137A(10), and for the purpose of AR 137A(5) (a) & (b) only,
  - (a) In a jumps race, official jumps trial or jump-out (including a jumps schooling event) prior to the 100 metre mark;
    - (i) The whip shall not be used in consecutive strides.
    - (ii) The whip shall not be used on more than 10 occasions.
    - (iii) The rider may at his discretion use the whip with a slapping motion down the shoulder, with the whip hand remaining on the reins.
  - (b) In the final 100 metres of a jumps race, official jumps trial or jump-out (including a jumps schooling event) a rider may only use his whip in non-consecutive strides.

[LR 53A added 11/04/16]

**AR 137B** The Stewards may penalise any rider who in a race, official trial, jump-out or in trackwork, or elsewhere uses his spurs in an unnecessary, excessive or improper manner. [amended 1/10/00, 1/9/09]

#### AR 138

- (1) In any race approved by a Principal Racing Authority to be conducted outside markers, any rider may be penalised if in the opinion of the Stewards:
  - (a) he permits his mount to go inside a marker;
  - (b) he makes insufficient effort to prevent his mount from going inside a marker;
  - (c) he causes either directly or indirectly another runner to go inside a marker;
  - (d) he permits his mount to continue in the race after it goes inside a marker.

- (2) The markers referred to in subrule (1) shall be of a design and placement as approved by the Principal Racing Authority.
- (3) Any horse that goes inside a marker shall be disqualified for the race unless such occurrence was, in the opinion of the Stewards, caused by another horse or rider, in which case the horse so interfered with may be declared a non-starter.
- (4) Any horse that interferes with or in any way causes another runner to go inside a marker may be disqualified for the race.

[previous AR 138 deleted and replaced 1/9/09]

**AR 139** The Stewards appointed under AR 8 may declare any race void and, if they consider it expedient, order such race to be run again on the same day.

#### **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.
- (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. [added 1/8/16]
- (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 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 deleted and replaced 1/9/13]

### **GEAR**

#### **LR 54 General obligations**

- (1) **Trainers responsible for gear:** Trainers must ensure that all racing gear used by them is:
  - (a) approved for use pursuant to the Rules; and
  - (b) in proper usable condition.

(2) **Application for approval:** Except with the permission of the Stewards which may be given only in special circumstances, applications for approval or removal of gear in accordance with AR 140B must be lodged with the Stewards before declaration of acceptance for the race in which the horse is intended to start.

(3) **To be fitted before leaving mounting yard:** All gear to be used on a horse in a race must be fitted to the horse before the horse leaves the mounting yard to participate in the race.

(4) **Stewards' permission required for specific gear to be worn to starting stalls:** Trainers must apply for, and obtain, the Stewards' permission for specific racing gear to be worn by a horse from the mounting yard to the starting stalls only and then removed at the starting stalls prior to the start of the race. Any application must be in relation to gear listed in the National Gear Register only and must be lodged with the Stewards before declaration of acceptance for the race in which the horse is intended to start. [added 1/8/17]

#### **AR 140B**

- (1) Only gear and conditions of use that have been expressly approved by the Chairmen of Stewards, and included in the National Gear Register, may be used on any horse in a race, official trial, jump-out or in trackwork. Provided that the Stewards may approve other gear to be used in trackwork. [amended 14/6/07, 1/9/09]
- (2) No horse shall race in any approved gear, including racing plates, listed in the National Gear Register unless permission has been obtained from the Stewards prior to acceptance time for the race concerned. [amended 1/5/02, 30/6/03 and 14/6/07]
- (3) When permission has been obtained in accordance with the provisions of sub-rule (2) of this rule such gear shall continue to be used without variation on the horse concerned in subsequent races unless permission has been obtained from the Stewards prior to acceptance time for the race concerned, or as otherwise approved or instructed by the Stewards. [amended 14/6/07]

**LR 55A** [deleted 1/8/09]

#### **LR 55B Saddles and irons**

- (1) Saddles must be of material and design approved by the Stewards.
- (2) Saddles manufactured with fibre glass trees must not be approved or used.
- (3) Saddles with short top steel plates may be rejected by the Stewards.
- (4) Magnesium irons must not be used.

**LR 55C-LR 55G** [deleted 1/8/09]

#### **LR 55H Blinkers/Visor Blinkers**

- (1) **Application for a horse to race in blinker/visor blinkers:** Stewards may grant approval for a horse to race in blinkers/visor blinkers if:
  - (a) the horse:
    - i. has raced previously;
    - ii. has competed in an Official Trial; or
    - iii. has been granted approval to race by the Stewards upon successful completion of a jump-out;
  - (b) an application for the horse to race in blinkers/visor blinkers is lodged with the Stewards before declaration of acceptances for the race it is intended to start; and
  - (c) the trainer submits a declaration that the horse has worked in blinkers/visor blinkers with other horses, performed in blinkers/visor blinkers to the trainer's satisfaction, and the trainer believes that the horse will race tractably and safely in blinkers/visor blinkers.

(2) **Stable return:** An owner or trainer intending to use, or discontinue the use, of blinkers/visor blinkers on a horse in a race must lodge an amended stable return in respect of such horse before declaration of acceptances.

(3) **Permission to discontinue use:** An application to discontinue the use of blinkers/visor blinkers on a horse must be lodged

with, and permission must be obtained from, the Stewards before declaration of acceptances for the race in which the horse is intended to start.

**(4) Jumping races:**

- (a) Horses which have been approved to race in blinkers/visor blinkers may compete in jumping races in non-hooded type blinkers/visor blinkers which have been specifically approved by the Stewards.
- (b) A trainer of a horse which has been approved to race in blinkers/visor blinkers on the flat who wishes to not use blinkers/visor blinkers on that horse in a jumping race must seek approval from the Stewards to remove the blinkers/visor blinkers prior to declaration of acceptance for the race it is intended to start.

**(5) Penalty of trainer:** A trainer may be penalised for:

- (a) using unapproved or otherwise unsuitable blinkers/visor blinkers;
- (b) failing to have blinkers/visor blinkers on a horse which has been approved to race in same; or
- (c) having blinkers on a horse which has not been approved to race in blinkers/visor blinkers.

[LR 55H deleted and replaced 1/8/17]

**LR 55I-LR 55P** [deleted 1/8/09]

**AR 141** Every horse running in a race shall carry a saddlecloth bearing a number corresponding with the number in the racebook. The cloth shall be supplied to the rider at the time of weighing out, and must be worn so that the number is clearly visible.

**FARRIERS**

**LR 56** [deleted and replaced by LR 56A-LR 56D 7/8/08]

**LR 56A Horses to be attended by licensed farrier**

- (1) Unless otherwise authorised by the Stewards, horses engaged to run in a race or official trial must arrive at the Course having been shod or plated by a licensed farrier or his or her registered employee. [amended 1/9/09; added 8/3/12]
- (2) The Stewards may authorise exceptions under sub-rule (1) either:
  - (a) on an ad hoc basis; or
  - (b) by registering certain persons in accordance with LR 56D to shoe horses presented for races or official trials under such conditions or for such period of time as the Stewards see fit.[amended 1/9/09]
- (3) Any horse that has been shod or plated under sub-rule (2) of this rule must be presented for inspection to the farrier's supervisor, or any other person appointed by the Stewards, upon arrival at the Course.
- (4) Any person who breaches any part of this Rule or who causes any part of this Rule to be breached may be penalised by the Stewards. [amended 1/9/09]

[LR 56A adopted 7/8/08]

**LR 56B Farriers' licences**

- (1) An application to the Directors for the grant or renewal of a farrier's licence must:
  - (a) be in such form;
  - (b) provide such information; and
  - (c) be accompanied by such fee,as is prescribed by the Directors from time to time and published in the Prescribed Fee Schedule. [added 8/3/12]
- (1A) Categories: An application for the grant of a farriers licence may be made for the following categories of farrier:
  - (a) farrier
  - (b) visiting farrier; or
  - (c) visiting international farrier.[added 1/7/16]
- (2) Subject to LR 56B(6), the Directors may from time to time prescribe educational and experience qualifications which must be attained as a precondition to the grant of a farrier's licence.
- (3) The Directors without giving reasons may:
  - (a) refuse to grant a farrier's licence; or

- (b) grant a farrier's licence subject to such terms and conditions as the Directors think fit, including but not limited to restrictions regarding duration or locality or both.

- (4) The Directors may at any time revoke a farrier's licence, including without limitation where the holder of the farrier's licence:
  - (a) is not actively using the farrier's licence; or
  - (b) ceases to meet the requirements to be granted a farrier's licence in accordance with the Rules.
- (5) All farrier's licences expire on the 31 July next after issue, unless cancelled suspended or revoked.
- (6) It is a precondition to the grant of a farrier's licence that the applicant:
  - (a) is competent to hold a farrier's licence;
  - (b) is trade certified with National Certificate III in Farriery or equivalent;
  - (c) is of good reputation and character and is a fit and proper person to hold a licence to shoe or plate racehorses.

[LR 56B adopted 7/8/08]

**LR 56C Farrier's Apprentices (formally known as Farrier's employees)**

- (1) A licensed farrier must not employ or retain in employment any person in connection with the performance of farriery on racehorses unless such person is registered by the licensed farrier in accordance with this Rule.
- (2) An application for registration of a farrier's apprentice must be made by a licensed farrier:
  - (a) in such form;
  - (b) with such information; and
  - (c) accompanied by such fee,as is prescribed by the Directors from time to time and published in the Prescribed Fee Schedule. [added 8/3/12]
- (2A) Categories: An application for registration of a farriers apprentice may be made for the following categories:
  - (a) apprentice farrier;
  - (b) visiting apprentice farrier; or
  - (c) visiting international apprentice farrier.
- (3) The Directors may from time to time prescribe educational and experience qualifications which must be attained as a precondition for a person to be registered as a farrier's apprentice.
- (4) The Directors may in their absolute discretion:
  - (a) refuse to register a person as a farrier's apprentice;
  - (b) register a person as a farrier's apprentice subject to any conditions;
  - (c) revoke, cancel or vary the conditions of any registration.
- (5) Term of registration: All of the registrations expire on the 31 July next after issue unless:
  - (a) revoked earlier in accordance to LR 56C(4);
  - (b) cancelled;
  - (c) suspended;
  - (d) disqualified; or
  - (e) otherwise provided for under the terms and conditions of an apprentice farrier registration.

[LR 56C adopted 7/8/08, amended 1/7/16]

**LR 56D Special Registration to Shoe Horses**

- (1) The Stewards may from time to time register certain persons who do not meet the requirements of LR 56B(2) to shoe horses presented for racing or official trials in accordance with LR 56A(2). [amended 1/9/09]
- (2) An application for registration must be made
  - (a) in such form; and
  - (b) with such information,as is prescribed by the Stewards from time to time.
- (3) Such registration does not constitute an occupational licence and the Stewards may in their absolute discretion:
  - (a) refuse to register a person under LR 56D(1);
  - (b) register a person under LR 56D(1) subject to any conditions or for any period of time;

- (c) revoke, cancel or vary the conditions of any registration at any time.

[LR 56D adopted 7/8/08]

#### AR 141A

- (1) No horse shall be permitted to start in any race unless it is fully shod with plates or tips that conform to the requirements of AR 141B, provided that in exceptional circumstances, the Stewards may permit a horse to run barefooted or partly shod. The trainer bears sole responsibility for ensuring that horses are presented for racing in compliance with AR 141B.
- (2) Prior to the acceptance time of any race for which a horse is entered, trainers must:
  - (a) obtain approval from the Stewards for the use of any synthetic hoof repair material, hoof pads or any non-standard, partial, modified and/or therapeutic, racing plates or tips; and
  - (b) notify to the Stewards any change from tips to plates, or from plates to tips.[amended 1/8/04, 1/6/08]
- (3) To ensure compliance with the requirements for plating as prescribed in AR 141B, the farrier's supervisor or any other person appointed by the Stewards shall be authorised to inspect all or any horses presented for racing.
- (4) Any mishap to a plate or tip occurring in a race must be reported by the trainer to the Stewards without delay.

[AR 141A deleted and replaced 30/6/03]

#### AR 141B

- (1) Plates and tips must be made of an approved material capable of being forged or moulded into shape. Tips must cover at least one third of the perimeter of the hoof.
- (2) Plates and tips must not exceed 150 grams in weight, provided that upon application the Stewards may give permission for the use of approved therapeutic plates up to a weight of 170 grams.
- (3) Plates and tips must be securely and properly fitted and must not protrude beyond the perimeter of the hoof. Plates must be secured by a minimum of five nails and tips by a minimum of three nails. The heads of nails must not protrude more than 2mm from the surface of the plate or tip.
- (4) Forged or rolled toe and side clips are permitted provided such clips have blunt, rounded edges and do not exceed 15mm in height and 20mm in width. Steel inserts are permitted provided they are level with the surface of the plate.
- (5) Bar plates are permitted, provided that the entire plate including the bar is in one piece. A bar may be welded or riveted to the plate provided that the surface of the bar is level with that of the plate.
- (6) Heeled plates or caulks are not permitted in flat races. Cutting plates, grippers or any other form of plates or tips which in the opinion of the Stewards may be dangerous are not permitted.
- (7) Hoof pads shall be of a material, design and weight approved by the Stewards.

[AR 141B deleted and replaced 30/6/03]

#### LR 57 Shoes

- (1) **Plates with inserts:** Racing plates with approved steel inserts will be allowed to be used in races in Victoria.
- (2) **Shock shod shoes:** Shock shod shoes may be used on horses in Victoria subject to the following conditions:
  - (a) **Application to use:** An application for use must be made in writing by the trainer before 9.30am on the day preceding a race.
  - (b) **Permission to discontinue use:** Permission to discontinue the use of these shoes must be obtained from the Stewards.
- (3) **Racing plates with clips:** Racing plates with clips are permitted to be used on horses in Victoria subject to the following conditions:
  - (a) Clips must be of a size and shape acceptable to and approved by the Farrier's Supervisor.
  - (b) Clips should have blunt and rounded edges and not exceed 6 mm in height and 20mm in length.

- (c) Plates or tips may be rolled to prevent shifting.

- (4) **Glue on shoes:** Conditions for use for mustad race-glué shoes in Victoria:

- (a) **Application to use:** An application for use must be made in writing to the Stewards by the trainer before declarations for the race in which it is first intended to run the horse in the shoes.
- (b) **Earliest time of fitting:** The shoes must be fitted no more than 48 hours before the race unless otherwise approved by the Stewards.
- (c) **Farrier to fit shoes:** Except for horses from interstate or overseas which have been fitted with these shoes prior to arriving in Victoria the fitting of the shoes on all horses must be performed by a farrier registered with Racing Victoria.
- (d) **Inspection:** The trainer must ensure that the horse shod with these shoes is inspected as soon as possible after arrival on the course on the day of the race by a farrier registered with Racing Victoria.
- (e) **Shoe cast or damaged:** If a shoe is cast or so damaged that it cannot be secured and needs to be removed, the Stewards must order the withdrawal of the horse from the race.
- (f) **Permission to discontinue use:** Trainers wishing to discontinue the use of the shoes must obtain permission from the stewards before declarations for the race in which it is intended that the shoes will not be used.

**LR 58** All horses presented for hurdle/steeplechase races and official hurdle/steeplechase trials must wear boots and/or bandages on their forelegs. [adopted 27/02/03; amended 1/9/09]

#### WEIGHING IN

**AR 142** When a race has been run every rider shall immediately after pulling up, ride his horse to the place of weighing and when told by the Stewards so to do and not before, there dismount and the riders of the placed horses, and such other riders as directed by the Stewards, shall be weighed to the satisfaction of the Clerk of the Scales or a Steward. Provided that if a rider be prevented by accident, illness or other cause deemed sufficient by the Stewards from riding to the place of weighing he may walk or be carried to the scales. If, in the opinion of the Stewards, it is impracticable to weigh in a rider, his horse shall not be disqualified if he weighed out correctly and the Stewards are of the opinion that he carried his correct weight.

**AR 143** Subject to AR 146, if a horse carries less weight than the weight it should carry:

- (a) It 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; and
- (b) Notwithstanding paragraph (a), the rider and/or any other person at fault may be penalised.

[amended 1/10/06, 1/10/07, 1/9/09, 1/5/15]

**LR 58A** The Stewards may disqualify for the race, or for any period they think fit, any horse which has been ridden in a race by an apprentice whose weight in the race has been adjusted by an allowance to which he or she is not entitled.

**AR 144** If a rider does not weigh in when required to do so, or if he touch (except accidentally) any person or thing other than his own equipment, after starting, and before weighing in, unless justified by extraordinary circumstances in doing so, he may be penalised and the horse he rode may be disqualified for that race; provided that any part of his equipment dropped after passing the post may be handed to him by the Clerk of the Course or other authorised official. [amended 1/9/09]

**AR 145** If a horse carries more than a half a kilogram in any race over the weight imposed or declared, the rider and any other person at fault may be penalised. [amended 1/9/09, 1/12/10]

**AR 146** Subject to compliance with AR 142, a horse shall be deemed to have carried its weight from the start of the race to the finish line if in the opinion of the Stewards, the jockey remains in contact with the horse or any part of the horse's gear from the start of the race to the finish line. [added 1/5/15]

**AR 147** [rescinded 1/9/09]

**AR 148** [rescinded 1/9/09]

**AR 149** [deleted 1/6/08]



**AR 150** When all the riders required to be weighed-in have been so weighed at not less than the weight at which they weighed-out, if there has been no objection or after any objection has been determined, the Stewards shall declare correct weight and make a public announcement to that effect. [deleted and replaced 1/9/09]

## DEAD-HEATS

**AR 151** When horses run a dead-heat for first or other place, the prize money awarded in respect of each horse shall be an equal share of the total prize money that would have been awarded in respect of the horses had they finished in successive places and not dead-heated. [amended 1/7/00]

**AR 152** If the nominators of a horse which run a dead-heat cannot agree who of them is to have a cup or other prize that cannot be divided, the question shall be determined by lot by the Stewards, who, if it becomes necessary, shall also decide what sum of money (if any) is to be paid by the nominator taking the cup or other indivisible prize to the other nominator. [amended 1/7/00]

**AR 153** Subject to the conditions of any race, each horse that divides a prize for first place shall be deemed to be the winner of a race worth the amount awarded in respect of the horse by way of money or prize. [amended 1/7/00]

## JUDGE'S DECISION

**AR 154** Placings in a race shall be decided only by the Judge, occupying the Judge's box at the time when the horses passed the winning post.

**AR 155** A camera may be used to make photographs or images of the horses at the finish to assist the Judge in determining their positions as exclusively indicated by their noses. [amended 1/8/98]

## AR 156

- (1) The determination of the Judge declaring a horse to have won or to have been placed shall be final, subject only to alteration by the Stewards in accordance with these Rules; provided that the Judge may correct any mistake before the riders of the placed horses have been weighed in.
- (2) In the event of the Judge being unavailable or, in the opinion of the Stewards, is or was unable, because of illness or otherwise, properly to place the horses as they pass or passed the winning post, the Stewards shall stand in the place or stead of the Judge and assume and exercise the responsibilities, powers and duties conferred on him by this Rule. [added 1/3/05]
- (3) Notwithstanding the terms of sub-rule (1), whether prior to or subsequent to the declaration of correct weight, if the Stewards are satisfied on the evidence of the available prints or images that the Judge has made a mistake in the determination of the finishing order of a race, the Stewards may correct such mistake and alter the places accordingly. No alterations to the Judge's places after correct weight will have any effect on previous orders given by the Stewards as to the payment of bets. [added 1/3/05]

**AR 157** The Judge shall place the first four horses in a race; or where the conditions of the race provide a fourth prize, the first five horses; or where the conditions of the race provide a fifth prize, the first six horses and so on; or such further number as the Stewards may require. [amended 1/7/05]

## WALK-OVER

**AR 158** If a horse's rider be weighed out and the horse mounted and ridden past the Judge's box, and that horse is the only runner, it shall be deemed the winner of the race in question and shall be liable to carry extra weight as a winner.

**AR 159** In the event of a walk-over only half of any money prize due in respect of the winning horse shall be awarded, and when a prize not in money is advertised to be run for it shall be given even if walked-over for; provided that no award shall be made when in the opinion of the Stewards the walk-over is the result of any arrangement. [amended 1/7/00]

**AR 160** Any money or prize which was to be awarded in respect of a horse filling second or any other place shall, if no horse fills any such place, go to the Club conducting the meeting unless otherwise provided in the conditions of the race. [amended 1/7/00]

## COURSE TELECASTS

**AR 160A** No photograph, film or telecast of a race shall be exhibited or replayed at the racecourse on which a meeting is being conducted without the permission of the Stewards in charge of such meeting.

**AR 160B** No person shall, without the permission of the Stewards:

- (1) transmit in any way from the grounds of a racecourse any betting odds being offered by bookmakers on any horse that is competing at a racecourse in Australia or elsewhere;
- (2) while betting is taking place on the grounds of a racecourse, have turned on or use in any way at any of the following places on the racecourse any portable telephone, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment that is capable of receiving or transmitting information:
  - (a) in the Mounting Yard;
  - (b) in the Scales area;
  - (c) in any other area designated by the Stewards.Notwithstanding the provisions of this sub-rule an owner present in the mounting yard immediately after the running of a race is permitted to use a mobile phone.  
[sub-rule (2) amended 1/11/99, 1/12/10]
- (3) within the area of the jockeys room bring into, have in his possession, or use any portable telephone, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

**AR 160C** The Stewards may impound any appliance, apparatus, instrument or equipment that is used without their permission by any person in contravention of AR 160B.

## SPECIAL RULES FOR HURDLE RACES AND STEEPLECHASE RACES

### LR 59 Jumps Review Panel

- (1) **Appointment:** The Directors or their delegate may:
  - (a) appoint not less than five (5) persons to constitute the Jumps Review Panel, which is to include at least one of each of the following:
    - (i) a Chair who is a senior steward experienced in jumps racing;
    - (ii) at least one steward experienced in jumps racing (who is not the Chair); and
    - (iii) at least one person, who is not a steward but is a retired jockey or trainer with acknowledged experience in jumps racing or a veterinary surgeon;
  - (b) in the event of a period of absence of a member of the Jumps Review Panel for any reason, appoint a person who is in their opinion a suitable replacement;
  - (c) define the term of office and remuneration (where necessary) of persons appointed to the Jumps Review Panel;
  - (d) appoint an executive officer to assist the Jumps Review Panel.[LR 59(1)(a) amended 7/3/13]
- (2) **Function:** The function of the Jumps Review Panel is to:
  - (a) as soon as practicable view a video recording of all official jumps trials and races that have been conducted;
  - (b) analyse video recordings of all official jumps trials and races, and prepare a report based on that analysis, with respect to:
    - (i) the performance of each horse and jockey;
    - (ii) the circumstances of any incident; and
    - (iii) the possible cause or causes of any incident;
  - (c) determine whether a horse has trialled satisfactorily and is therefore qualified to accept in a jumps race, including by taking into account the following factors relating to the horse's trial:
    - (i) competitiveness;
    - (ii) jumping ability;
    - (iii) placing in trial;
    - (iv) fitness;
    - (v) overall performance, presentation and condition;
    - (vi) whether there were three (3) or less runners in the trial;

- (vii) any other factor the Jumps Review Panel considers relevant in its discretion;
  - (d) determine whether as a result of a horse's race performance its qualification to race should be revoked or suspended and if so for what period and on what conditions, including by taking into account the following factors in relation to the horse's performance in the relevant race:
    - (i) competitiveness;
    - (ii) jumping ability;
    - (iii) placing in race;
    - (iv) fitness;
    - (v) overall performance and condition;
    - (vi) any other factor the Jumps Review Panel considers relevant in its discretion;
  - (e) where appropriate, refer a rider to the Jumps Skills Review Panel for assistance, tuition and guidance;
  - (f) refer the ride or conduct of a rider in a race to the Stewards for their consideration where the Jumps Review Panel is of the view that the rider may have breached any Rule of Racing relating to jumps races;
  - (g) provide assistance and advice to the Stewards and the Directors on matters concerning jumps racing;
  - (h) set appropriate standards in relation to the ongoing education and training for all persons who hold a licence or permit to train jumps horses; and
  - (i) make determinations concerning the appropriate placement of obstacles.
- [amended 1/9/09, 4/3/10]
- (3) **Power of Jumps Review Panel:** Without limiting the functions set out at LR 59(2), the Jumps Review Panel may exercise the power of the Stewards under AR 8(t) in respect of decisions made in relation to the nomination of horses for hurdle or steeplechase races.
- (4) **Decision of Jumps Review Panel:** Any decision of the Jumps Review Panel is final.
- (5) **Removal or resignation from Jumps Review Panel:**
- (a) The Directors or their delegate may remove a member of the Jumps Review Panel in their absolute discretion.
  - (b) Any member of the Jumps Review Panel may resign by giving notice in writing to the CEO of Racing Victoria.

[LR 59 adopted 5/2/09]

#### LR 59A Minimum distances

- (1) **Steeplechase:** A steeplechase must not be less than 3200 metres.
- (2) **Hurdle races:** A hurdle race must not be less than 3200 metres. [amended 5/2/09]

#### LR 59B Handicap weights

- (1) **Minimum weight:** In handicaps for hurdle races and steeplechases the lowest weight must not be less than 64kg. [amended 1/7/05, 5/4/07, 1/3/09]
- (2) **Minimum top weight:** The minimum handicap top weight which may be allotted in any handicap hurdle or steeplechase is 69kg. [amended 1/8/03, 1/3/09]
- (3) **Increase in weights for handicap jumping races:** If at the final declaration of acceptance for a handicap jumping race the highest weight to be carried (including any extra weight by way of re-handicap or penalty) is less than 68kg.  
[(3) formerly LR 41(4), renumbered 1/1/07; amended 5/4/07, 1/3/09, LR 59B (3) amended 01/04/14]

#### LR 59C Allowances

- (1) **Entitlement:** In any handicap hurdle race or steeplechase or maiden jumping race for which the advertised prizemoney (not including trophies) is \$55,000 or less a jockey or rider (other than an Amateur Rider or an owner riding his own horse) is until he or she has ridden ten winners in hurdle races and/or steeplechases entitled to claim a 3kg allowance, provided that:
  - (a) any such jockey or rider after he or she has ridden 10 winners and until he or she has ridden 20 winners is entitled to claim a 1.5kg allowance;
  - (b) in no event may any horse carry less than 57kg;
  - (c) any such jockey may claim the same allowance during a day of racing to which he was entitled at the beginning of that day; and

- (d) no account may be taken of wins at Point-to-point meetings when assessing eligibility to claim.

- (2) **Report of winners:** Jockeys or riders entitled to claim allowances must report every winning ride to Racing Victoria within 48 hours of the running of the race.

#### LR 59D 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), the Stewards must consider the matter and make all necessary investigations and enquiries. [added 4/3/10]

#### LR 60A Qualification of horses for hurdles and steeplechases

- (1) **Horses must be qualified:** Horses must be qualified at the time of acceptance in a hurdle or steeplechase race. [amended 4/3/10]
- (2) **Meaning of "never started":** A reference in the Rules relating to hurdle races and steeplechases and in the conditions of any hurdle race or steeplechase to a horse that has "never started" means a horse that has never started in a hurdle race or steeplechase.

[LR 60A amended 7/6/04]

#### LR 60B Qualification for hurdle races [heading amended 4/3/10, 4/2/11]

- (1) Prior to a horse participating in its first Official Hurdle Trial, that horse must have schooled to the satisfaction of a Steward over three Approved Hurdles. [added 4/3/10; amended 4/2/11]
- (2) Subject to LR 60B(3), a horse is qualified to accept in a hurdle race if it has:
  - (a) previously completed the course to the satisfaction of the Stewards in a jumping race at a registered race meeting in Victoria and trialled to the satisfaction of the Jumps Review Panel in one Official Hurdle Trial in Victoria over at least 10 Approved Hurdles and over a distance of at least 2800 metres; or
  - (b) trialled to the satisfaction of the Jumps Review Panel in two consecutive Official Hurdle Trials in Victoria with one trial being over at least eight hurdles and a distance of at least 2400 metres, and the other trial being over a distance of at least 2800 metres and over at least 10 Approved Hurdles; or
  - (c) trialled to the satisfaction of the Jumps Review Panel in one Official Hurdle Trial in Victoria over at least 10 Approved Hurdles and a distance of at least 2800 metres, if, having been approved:
    - (i) interstate or overseas to compete in a hurdle race; or
    - (ii) in Victoria to accept in a hurdle race in the previous racing season; it has yet to start in a hurdle race or has failed to complete the course in a hurdle race; or
  - (d) completed the course in a hurdle race at a registered race meeting outside Victoria, and then trialled in Victoria to the satisfaction of the Jumps Review Panel, over at least 10 Approved Hurdles and a distance of at least 2800 metres; or
  - (e) completed a hurdle race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year; or
  - (f) completed a hurdle race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season, and also schooled over a minimum of three Approved Hurdles to the satisfaction of the Jumps Review Panel.

[LR 60B(2) amended 5/6/08, 7/8/08, 5/2/09, 2/4/09, 1/9/09, (and renumbered) 4/3/10, 4/2/11, 7/4/11, (e) added 1/1/14, (f) added 1/3/15]

(3) Where a horse has qualified to accept in a hurdle race in a previous jumps racing season, that horse is not qualified to accept in a hurdle race in any future jumps racing season unless it has:

- (a) completed a further trial to the satisfaction of the Jumps Review Panel in one Official Hurdle Trial over at least eight Approved Hurdles and a distance of at least 2400 metres; or
- (b) completed a hurdle race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season; or
- (c) completed a further official trial in South Australia to the satisfaction of the Jumps Review Panel over at least eight Approved Hurdles and a distance of at least 2400 metres; or
- (d) completed a hurdle race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season, and also schooled over a minimum of three Approved Hurdles to the satisfaction of the Jumps Review Panel.

Note: The Official Hurdle Trial required by this LR 60B(3) must take place following the completion of the previous jumps racing season and as directed by the Jumps Review Panel.

[previous (3) deleted 4/2/11; new (3) added 7/4/11, added 8/12/11, (c) added 1/3/15]

(3A) Where a horse has qualified in the current jumps racing season to participate in a steeplechase race it will be qualified to accept in a hurdle race. [added 8/3/12]

(4) For the purpose of rule 60B(2), 'consecutive' means following one after the other; not on the same day but to be completed within a three month period, or within such other period as allowed by the Jumps Review Panel in its discretion. [adopted 7/8/08; amended 5/2/09, 2/4/09; renumbered 4/3/10; amended 4/2/11]

[LR 60B amended 7/6/04, 4/3/05, 5/3/07]

#### LR 60C Qualification for steeplechases

(1) Subject to LR 60C(2), a horse is qualified to participate in a steeplechase race if it has:

- (a) previously completed the course to the satisfaction of the Stewards in a steeplechase race at a registered race meeting over modular steeplechase obstacles and trialed to the satisfaction of the Jumps Review Panel on at least one occasion over a minimum distance of 2800 metres and over at least 10 Approved Steeplechase Obstacles; or
- (b) completed the course in a steeplechase race at a registered race meeting, or outside Victoria, over non-modular steeplechase obstacles and then trialed to the satisfaction of the Jumps Review Panel over a minimum distance of 2800 metres and over at least 10 Approved Steeplechase Obstacles; or
- (c) completed the course to the satisfaction of the Jumps Review Panel in two hurdle races at a registered race meeting and trialed in Victoria to the satisfaction of the Jumps Review Panel on one occasion over a minimum distance of 2800 metres and over a minimum of 10 Approved Steeplechase Obstacles; or
- (d) completed a steeplechase race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year; or
- (e) completed a steeplechase race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season and also schooled over a minimum of three Approved Steeplechase Obstacles to the satisfaction of the Jumps Review Panel; and

in addition to the above:

- (f) for qualification to participate in a steeplechase race at Warrnambool, a horse must have, prior to the race, schooled around the steeplechase course at that racetrack [previous rule deleted and replaced 5/2/09; amended 4/3/10].
- (g) [deleted 4/2/11]

(h) [deleted 5/2/09]

[(1) amended 5/3/07, 1/8/07, 8/7/08, 7/8/08, 5/2/09, 4/3/10, 7/4/11, 1(d) added 1/1/14, 1(d) renumbered to (e) 1/1/14, new 1(d) added 1/1/14, 1(e) renumbered to 1(f) 1/3/15, new 1(e) added 1/3/15]

(2) Where a horse has qualified to accept in a steeplechase race in a previous jumps racing season, that horse is not qualified to accept in a steeplechase race in any future jumps racing season unless it has:

- (a) completed a further trial to the satisfaction of the Jumps Review Panel over at least eight Approved Steeplechase Obstacles and a distance of at least 2400 metres; or
- (b) completed a steeplechase race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season; or
- (c) completed a further official trial in South Australia to the satisfaction of the Jumps Review Panel over at least eight Approved Steeples and a distance of at least 2400 metres; or
- (d) completed a steeplechase race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season and also schooled over a minimum of three Approved Steeplechase Obstacles to the satisfaction of the Jumps Review Panel.

Note: The trial required by LR 60C(2)(a) must take place following the completion of the previous jumps racing season and as directed by the Jumps Review Panel.

[(2) added 7/4/11, amended 8/12/11, (c) added 1/3/15]

(3) [deleted 4/2/11]

[LR 60C amended 7/6/04, 4/2/11]

[LR 61 deleted 4/2/11]

#### LR 62 Conduct of jumping races

(1) **Placement of first obstacle:** In all jumping races, the first obstacle is to be situated not more than 150 metres after the start.

(1A) **Safe placement of obstacles:** The Jumps Review Panel is responsible for setting the standard as to safe placement of obstacles which is to be reviewed annually. [adopted 5/2/09]

(2) **Hurdles:** At all race meetings the hurdles used in hurdle races must be:

- (a) type: open hurdles or brush hurdles of a type approved by the Stewards; and
- (b) height: one metre in height and in steeplechases not less than 1.15 metres in height (in all cases as measured in a vertical line from the ground to the top of the obstacle as fixed).

(3) **Evading jump:** If a horse evades or misses a jump for any reason the jockey or rider must not continue in the race until the horse has negotiated such jump. A horse which fails to negotiate all of the jumps in a hurdle or steeplechase is thereby disqualified from the race.

(4) **Horse refusing jump:** If a horse refuses any fence in a hurdle race or steeplechase, and it can be proved to the satisfaction of the Stewards that it had been led over a fence by any of the bystanders or has been given a lead over by any horseman not riding in the race, the horse may be disqualified for the race.

(5) [deleted 2/7/09]

(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 62(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.

[(5A) adopted 2/7/09; amended 1/9/09]

- (6) **Rider to follow course:**
- (a) **Flags:** When any course is set out with flags, posts, or boundary marks, the jockey or rider must follow the course set out.
  - (b) **No flags:** In the absence of any flag, post or boundary mark, or of a direction to go any particular course, the jockey or rider may take his horse from jump to jump.
- (7) **Emergency procedures:** The following procedures must be adopted to warn riders that a fallen horse and/or rider is obstructing the landing side of a hurdle or steeplechase fence and:
- (a) A Steward, Veterinary Surgeon, Doctor (where available) and at least four (4) barrier attendants ("**Incident Response Team**") are to follow the field around the circuit where the hurdles or fences are jumped more than once.
  - (b) The following equipment is to be carried with the Incident Response Team:
    - (i) two (2) warning markers;
    - (ii) ten (10) bright orange cones;
    - (iii) six (6) high visibility vests;
    - (iv) one (1) bright hand held lollipop disc or black and white chequered flag; and
    - (v) a supply of whistles.
  - (c) A specimen warning marker is to be displayed in the jockeys' room with a covering notice explaining the detailed procedures to be adopted.
  - (d) The Steward will be responsible for communicating with the Chairman of Stewards and for providing instructions to members of the Incident Response Team in relation to the implementation of the warning procedures under LR 62(7).
  - (e) The Steward must instruct the Incident Response Team that the hurdle or steeplechase where the obstruction has occurred is closed and decide whichever of the following is reasonably necessary:
    - (i) position the cones so as to guide the riders and their horses safely around the hurdle or fence; or
    - (ii) if there is insufficient room for the riders and their horses to safely proceed around the hurdle or fence, position the cones fully across the approach to the hurdle or fence and the width of the track to indicate to the riders that they must pull up and cease racing;
  - (f) The Steward must ensure that a member of the Incident Response Team:
    - (i) as soon as possible after an obstruction occurs, places one of the warning makers in the top of the hurdle or fence exactly opposite to the central position of any obstacle on the landing side, whether it be an injured horse or rider or any essential equipment for treating or responding to the horse or rider;
    - (ii) prevents any unauthorised person from placing a warning marker or positioning the marker cones.
    - (iii) proceeds further down the track towards the previous jump, dressed in a high visibility vest and warn the oncoming jockeys of a hazard ahead by waving the bright hand held lollipop disc (or black and white chequered flag) and blowing prolonged loud blasts on a whistle; and
    - (iv) place a second warning marker on the hurdle or fence if the situation so requires.

[amended 11/4/12]

- (8) **Condition of track:** A hurdle or steeplechase race must not be conducted on a track that, at the time of the race, is rated better than a Good 4 or equivalent (as rated in accordance with the RVL Track Rating Policy). [adopted 5/2/09]
- (9) **Retirement of horses:**
- (a) The rider of a horse in a hurdle or steeplechase race or official trial must retire the horse from the race or official trial immediately where:
    - (i) the horse has fallen (whether at a jump or in running);
    - (ii) the horse is not in contention and fatigued;
    - (iii) the horse is distressed; or
    - (iv) in the circumstances, if the rider were to continue riding the horse, such conduct would cause an increased risk of a fall to the horse or rider, or other horses or riders.

For the purpose of subrule LR 62(9)(a)(iv), the following factors may, without limitation, be considered:

- (A) whether the rider has lost an iron or irons;
- (B) whether the saddle has slipped on the horse; and/or
- (C) whether the horse has sustained an injury during the race or official trial.

- (b) If a rider of a horse fails to retire a horse in accordance with LR 62(9)(a):
  - (i) the rider may be penalised; and
  - (ii) the horse may be deemed to have failed to finish the race or official trial.

[(9) adopted 5/2/09; deleted and replaced 2/7/09; amended 1/9/09]

- (10) **Riders may wear shoulder pads:** All riders may wear shoulder pads attached to their safety vest in jumps races. [adopted 5/2/09]

## OFFICIAL TRIALS

### LR 63A Official trials in Victoria

- (1) **Advertisement:** Racing Victoria shall advertise official trials in "Inside Racing". [amended 1/9/09]
- (2) **Registration and stable returns:** All nominated horses must be registered and stable returns for them lodged before closing of entries.
- (3) **Nomination must be in registered names:** Horses must be nominated in their registered names. No horse may be substituted for one originally nominated.
- (4) **Barrier draw:** to be conducted by lot.
- (5) **Late arrival at official trial:** Horses not on time for the official trial in which they are drawn will not be permitted to take part in any subsequent official trial. [amended 1/9/09]
- (6) **Shoes:** Horses may run in working shoes, otherwise they must be tipped or plated. If horses run in tips or plates, owners will be liable for farrier fees.
- (7) **Riders:**
  - (a) **Permitted riders:** Only riders with a permit or approval to ride in races, or riders riding for such permit or approval who are approved of by the Stewards, will be permitted to ride in the official trials, provided that, unless otherwise authorised by the Stewards, a maximum of only one Picnic or Amateur Rider or rider riding for approval to ride as a Picnic or Amateur Rider may be permitted to ride in each official trial.
  - (b) **Trainer must nominate rider:** Trainers must notify their rider at the Scales Office at least a half hour before the official trial in which their horse is engaged.
  - (c) **Riders' attire:** All riders must wear skull caps, jodhpurs, racing colours and riding boots. [amended 7/2/08, 1/9/09]

- (8) **Trainer:** A horse must not be entered or permitted to run in any official trial unless it is trained by a person holding a current licence to train horses issued in accordance with LR 35A. [amended 1/9/09]

- (9) **Number in hurdles and steeplechases:** The number of starters in official hurdle trials or steeplechase schools will be restricted to eight runners. [amended 1/9/09]

- (10) **Condition of track for official hurdle and steeplechase trials:** An official hurdle or steeplechase trial must not be conducted on a track that, at the time of the trial, is rated better than a Good 4 or equivalent. [adopted 5/2/09; amended 1/9/09]

- (11) **Riders may wear shoulder pads:** All riders may wear shoulder pads attached to their safety vest in official jumps trials. [adopted 5/2/09; amended 1/9/09]

[LR 63B deleted 1/9/04]

## PROHIBITION ON DISPLAY OF ADVERTISING

### LR 64 Prohibition on display of advertising

- (1) **Definition:** In this LR 64, "Advertising" means any advertising, registered or unregistered trademark, logo, design or other distinguishing pattern, colour or feature promoting or

associated with any business enterprise, undertaking, product or service, but does not include any such advertising, trademark, logo, design or other pattern, colour or feature that is registered by Racing Victoria in accordance with LR 34B(2) for use as racing colours.

- (2) **Clothing:** A person who is licensed or is the holder of a permit or is registered under these Rules, or who is an Official, must not without the approval of the Directors display, or wear any item of clothing displaying, any Advertising:
- (a) at any time in the mounting yard or while riding in any race; or
  - (b) during the conduct of any race meeting, official trial or event related to racing which is open to attendance by the public; or
  - (c) at any other times or places as may be prescribed by the Directors.
- (3) **Horses and gear:** There must not without the approval of the Directors be displayed (and no person may permit to be displayed) on a horse or on any of its gear (including without limitation the saddle cloth) on any Course any Advertising:
- (a) at any time in the mounting yard or while the horse is participating in any race;
  - (b) during the conduct of any race meeting, official trial or other event related to racing which is open to attendance by the public at the Course in which the horse participates; or
  - (c) at any other times or places on any Course (or both) as may be prescribed by the Directors.

## OBJECTIONS AND COMPLAINTS

**AR 161** Except as provided in AR 165 every objection shall be in writing and shall, without the leave of the Stewards, be signed by the nominator or his authorised agent or by its trainer or rider and shall be made to the Stewards. [deleted and replaced 1/9/09]

**AR 162** No objection on the ground of misdescription, or of error, or omission in any entry, except as mentioned in AR 166, shall be accepted after a race. [deleted and replaced 1/9/09]

**AR 163** No horse shall be disqualified for a race on account of any defect in regard to its registration or entry when the Stewards might reasonably have permitted or ordered the defect to be corrected if brought to their notice before the start of the race. [deleted and replaced 1/9/09]

**AR 164** An objection may be made by a Steward or Starter in his official capacity and in the case of matters provided for in AR 165 at any time before weight is declared. [deleted and replaced 1/9/09]

### AR 165

- (1) Any objection by the persons authorised by AR 161 against a horse or horses, on the ground of:
- (a) an interference as provided for in AR 136(1); or
  - (b) his not having run the proper course; or
  - (c) the race having been run over a wrong course; or
  - (d) grounds provided for in AR 137A; or
  - (e) any other matter occurring in the race;
- shall be made to the Steward at scale before the riders of all placed horses are weighed-in or at any other time allowed by the Stewards prior to the signalling of correct weight. [amended 26/9/09, 1/5/15]
- (2) An objection made under paragraphs (a) or (d) of subrule (1) of this Rule shall only be made on behalf of a horse that has been placed by the Judge in accordance with AR 157. [amended 26/9/09]
- (3) In the event of an objection made under this Rule being deemed by the stewards to be frivolous, the person making such objection may be penalised.
- (4) No person shall improperly deter or attempt to improperly deter a person qualified to object from making an objection under this Rule.
- (5) No person shall improperly encourage or improperly attempt to encourage a person qualified to object to make an objection under this Rule.

[AR 165 deleted and replaced 1/9/09]

**AR 166** An objection:

- (a) on the ground of fraudulent misstatement or fraudulent omission in the entry; or

- (b) on the ground that the horse which ran was not the horse, or of the age which it was represented to be, or that it was not qualified under the conditions of the race; or
  - (c) that the name of such horse or of any person having an interest in such horse is in the Forfeit List or List of Disqualifications; or
  - (d) that the horse was not registered in accordance with these Rules; or
  - (e) that the weight carried by a horse was incorrect,
- may be received within 30 days of the conclusion of the meeting. [deleted and replaced 1/9/09]

### LR 65 Objection may be lodged notwithstanding ineligible horse or rider

The fact that an ineligible horse has run or an ineligible rider has ridden in a race does not of itself prejudice or otherwise affect in any way the right of any person 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.

[LR 66 deleted and replaced 1/6/15]

**AR 167** [rescinded 1/9/09]

### AR 168

- (1) Subject to subrule (2) if an objection to a horse that has won or been placed in a race be upheld the horse may either be disqualified for the race, or dealt with in accordance with AR 136. [deleted and replaced 1/9/09; amended 26/9/09]
- (2) If an objection is lodged on behalf of a placed horse under AR 165(1)(d) against another placed horse and the Stewards are of the opinion that had the rider of the horse objected against not been in breach of AR 137A(3) or (5) that the horse would not have finished equal or ahead of the horse on whose behalf the objection is lodged, they may place the horse considered to have been advantaged immediately after the other horse. [added 26/9/09]

**AR 169** In the event of an objection having been made under AR 165 prior to the declaration of correct weight, the Stewards shall without delay make public announcements in relation to:

- (a) the fact that an objection has been lodged;
- (b) the nature of the objection; and subsequently –
- (c) that the objection has been dismissed or upheld;
- (d) if the objection be upheld, details of any alteration to the Judge's placings;
- (e) the declaration of correct weight.

[deleted and replaced 1/9/09]

**AR 170** An objection cannot be withdrawn without leave of the Stewards. [deleted and replaced 1/9/09]

**AR 171** If the qualification of any horse is objected to the nominator or his representative must satisfy the Stewards that the horse is eligible, in default of which the Stewards may order the horse to be withdrawn or may direct that any prize awarded in respect of such horse be withheld for a period fixed by them. If at the expiration of that period the Stewards are not satisfied that the horse was qualified, the prize shall be awarded as if that horse had not started. If the qualification of the horse is objected to after ten o'clock on the morning of the day of starting, it shall be allowed to run unless the person making the objection proves the want of qualification to the Stewards' satisfaction, in which case they shall order the horse to be withdrawn. [deleted and replaced 1/9/09]

**AR 172** Whenever an objection has been lodged, or an inquiry the finding in which may affect the placing of a horse has been instituted, or any action is taken or about to be taken which may lead to such inquiry, any money or prize due in respect of such horse may be withheld pending the consideration of such objection or inquiry. [deleted and replaced 1/9/09]

**AR 173** In any case where money or a prize or part thereof has been paid or awarded to a person who is subsequently found by the Stewards not to be entitled thereto by reason of the disqualification of his horse or otherwise, such money or prize shall be recoverable from the recipient by the Club concerned. [deleted and replaced 1/9/09]

**AR 174** Pending the determination of an objection to the placings of a race, the horse placed first shall be liable to all the penalties attaching to the winner of such race. [deleted and replaced 1/9/09]

## OFFENCES

### AR 175

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

- (a) Any person, who, in their opinion, has been guilty of any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing.
- (aa) Any person, who in their opinion, engages in conduct that corrupts the outcome of a race or is intended to corrupt the outcome of a race. In this rule:
  - (i) conduct corrupts the outcome of a race if it:
    - (a) affects or, if engaged in, would be likely to affect the outcome of any race; and
    - (b) is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of a race.
  - (ii) conduct means an act or an omission to perform an act.
  - (iii) engage in conduct means:
    - (a) do an act; or
    - (b) omit to perform an act.
  - (iv) outcome is to include any result within the race and is not to be limited to winning or placing in the race. [added 1/3/13]
- (b) Any person who corruptly gives or offers any money, share in a bet, or other benefit to any person having official duties in relation to racing, or to any owner, nominator, trainer, rider, or person having charge of or access to a racehorse.
- (c) Any person having official duties in relation to racing, or a nominator, trainer, rider, or person having charge of or access to a racehorse, who corruptly accepts, or offers to accept, any money, share in a bet, or other benefit.
- (d) Any person who wilfully enters or causes to be entered or to start for any race a horse which, or the owner or nominator of which, he knew to be disqualified.
- (e) The owner, nominator, and trainer of any horse entered or run in any race, official trial, or jump-out under a fraudulently false description and any person having any interest in such horse or any of them. [amended 1/9/09]
- (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. [word substituted 1/5/02; amended 30/4/03; AR 175(f) deleted and replaced 1/2/14, 1/6/15]
- (g) Any person who gives at any interview, investigation, inquiry, hearing and/or appeal any evidence which is false or misleading in any particular. [AR 175(g) deleted and replaced 1/2/14]
- (gg) Any person who makes any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing.

- (h) Any person who administers, or causes to be administered, to a horse any prohibited substance:
  - (i) for the purpose of affecting the performance or behaviour of a horse in a race or of preventing its starting in a race; or
  - (ii) which is detected in any sample taken from such horse prior to or following the running of any race.
- (hh) Any person who:
  - (i) uses, or attempts to use, any electric or electronic apparatus or any improper contrivance capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop; or
  - (ii) has in his possession, any electric or electronic apparatus or any improper contrivance capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

For the purposes of this provision where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed to be capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop. [amended 1/9/09, deleted and replaced 1/13/13]

- (i) Any person being an owner, nominator or licensed person who by advertisement, circular, letter, or other means offers to give information concerning his own or other horses in return for any monetary or other consideration, or any person who connives at such practice.
- (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. [amended 1/8/16]
- (k) Any person who has committed any breach of the Rules, or whose conduct or negligence has led or could have led to a breach of the Rules. [amended 20/11/02]
- (l) Any person who attempts to commit, or conspires with any other person to commit, or any person who connives at or is a party to another committing any breach of the Rules.
- (m) Any person who obstructs or in any way interferes with, or who attempts to obstruct or interfere with, the conduct of any race meeting, race, official trial or jump-out. [amended 1/11/01, 1/9/09]
- (n) Any person who in their opinion commits or commissions an act of cruelty to a horse, or is in possession or control of any article or thing which in their opinion, has been made or modified to make it capable of inflicting cruelty to a horse. [added 1/2/01; amended 1/8/04, 1/9/09]
- (o) Any person in charge of a horse who in their opinion fails at any time:
  - (i) To exercise reasonable care, control or supervision of a horse so as to prevent an act of cruelty to the animal; and/or
  - (ii) to take such reasonable steps as are necessary to alleviate any pain inflicted upon a horse; and/or
  - (iii) to provide for veterinary treatment where such treatment is necessary for the horse.; and/or
  - (iv) to provide proper and sufficient nutrition for a horse. [amended 1/2/01, 1/9/09]
- (p) Any person who fails or refuses to comply with any order, direction or requirement of the Stewards or any official. [added 20/11/02]
- (q) Any person who in their opinion is guilty of any misconduct, improper conduct or unseemly behaviour. [added 20/11/02]
- (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. [added 1/6/15]
- (r) Any nominator, trainer or person in charge of any horse who contrary to the orders of the Committee of the Club or Stewards, fails or refuses to produce upon request a horse entered for any race at a meeting or removes such horse from the course. [added 20/11/02]
- (s) Any person responsible for the use on any horse of any shoes, racing plates, equipment or gear which has not

- been approved, or which in their opinion is unsuitable or unsafe. [added 20/11/02]
- (t) Any person who obstructs or hinders the Stewards or other official in the exercise of their powers or duties. [added 20/11/02]
  - (u) Any person who tampers or attempts to tamper with any means of identification of a racehorse as provided for in the Rules. [added 1/3/05]
  - (v) Any person who commits a breach of a Code of Practice published by the Australian Racing Board. [added 1/5/05]
  - (w) Any person who uses a stockwhip on a horse in any circumstances relating to racing, training or pre-training regardless of whether that horse is registered. [adopted 1/5/09]
  - (x) Any person who in their opinion is guilty of workplace harassment of a person while the latter is acting in the course of his duties when employed, engaged or participating in the racing industry. [added 1/12/10]
  - (y) Any person who in their opinion is guilty of sexual harassment of a person employed, engaged or participating in the racing industry. [added 1/12/10]
  - (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. [added 1/6/15]

#### LR 66A Electric Apparatus

For the purposes of AR 175(hh):

- (a) where an electric apparatus is designed to deliver an electric shock to a person or animal, it shall be deemed to be capable of affecting the performance of a horse in a race or training gallop;
- (b) the Stewards may give written permission for a person to possess an electric apparatus under such conditions as they see fit.

[adopted 1/11/07, re-numbered LR 66A 1/1/17]

**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. [amended 1/9/09, 1/8/16]

#### 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. [added 1/6/15]

#### AR 175B

- (1) A trainer must not lay any horse that is either under his care, control or supervision or has been in the preceding 21 days.
- (2) Any person employed by a trainer in connection with the training or care of racehorses must not lay a horse under the control of the trainer for whom he is or was employed, while so employed and for a period of 21 days after ceasing to be so.
- (3) A nominator must not lay any horse that is or may be entered by him or on his behalf, provided that a bookmaker may lay a horse in accordance with his licence.
- (4) A riders agent must not lay any horse to be ridden by a rider for whom he is agent.

- (5) Any person who has provided a service or services connected with the keeping, training or racing of a horse must not, within 21 days of having last done so, lay such horse.
- (6) It is an offence for any person to offer an inducement to a participant in racing with the intention of profiting from a horse not participating in the event to the best of its ability.
- (7) For the purposes of this rule "lay" means the offering or placing of a bet on a horse
  - (a) to lose a race; or
  - (b) to be beaten by any other runner or runners; or
  - (c) to be beaten by any margin or range of margins; or
  - (d) that a horse will not be placed in a race in accordance with the provisions of AR 157.
 [(7) adopted 15/2/07; deleted and replaced 1/10/07]

[existing AR 175B repealed 10/8/06; new AR 175B added 19/10/06; amended as stated]

#### AR 175C

In circumstances where it is an offence for a person to lay a horse under AR 175B it shall also be an offence for that person to:

- (a) have a horse laid on his behalf, or
- (b) receive any moneys or other valuable consideration in any way connected with the laying of the horse by another person.

[AR 175C adopted 19/10/06]

[LR 66A, B and C deleted 7/2/08]

#### LR 66AA No intimidating or abusive conduct

A person must not, at any time or for any purpose:

- a. engage in any form of intimidation or abusive conduct (either physical, verbal or otherwise), in any way related to racing, of:
  - i. any Steward, Official, or employee or officer of Racing Victoria;
  - ii. any person representing Racing Victoria and/or its employees or officers;
  - iii. any employee or officer of a Club or Association;
  - iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
  - v. any person who is, or may be, a witness in any investigation, inquiry or disciplinary proceeding under the Rules; or
- b. encourage, incite, provoke or procure any other person on their behalf, to engage in any form of intimidation or abusive conduct (either physical, verbal or otherwise), in any way related to racing, of:
  - i. any Steward, Official, or employee or officer of Racing Victoria;
  - ii. any person representing Racing Victoria and/or its employees or officers;
  - iii. any employee or officer of a Club or Association;
  - iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
  - v. any person who is, may be, or has been a witness in any investigation, inquiry or disciplinary proceeding under the Rules.

#### LR 66AB No threatening conduct

A person must not:

- a. make any express, implied, conditional or unconditional threat (whether physical, verbal or otherwise), in any way related to racing, toward:
  - i. any Steward, Official, or employee or officer of Racing Victoria;
  - ii. any person representing Racing Victoria and/or its employees or officers;
  - iii. any employee or officer of a Club or Association;
  - iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
  - v. any person who is, may be, or has been a witness in any investigation, inquiry or disciplinary proceeding under the Rules.
- b. encourage, incite, provoke or procure any other person on their behalf, to make any express, implied, conditional or unconditional threat (whether physical, verbal or otherwise), in any way related to racing, toward:
  - i. any Steward, Official, or employee or officer of Racing Victoria;

- ii. any person representing Racing Victoria and/or its employees or officers;
- iii. any employee or officer of a Club or Association;
- iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
- v. any person who is, may be, or has been a witness in any investigation, inquiry or disciplinary proceeding under the Rules.

[LR66AA and LR66AB added 1/1/17]

#### **LR 66AC Person employed must not lay a horse**

For the purposes of AR 175B(2) a person employed by a trainer in connection with the training or care of racehorses includes any person registered in accordance with LR 39B and any reference to employment includes a reference to such registration. [adopted 4/4/08, re-numbered 1/1/17]

#### **LR 66AD Prohibition on betting with Non-Approved Wagering Service Providers**

- (1) A person bound by these Rules must not:
- (a) place a bet (including any lay bet) on Victorian thoroughbred racing with a Non-Approved Wagering Service Provider; or
  - (b) have a bet (including any lay bet) placed on his or her behalf, or otherwise have an interest in a bet placed, on Victorian thoroughbred racing with a Non-Approved Wagering Service Provider.
- (2) Where the Stewards reasonably suspect that a person bound by these Rules has, or may have, placed a bet on Victorian thoroughbred racing with a Non-Approved Wagering Service Provider:
- (a) the Stewards may direct the person to produce, and the person must produce, all relevant documents and devices, including but not limited to, the person's computer, mobile telephone, and betting records; and
  - (b) the Stewards may direct the person to provide, and the person must provide, the Stewards with access to the account (or accounts) with the Non-Approved Wagering Service Provider used by or on behalf of the person, including any username, password or other security information.
- (3) For the purpose of this Rule, Non-Approved Wagering Service Provider:
- (a) means a wagering service provider, as defined in section 1.3 of the *Gambling Regulation Act 2003 (Vic) (GR Act)* which did not hold, at the time the relevant bet or bets were placed, approval from Racing Victoria to publish, use or otherwise make available in the course of business, in Victoria or elsewhere, a race field (as defined in section 1.3 of the GR Act) in accordance with section 4.2.3C of the GR Act.
  - (b) does not include the wagering and betting licensee or the wagering and betting operator (as defined by the GR Act); or
  - (c) does not include a bookmaker licensed by Racing Victoria.

[LR 66AA adopted 1/9/15, re-numbered 1/1/17]

#### **LR 67 Improper, corrupt or fraudulent behaviour**

The Directors or the Stewards may disqualify or otherwise penalise any person who:

- (1) Improperly obtaining information: surreptitiously obtains information respecting:
- (a) an official trial from any person or persons engaged in it or in the service of the owner or trainer of any of the horses tried; or
  - (b) any horse in training from any person in such service; or
- (2) Conspiracy to commit improper practice: conspires or connives with any other person to commit any improper, corrupt or fraudulent practice or malpractice in relation to racing notwithstanding that any such other person has not been found guilty of the offence in question.

[amended 1/9/09]

**AR 176** The Committee of any Club or the Stewards may disqualify any horse entered or run in any race under a fraudulently false description or in connection with which any other improper or dishonourable action or practice mentioned or referred to in Rule 175 is found to have been committed.

#### **PROHIBITED SUBSTANCES**

**AR 177** Subject to AR 177C, any horse that has been brought to a racecourse and a prohibited substance is detected in any sample taken from it prior to or following its running in any race must be disqualified from any race in which it started on that day. [replaced 1/10/02 amended 1/10/12]

**AR 177A** When a horse is brought to a racecourse or recognised training track to engage in either:

- (a) an official trial, or
- (b) a jump-out, or
- (c) any other test.

for the purpose of obtaining a permit to start in a race (whether after suspension or otherwise) and a prohibited substance is detected in any sample taken from it prior to or following such engagement, the trainer and any other person who was in charge of the horse at any relevant time may be penalised. [replaced 1/10/02; amended 1/10/07]

#### **AR 177B**

- (1) When a sample taken at any time from a horse being trained by a licensed person has detected in it any prohibited substance specified in sub-rule (2):
- (a) The trainer and any other person who was in charge of such horse at the relevant time may be penalised unless he satisfies the Stewards that he had taken all proper precautions to prevent the administration of such prohibited substance.
  - (b) The horse may be disqualified from any race in which it has competed subsequent to the taking of such a sample where, in the opinion of the Stewards, the prohibited substance was likely to have had any direct and/or indirect effect on the horse at the time of the race.
- [amended 1/09/09; deleted and replaced 1/06/11]
- (2) For the purposes of subrule (1), the following substances are specified as prohibited substances:-
- (a) erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta (*Mircera*),
  - (b) non-erythropoietic EPO-receptor agonists,
  - (c) hypoxia-inducible factor (HIF) stabilisers, including but not limited to cobalt and FG-4592,
  - (d) HIF activators, including but not limited to argon and xenon,
  - (e) allosteric effectors of haemoglobin, including but not limited to ITPP (myo-inositol trispyrophosphate),
  - (f) oxygen carriers including but not limited to perfluorochemicals, efaproxiral and modified haemoglobin products,
  - (g) haematopoietic growth factors, including but not limited to filgrastim,
  - (h) insulins,
  - (i) growth hormones and their releasing factors,
  - (j) insulin-like growth factor-1,
  - (k) synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use in Australia,
  - (l) corticotrophins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide), and corticotrophin releasing factors,
  - (m) anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in AR 178C(1)),
  - (n) selective androgen receptor modulators (SARMS),
  - (o) selective estrogen receptor modulators (SERMS),
  - (p) selective opioid receptor modulators (SORMS),
  - (q) peroxisome proliferator activated receptor  $\delta$  (PPAR $\delta$ ) agonists, including but not limited to GW 1516,
  - (r) AMPK activators, including but not limited to AICAR (5-amino-1- $\beta$ -D-ribofuranosyl-imidazole-4-carboxamide),
  - (s) other agents that directly or indirectly affect or manipulate gene expression,



- (t) agents modifying myostatin function, including but not limited to myostatin inhibitors,
  - (u) thymosin beta,
  - (v) venoms of any species or derivatives thereof,
  - (w) zoledronic acid and any other bisphosphonate drugs not registered for veterinary use in Australia
  - (x) substances listed in Schedule 8 and Schedule 9 of the *Standard for the Uniform Scheduling of Medicines and Poisons* contained in the Australian *Poisons Standard*,
  - (y) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (x).
- [deleted and replaced 1/11/2012, amended and paragraphs renumbered 1/12/2012, (r) added and (s) renumbered 1/11/2013, deleted and replaced 1/11/16]

- (3) The Australian Racing Board may determine at any time any addition to this list of substances in subrule (2) and publish such additions in the *Racing Calendar*. [added 1/11/2012]
- (4) The substances bufotenine, butorphanol, 3-(2-dimethylaminoethyl)-4-hydroxyindole, N,N-dimethyltryptamine, ketamine, methadone, morphine, pethidine and quinalbarbitone, and their metabolites, artifacts and isomers, are excepted from the provisions of this Rule, but would be specified as prohibited substances for the purposes of AR 175(h), AR 177, AR 177A, AR 178 and AR 178A. [deleted and replaced 1/11/2012]
- (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. [added 1/06/2011, renumbered 1/11/2012, amended 1/8/16]
- (6) Any person who, in the opinion of the Stewards, administers, attempts to administer, causes to be administered or is a party to the administration of, any prohibited substance specified in subrule (2) to a horse being trained by a licensed trainer must be penalised in accordance with AR 196(5). [added 1/3/13]

[AR 177B added 1/10/2002, amended as stated]

**AR 177C** In the case of the presence of testosterone (including both free testosterone and testosterone liberated from its conjugates) above a mass concentration of 20 micrograms per litre being detected in a urine sample taken from a gelding, or above a mass concentration of 55 micrograms per litre being detected in a urine sample taken from a filly or mare, prior to or following its running in any race, it is open to the Stewards to find that the provisions of AR 177 or AR 178H do not apply if on the basis of the scientific and analytical evidence available to them they are satisfied that the detected level in the sample was of endogenous origin or as a result of endogenous activity. [added 1/10/12, amended 1/11/13, deleted and replaced 1/2/15]

**AR 178** Subject to AR 178G, when any horse that has been brought to a racecourse for the purpose of engaging in a race and a prohibited substance is detected in any sample taken from it prior to or following its running in any race, the trainer and any other person who was in charge of such horse at any relevant time may be penalised. [replaced 1/10/02; amended 1/9/09, 1/10/12]

**LR 68 Proper precautions where trainer takes over a horse**

- (1) **Requirement:** Any trainer or other person to whom AR 177A or AR 178 would apply otherwise than for the reason that he or she was not, at the time of administration of the prohibited substance, the trainer or in charge of the horse concerned, may be penalised unless he or she satisfies the Committee of the Club or the Stewards that at the time of entry of the horse to his or her stables, he or she had taken all proper precautions to verify that the horse had not had previously administered to it any such prohibited substance. [amended 1/9/09]
- (2) **Required precautions:** For the purposes of this LR 68 and depending on the circumstances, all proper precautions includes in the case of a horse that was previously trained by, pre-trained by or in the charge of another person:
  - (a) elective testing to detect whether any prohibited substance had been administered to the horse; or
  - (b) where elective testing could not be undertaken before the horse engaged in any official trial or race, the obtaining of written confirmation from its previous trainer or relevant

person that no prohibited substance had been administered such that he or she was reasonably able to determine not to withdraw the horse from such official trial or race.

[amended 1/9/09]

**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, horse float or other mode of transport 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 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) 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.

[AR 178A deleted and replaced 1/9/09, 1/8/16]

**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, which stewards are satisfied have a negligible effect on plasma TCO<sub>2</sub>; and
  - (ii) 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 178AA (5)(c) amended 25/3/14]

**AR 178AB**

- (1) A person must not, without the permission of the Stewards, inject a horse, cause a horse to be injected or attempt to inject a horse, which is engaged to run in any race:
  - (a) at any time on the day of the scheduled race, 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.
- (2) Where there has been a breach of AR 178AB(1), or the Stewards reasonably suspect that there has been a breach of AR178AB(1), the Stewards may order the withdrawal of the horse from the relevant race.
- (3) Where there has been a contravention of AR 178AB(1), the horse may be disqualified from the relevant race in which it competed.
- (4) Any person who breaches, or is a party to a breach of, AR 178AB(1), commits an offence and may be penalised.
- (5) For the purpose of this rule:
  - (a) injection includes, but is not limited to, the insertion of a hypodermic needle into a horse;
  - (b) it is not necessary to establish whether any substance was injected, or the nature of any substance injected.

[AR 178AB added 1/10/15]

**AR 178B** The following substances are declared as prohibited substances:

- (1) Substances capable at any time of causing either directly or indirectly an action or effect, or both an action and effect, within one or more of the following mammalian body systems:
  - the nervous system
  - the cardiovascular system
  - the respiratory system
  - the digestive system
  - the musculo-skeletal system
  - the endocrine system
  - the urinary system
  - the reproductive system
  - the blood system
  - the immune system

[AR 178B(1) deleted and replaced 1/06/06]

- (2) Substances falling within, but not limited to, the following categories:
  - acidifying agents
  - adrenergic blocking agents
  - adrenergic stimulants
  - agents affecting calcium and bone metabolism
  - agents that directly or indirectly affect or manipulate gene expression
  - alcohols
  - alkalinising agents
  - anabolic agents
  - anaesthetic agents

- analgesics
- antiangina agents
- anti-anxiety agents
- antiarrhythmic agents
- anticholinergic agents
- anticoagulants
- anticonvulsants
- antidepressants
- antiemetics
- antifibrinolytic agents
- antihistamines
- antihypertensive agents
- anti-inflammatory agents
- antinauseants
- antineoplastic agents
- antipsychotic agents
- antipyretics
- antirheumatoid agents
- antispasmodic agents
- antithrombotic agents
- antitussive agents
- blood coagulants
- bronchodilators
- bronchospasm relaxants
- buffering agents
- central nervous system stimulants
- cholinergic agents
- corticosteroids
- depressants
- diuretics
- erectile dysfunction agents
- fibrinolytic agents
- haematopoietic agents
- haemostatic agents
- hormones (including trophic hormones) and their synthetic counterparts
- hypnotics
- hypoglycaemic agents
- hypolipidaemic agents
- immunomodifiers
- masking agents
- muscle relaxants
- narcotic analgesics
- neuromuscular agents
- oxygen carriers
- plasma volume expanders
- respiratory stimulants
- sedatives
- stimulants
- sympathomimetic amines
- tranquillisers
- vasodilators
- vasopressor agents
- vitamins administered by injection

[AR 178B(2) deleted and replaced 1/06/06, amended 11/4/12]

- (3) Metabolites, artifacts and isomers of the prohibited substances prescribed by sub-rules (1) and (2) of this rule.

**AR 178C**

- (1) The following prohibited substances when present at or below the concentrations respectively set out are excepted from the provisions of AR 178B and AR 178H:
  - (a) Alkalinising agents, when evidenced by total carbon dioxide (TCO<sub>2</sub>) at a concentration of 36.0 millimoles per litre in plasma. [amended 1/9/01]
  - (b) Arsenic at a mass concentration of 0.30 milligrams per litre in urine.
  - (c) Dimethyl sulphoxide at a mass concentration of 15 milligrams per litre in urine or 1.0 milligrams per litre in plasma.
  - (d) In male horses other than geldings, 5 $\alpha$ -estrane-3 $\beta$ , 17 $\alpha$ -diol in urine (including both the free substance and that liberated from its conjugates) at a mass concentration equal to or less than 5(10) estrene-3 $\beta$ , 17 $\alpha$ -diol in urine (including both the free substance and that liberated from its conjugates. [amended 1/9/01]

- (e) Salicylic acid at a mass concentration of 750 milligrams per litre in urine or 6.5 milligrams per litre in plasma.
  - (f) Hydrocortisone at a mass concentration of 1.00 milligrams per litre in urine.
  - (g) Testosterone:
    - (i) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
    - (ii) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;
    - (iii) in fillies and mares that have been notified as pregnant pursuant to the requirements of AR 64E(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine;
    - (iv) in geldings: free testosterone at a mass concentration of 100 picograms per millilitre in plasma.
- [AR 178C(1)(g) deleted and replaced 01/01/15]
- (h) 3-Methoxytyramine (including both free 3-methoxytyramine and 3- methoxytyramine liberated from its conjugates) at a mass concentration of 4.0 milligrams per litre in urine.
  - (j) Boldenone in male horses other than geldings, (including both free boldenone and boldenone liberated from its conjugates) at a mass concentration of 15 micrograms per litre in urine. [adopted 1/12/05]
  - (k) Theobromine at a mass concentration of 2.00 milligrams per litre in urine. [adopted 10/8/06]
  - (l) Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma. [adopted 1/1/15, amended 1/9/16]
- [AR 178C deleted and replaced 1/11/99, 1/10/01, AR 178C(1) amended 1/11/13; amended 1/1/15]
- (2) The following substances are excepted from the provisions of AR 178B:

antimicrobials (antibiotics) and other antiinfective agents but not including procaine penicillin  
 antiparasitics approved and registered for use in horses  
 ranitidine  
 omeprazole  
 ambroxol  
 bromhexine  
 dembrexine  
 registered vaccines against infectious agents  
 orally administered glucosamine  
 orally administered chondroitin sulphate  
 altrenogest when administered to fillies and mares

[AR 178C(2) added 1/10/02; amended 3/2/03, 1/12/05, 10/8/06, deleted and replaced 1/06/11]

[LR 68A added 14/4/14; deleted 1/1/15]

#### AR 178D

- (1) Samples taken from horses in pursuance of the powers of a Principal Racing Authority pursuant to AR 7(u) or AR 7(v) or conferred on the stewards by AR 8(j) and/or AR 178H shall be analysed only by an Official Racing Laboratory. [amended 1/01/15]
- (2) Upon the detection by an Official Racing Laboratory of a prohibited substance in a sample taken from a horse such laboratory shall –
  - (a) notify its finding to the stewards, who shall thereupon notify the trainer of the horse of such finding; and
  - (b) nominate another Official Racing Laboratory and refer to it the reserve portion of the same sample and, except in the case of a blood sample, the control of the same sample, together with advice as to the identity of the prohibited substance detected.
- (3) In the event of the other Official Racing Laboratory detecting the same prohibited substance, or metabolites, isomers or artefacts of the same prohibited substance, in the referred reserve portion of the sample and not in the referred portion of the control, the certified findings of both official racing

laboratories shall be prima facie evidence that a prohibited substance has been detected in that sample for the purposes of these rules.

- (4) Where an Official Racing Laboratory is unable, for any reason, to analyse a sample to detect and/or certify as to the presence of a prohibited substance in that sample, that Official Racing Laboratory or the Stewards may refer the sample, or any portion of the sample, to another Official Racing Laboratory for analysis.
- (5) If the Official Racing Laboratory to which a sample or portion of a sample was referred in accordance with AR 178D(4) detects a prohibited substance in that sample or portion of that sample, that Official Racing Laboratory shall –
  - (a) notify its finding to the stewards, who shall thereupon notify the trainer of the horse of such finding; and
  - (b) nominate another Official Racing Laboratory and refer to it a reserve portion of the same sample and, except in the case of a blood sample, the control of the same sample, together with advice as to the identity of the prohibited substance detected.
- (6) In the event of the Official Racing Laboratory to which a sample was referred pursuant to AR 178D(5) detecting the same prohibited substance, or metabolites, isomers or artefacts of the same prohibited substance, in the referred reserve portion of the sample and not in the referred portion of control, the certified findings of both Official Racing laboratories shall be prima facie evidence that a prohibited substance has been detected in that sample for the purpose of these rules. [amended 1/01/15]
- (7) Where there is only one Official Racing Laboratory with the capability to analyse a sample to detect and/or certify as to the presence of a particular prohibited substance in that sample and that Official Racing Laboratory detects that prohibited substance in a sample taken from a horse:
  - (a) the reserve portion of the same sample and, except in the case of a blood sample, the control of the same sample, together with advice as to the identity of the prohibited substance detected is to be referred to that Official Racing Laboratory with the analysis to be supervised by a qualified analyst who was not responsible for the initial certified finding;
  - (b) In the event of the second analysis by that Official Racing Laboratory to which a sample was referred pursuant to AR 178D(7)(a) detecting the same prohibited substance, or metabolites, isomers or artefacts of the same prohibited substance, in the referred reserve portion of the sample and not in the referred portion of control, the certified findings of both analysts of that Official Racing Laboratory shall be prima facie evidence that a prohibited substance has been detected in that sample for the purpose of these rules.

[AR 178D(2) amended 27/10/05, AR 178D(3) amended 1/6/11, AR 178D deleted and replaced 1/2/14, AR 178D(7) added 1/5/15]

#### AR 178DD

- (1) The Stewards may direct that samples taken from a horse pursuant to AR 8(j) be stored, in whole or in part, and shall be disposed of only as they direct.
- (2) Notwithstanding any other provision of the rules, the Stewards may direct that a stored sample, in whole or in part, be submitted or resubmitted for any test to determine whether any prohibited substance was at the relevant time present in the system of the horse from which the sample was taken.
- (3) For the avoidance of doubt, when a prohibited substance is detected in a stored sample submitted or resubmitted for testing in accordance with sub-rule (2) the provisions of AR 177A, AR 177B and AR 178 shall apply.

- (4) When a prohibited substance is detected in a stored sample submitted or resubmitted for testing in accordance with sub-rule (2) and that sample was taken from the horse prior to or following its running in any race, the provisions of AR 177 do not apply, provided that the horse concerned may be disqualified from any race in which it started on the day the sample was taken.

[AR 178DD adopted 1/10/06]

#### AR 178E

- (1) Notwithstanding the provisions of AR 178C(2), no person without the permission of the Stewards may administer or cause to be administered any medication to a horse on race day prior to such horse running in a race.
- (2) The Stewards may order the withdrawal from a race engagement any horse that has received medication in contravention of sub-rule (1) of this rule.

[added 3/2/03; renumbered 1/8/04 (previously AR 189A)]

#### AR 178EA

- (1) In relation to the testing for the presence of a therapeutic substance in a sample taken at any time from a horse there must be an initial screening test or screening analysis of the sample.
- (2) As a minimum requirement, the initial screening test or screening analysis is to be conducted as follows:
- (a) A biological matrix, equivalent in volume to the sample, is to have added to it a quantity of the therapeutic substance, or its specified metabolite, sufficient to bring its concentration to the screening limit specified for that therapeutic substance. This is known as the spiked sample and is to be analysed concurrently with the sample.
- (b) The sample is then to be tested to ascertain whether or not it contains a quantity of the therapeutic substance, or its specified metabolite, that exceeds that screening limit by making a direct comparison with the spiked sample.
- (c) If the screening limit is not exceeded, the detection of the therapeutic substance is not to be reported.
- (d) If the screening limit is exceeded then the sample is to be further tested in accordance with normal laboratory procedures designed to certify the presence of the therapeutic substance in the sample.
- (3) A therapeutic substance for the purpose of this Rule and the screening limit applicable to it or its specified metabolite shall be promulgated from time to time by the Australian Racing Board and published in the Racing Calendar.
- (4) The screening limit testing provided for in this Rule is not intended and does not operate to mean that for the purpose of the Rules the therapeutic substance only becomes a prohibited substance if and when the screening limit is exceeded.
- (5) It shall not be a defence to any charge under AR 177, AR 177A or AR 178 that the result of any initial screening test or screening analysis should have been below the screening limit for the therapeutic substance in question.

[added 1/10/12]

#### AR 178F

- (1) A trainer must record treatment and medication administered to each horse in his or her care by midnight on the day on which the administration was given, and each record must include the following information:
- (a) the name of the horse;
- (b) the date and time of administration of the treatment or medication;
- (c) the name of the treatment or medication administered (brand name or active constituent);
- (d) the route of administration including by injection, stomach tube, paste, topical application or inhalation);
- (e) the amount of medication given (if applicable);
- (f) the duration of a treatment (if applicable);
- (g) the name and signature of person or persons administering and/or authorizing the administration of the treatment or medication.

- (2) For the purposes of this rule:
- (a) "treatment" includes:
- (i) shock wave therapy;
- (ii) acupuncture (including laser treatment);
- (iii) chiropractic treatment;
- (iv) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS));
- (v) magnetic field therapy;
- (vi) ultrasound;
- (vii) any form of oxygen therapy, including hyperbaric oxygen therapy; and
- (b) "medication" includes:
- (i) all Controlled Drugs (Schedule 8) administered by a veterinarian;
- (ii) all Prescription Animal Remedies (Schedule 4), including those listed in AR 178C(2);
- (iii) all Prescription Only Medicines (Schedule 4), prescribed and/or dispensed by a veterinarian for off-label use;
- (iv) all injectable veterinary medicines (intravenous, intramuscular, subcutaneous, intra-articular) not already included above;
- (v) all Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines;
- (vi) all veterinary and other medicines containing other scheduled and unscheduled prohibited substances;
- (vii) all alkalinising agents;
- (viii) all herbal preparations.
- (3) All records required to be kept in accordance with this AR 178F must be retained by the trainer for not less than two years.
- (4) When requested, a trainer must make available to the Stewards the record of any administration of a treatment and/or medication required by sub-rule (1).
- (5) A trainer who fails to comply with any provision of AR 178F commits a breach of this Rule and may be penalised.

[AR 178F deleted and replaced 01/01/15]

#### AR 178G

In the case of the presence of testosterone (including both free testosterone and testosterone liberated from its conjugates) above a mass concentration of 20 micrograms per litre being detected in a urine sample taken from a gelding, or above a mass concentration of 55 micrograms per litre being detected in a urine sample taken from a filly or mare, prior to or following its running in any race, it is open to the Stewards to find that the provisions of AR 178 or AR 178H do not apply if on the basis of the scientific and analytical evidence available to them they are satisfied that the detected level in the sample was of endogenous origin or as a result of endogenous activity. [added 1/10/12, amended 1/11/13, deleted and replaced 1/2/15]

#### AR 178H

- (1) A horse must not, in any manner, at any time, be administered an anabolic androgenic steroid.
- (2) Any person who:
- (a) administers an anabolic androgenic steroid;
- (b) attempts to administer an anabolic androgenic steroid;
- (c) causes an anabolic androgenic steroid to be administered; and/or
- (d) is a party to the administration of, or an attempt to administer, an anabolic androgenic steroid, to a horse commits an offence and must be penalised in accordance with AR 196(5).
- (3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered any anabolic androgenic steroid contrary to AR 178H(1), the Stewards may prevent the horse from starting in any relevant race, official trial or jump-out.

- (4) When a sample taken at any time from a horse has detected in it an anabolic androgenic steroid the horse is not permitted to start in any race or official trial:
- (a) for a minimum period of 12 months from the date of the collection of the sample in which an anabolic androgenic steroid was detected; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.
- (5) Any owner, lessee, nominator, trainer and/or person in charge of a horse registered under these Rules must, when directed by the Stewards or other official appointed by the Principal Racing Authority, produce, or otherwise give full access to, the horse so that the Stewards or other official appointed by the Principal Racing Authority may take or cause a sample to be taken and analysed to determine whether any anabolic androgenic steroid is present in the system of the horse.
- (6) For the avoidance of doubt and without limitation, sub-rule (5) requires an owner, lessee, nominator and/or trainer to produce the horse, or otherwise give full access to the horse, even if the horse is:
- (a) under the care or control of another person; and/or
  - (b) located at the property of another person.
- (7) Any person who fails to produce, or give full access to, a horse to provide a sample as required by sub-rule (5) may be penalised.
- (8) In respect of a horse registered under these Rules, where an owner, lessee, nominator, trainer and/or person in charge of a horse is in breach of sub-rule (5), the relevant horse will not be permitted to start in any race or official trial:
- (a) for a period of not less than 12 months following the day on which the horse is in fact produced to the Stewards, or full access to the horse is otherwise given to the Stewards, so that a sample may be taken and analysed for anabolic androgenic steroids; and
  - (b) only after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse, such sample having been taken at a date determined by the Stewards.

[AR 178H added 1/11/13]

### **PENALTIES (except weight penalties) [amended 1/9/09]**

**AR 179** The Committee or Stewards of any Club may accept:

- (a) A certificate by a Club that it has imposed or adopted any penalty, or
  - (b) The publication in a *Racing Calendar* or similar publication of a statement to the effect that any penalty has been imposed or adopted,
- as prima facie evidence of the fact stated and may assume unless the contrary is proved that such penalty has not been set aside or mitigated.

[amended 30/4/03; existing (b) deleted and (c) renumbered 19/3/09; rule amended 1/9/09]

### **AR 179A**

- (1) Upon a Principal Racing Authority receiving Notice from any Overseas Racing Authority of the imposition, by that Overseas Racing Authority, of a suspension, disqualification, or other penalty upon a person, the Principal Racing Authority shall proceed in accordance with this Rule.
- (2) In the event that the Principal Racing Authority which receives a Notice in accordance with subrule (1) is not the Principal Racing Authority by which the person named in the Notice was most recently licenced for a continuous period of not less than 3 months, it shall cause a copy of the Notice to be forwarded to that latter Principal Racing Authority immediately. In the event that the person named in the notice has not previously been licensed by a Principal Racing Authority or not previously licensed by a Principal Racing Authority for a continuous period of 3 months or more then the Principal Racing Authority that received the Notice referred to in with subrule (1) shall deal with the Notice.
- (3) As soon as is practicable after receiving a Notice pursuant to subrule (1) or (2) as the case may be, and in any event no later than seven (7) days after such receipt in either case, the relevant Principal Racing Authority shall:
  - (a) cause a copy of the Notice to be served upon the person named therein; and
  - (b) advise that person of the provisions of this Rule.
- (4) In the absence of any application being made under sub-rule (6), the Principal Racing Authority who served the Notice under subrule (3) shall:
  - (a) apply the penalty set out in the Notice within the State or territory which that Authority from time to time administers;
  - (b) issue a Notice to all other Principal Racing Authorities advising of the application of the penalty pursuant to subrule 4(a).
- (5) Upon receipt of any Notice issued pursuant to subrule (4)(b), all Principal Racing Authorities to whom such Notice was issued shall immediately apply the penalty within the State or territory which each of those Authorities administers.
- (6) The person named in a Notice served pursuant to sub-rule (3) (hereinafter referred to as "the applicant") may apply to the Principal Racing Authority by which he was most recently licensed for a declaration that the penalty set out in the Notice:
  - (a) not be applied at all; or
  - (b) be applied only in part.
 by that Principal Racing Authority within the state or territory which it administers.
- (7) Subject to subrule (10)(a), any application pursuant to subrule (6) shall:
  - (a) be made within a period of fourteen (14) days from the date of service of a copy of the Notice under subrule (3);
  - (b) be accompanied by a statement of the applicant confirming that the applicant has exhausted all avenues of appeal for which provision is made under the rules of the Overseas Racing Authority under which the penalty set out in the Notice was imposed;
  - (c) provide particulars of the ground(s) upon which the application is made; and
  - (d) set out, by reference to subparagraphs (a) and (b) of subrule (6), the terms of any declaration(s) sought.
- (8) Upon receipt of an application pursuant to subrule (6) the Principal Racing Authority to whom such application is made may, in its absolute discretion, determine that the penalty set out in the Notice is not to be applied within the state or territory which it administers, pending the hearing of the application.
- (9) Within a period of seven (7) days of the receipt of an application made pursuant to subrule (6), the Principal Racing Authority to whom application is made shall hear and determine the matter.
- (10) At the hearing of an application made pursuant to subrule (6):
  - (a) the Principal Racing Authority may, on the application of the applicant and, notwithstanding the provisions of subrule (7), waive compliance with all or any of the provisions of that subrule if it considers it appropriate to do so;
  - (b) the applicant may:
    - (i) with the leave of the Principal Racing Authority, be represented by a legal practitioner or agent;
    - (ii) give oral evidence;
    - (iii) adduce other oral or written evidence;
    - (iv) make oral or written submissions to the committee in support of the application.

- (11) At the conclusion of the hearing of an application made pursuant to subrule (6), the Principal Racing Authority shall:
- if satisfied that there are exceptional circumstances, order that the application be granted and make the declaration(s) sought;
  - otherwise order that the application be dismissed.
- (12) For the purposes of subrule (11) the onus of establishing exceptional circumstances shall be upon the applicant.
- (13) Upon the making of any order(s) or declarations(s) pursuant to subrule (11), the Principal Racing Authority whom the application was made shall issue a Notice to all other Principal Racing Authorities in the Commonwealth of Australia setting out the terms of such order(s) or declaration(s).
- (14) Immediately upon the issue of a Notice pursuant to subrule (13), the order(s) or declarations(s) set out therein shall, without anything further, apply within each of the States and territories administered by each of those Principal Racing Authorities to which such Notice was issued.

[AR 179A adopted 19/3/09]

**AR 180** [deleted 19/3/09]

**AR 181** A list of persons suspended, warned-off or disqualified, and of horses disqualified by the Principal Racing Authority, or whose suspension or disqualification as the case may be has been adopted by a Principal Racing Authority, shall be kept at the Office of that Principal Racing Authority, and shall from time to time be published in the Racing Calendar and be transmitted with all additions thereto to the other Principal Racing Authorities and such other Clubs as the Principal Racing Authority may think fit. [amended 30/4/03]

**AR 182**

- (1) Except with the consent of the Principal Racing Authority that imposed the disqualification, and upon such conditions that they may in their discretion impose, a person disqualified pursuant to these Rules must not, during the period of that disqualification:
- enter upon any racecourse or training track owned, operated or controlled by a Club or Principal Racing Authority or any land used in connection with such properties;
  - enter upon any training premises, complex or establishment of any Club, Principal Racing Authority or licensed person;
  - be an office holder, official, member or employee of any Club or Principal Racing Authority;
  - be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable;
  - ride any racehorse in any race, official trial, jump-out or test;
  - enter or nominate any horse for a race or official trial whether acting as agent or principal or in any other capacity;
  - subscribe to any sweepstakes;
  - race or have trained any horse whether as owner, lessee or in any other capacity;
  - share in the winnings of any horse;
  - participate in any way in the preparation for racing or training of any racehorse;
  - open a betting account, operate an existing betting account, transact a bet or have a bet transacted on his/her behalf, have any interest in or share in any bet, receive a benefit from any bet placed with a licensed wagering operator in connection with any thoroughbred race meeting held in Australia;
  - conduct or assist with thoroughbred breeding in Australia;
  - attend or participate in thoroughbred racehorse sales or related events;
  - permit or authorise any other person to conduct any activity associated with thoroughbred racing, thoroughbred race horse sales and/or breeding for or on behalf of the disqualified person; and/or
  - receive any direct or indirect financial or other benefit derived from thoroughbred racing and/or breeding in Australia.
- (2) In addition to any of the restrictions that may apply in respect of a disqualified person, including those set out in AR 182(1), the

Principal Racing Authority or the body which imposed the disqualification may order the disqualified person:

- not to participate in social media or mainstream media in relation to any racing or wagering matter;
  - to adhere to such other restrictions as may be necessary or desirable to prevent conduct by the disqualified person that could be prejudicial to the image or interests or welfare of racing.
- (3) Except with the consent of the Principal Racing Authority that imposed the disqualification, no person who in the opinion of the Principal Racing Authority is a close associate of a disqualified person shall be permitted to train or race any horse.
- (4) A disqualified person who breaches an order made pursuant to AR 182(2) is guilty of an offence and may be penalised.
- (5) Unless otherwise determined by the Principal Racing Authority that imposed or adopted the penalty, the period of disqualification of any person who contravenes any of the provisions of rule AR 182(1), shall automatically recommence as from the most recent date of such contravention, and the person may also be subject to further penalty.
- (6) The provisions of subrule (5) shall apply to any person to whom AR 182(1) applies, regardless of when such penalty that gives rise to the application of the rule was imposed.

[AR 182 deleted and replaced 1/2/15]

**AR 182A** A bookmaker shall not bet by telephone or otherwise with a disqualified person.

**LR 69 Owners and trainers must not employ disqualified persons**

An owner or trainer must not without the consent of the Directors employ or keep in his or her employment any person who is and remains disqualified.

**AR 183** A person warned-off by a Principal Racing Authority shall be subject to the same disabilities as a person disqualified. [amended 30/4/03]

**AR 183A**

- Unless otherwise ordered, during the period of his suspension no suspended rider who is licensed, approved or permitted to ride under AR 81 shall ride in any race, official trial, jump-out or trackwork. Provided that a rider may be suspended from riding in races only. [amended 1/9/09]
- Except with the consent of the Principal Racing Authority or the Stewards who imposed the suspension, a rider suspended by the Principal Racing Authority or the Stewards shall not during the period of that suspension be registered as a stablehand or be employed or work in any racing stable. [added 1/3/05]

**AR 183B** Except with the consent of the Principal Racing Authority or the Stewards who imposed the suspension, a suspended trainer or a person holding a permit to train shall not during the period of that suspension:

- As a trainer or permit holder, nominate a horse for a race, official trial or jump-out;
- Train or participate in any way in the training of any racehorse; or
- Be registered as a stablehand, or be employed or act or be involved in any capacity in any racing stable.

[amended 1/1/00, 30/4/03, 1/10/06, 1/9/09]

**AR 183C** A Bookmaker suspended by the Stewards or a Principal Racing Authority or the relevant supervising body shall not field at any race meeting conducted under The Rules or be in any way concerned in the operation of a bookmaker during the period of that suspension. [amended 30/4/03]

**AR 183D** Unless otherwise permitted by the stewards or a Principal Racing Authority, and upon such conditions as they may in their discretion impose, a stablehand while suspended shall not be employed or work in any racing stable during the period of his suspension. [amended 30/4/03]

**AR 183E** Any person disqualified under these Rules shall not during the period of such disqualification hold any office on or participate in the business of any Principal Racing Authority, Racing

Association or Racing Club or any other racing disciplinary body. [amended 30/4/03]

#### AR 183F

In addition to any of the restrictions that may apply to a suspended person under the Rules, the Principal Racing Authority or the body which imposed the suspension may order the suspended person:

- (1) not to enter designated places at racecourses except at times or on conditions as may be specified in the order;
- (2) not to participate in social media or mainstream media in relation to any racing or wagering matter; and
- (3) to adhere to such other restrictions as may be necessary or desirable to prevent conduct by the suspended person that could be prejudicial to the image or interests or welfare of racing. [AR 183F added 1/2/15]

**AR 184** Where in relation to any disqualification or suspension imposed under these Rules there are proceedings in a court and the court in such proceedings orders or declares by way of injunction or otherwise that the disqualification or suspension shall be, or is, not operative or is not to be enforced or acted upon either generally or for any specified or otherwise limited period of time, then the time during which such suspension or disqualification would but for such order or declaration have been effective shall not be included in calculating the duration of such suspension or disqualification. In the event that any such order of a court shall cease to have effect for any reason whatsoever, subject to any order a court may make or may have made, the duration of such suspension or disqualification shall commence to run, or, resume running, as the case may be, from the date upon which such order ceases to have effect. Every suspension or disqualification imposed after this rule comes into operation shall be subject to the provisions hereof.

[LR 69A added 23/10/13, deleted 1/8/17]

[LR 69B added 23/10/13, deleted 1/8/17]

[LR 70 deleted and replaced by LR 70A and LR 70B 1/12/05]

#### LR 70A Commencement of suspensions

Subject to LR 70B and these Rules, the commencement of a suspension imposed by the Stewards upon a rider under AR 137 shall take effect from midnight on the date that the Stewards made their decision to suspend the rider unless the Stewards in their discretion otherwise require the suspension to take immediate effect. [added 1/12/05]

#### LR 70B Deferment of suspensions

(1) Where:

- (a) a rider receives a period of suspension imposed by the Stewards under these Rules for an incident that occurred on any day other than Derby Day or Melbourne Cup Day; and
- (b) at the time that the Stewards determined to suspend the rider, the rider holds an engagement or engagements to ride,

then that period of suspension can be deferred by the Stewards, in their discretion, until the rider has fulfilled all of their riding engagements, but the period of deferment must not be more than nine days following the issue of the suspension. If the rider:

- (c) has riding engagements the day following the issue of the suspension, they must fulfil those engagements; and
- (d) is able to obtain release(s) from the owner(s) or trainer(s) involved from other riding engagements (two days to nine days following the issuing of the suspension), and the rider notifies the Stewards of this, then the period of suspension may (in the Stewards' discretion) begin as soon as all riding engagements have been released.

(2) Where:

- (a) a rider receives a period of suspension imposed by the Stewards under these Rules for an incident that occurred on Derby Day or Melbourne Cup Day; and
- (b) at the time that the Stewards determined to suspend the rider, final acceptances have been taken and the rider holds an engagement or engagements and is declared to ride, and the rider has notified the Stewards of such engagement(s),

then that period of suspension can be deferred by the Stewards, in their discretion, until the rider has fulfilled all of their declared rides, but the period of deferment must not be more than three days following the issue of the suspension. If the rider:

- (c) has riding engagements the day following the issue of the suspension, they must fulfil those engagements; and
- (d) is able to obtain release(s) from the owner(s) or trainer(s) involved from other riding engagements (two days to three days following the issuing of the suspension), and the rider notifies the Stewards of this, then the period of suspension may (in the Stewards' discretion) begin as soon as all riding engagements have been released.

[LR 70B deleted and replaced 19/2/18]

#### LR 70C Overseas Riding Commitments

Where:

- (a) a rider receives a period of suspension imposed by the Stewards under these Rules for an incident that occurred on Derby Day or Melbourne Cup Day; and
- (b) that rider has an existing riding commitment(s) outside of Australia at the time the suspension is imposed,

the Stewards may in their discretion allow that rider to fulfil that existing overseas riding commitment(s) outside of Australia during the term of the suspension imposed (but only during the first seven days of the period of suspension), and the Stewards may take the use of this Rule into account when determining the period of suspension to be issued.

[LR 70C added 19/2/18]

#### LR 71 Power to warn off

The power to disqualify any person includes the power to warn off such person.

#### LR 71A Person subject of an exclusion order

Any person who is the subject of an exclusion order made by the Chief Commissioner of Police under Division 5 of Part 1 of the Racing Act 1958 may, by order of the Stewards or Racing Victoria, be immediately (or from such time as the Stewards or Racing Victoria determine):

- (a) warned off, disqualified or suspended; and/or
- (b) excluded from attending any other race meeting held under these Rules,

for such time as the exclusion order remains in force.

[amended 29/11/12]

**AR 185** Notwithstanding the provisions of AR 182, if a lessor is a disqualified person, or in the opinion of the Principal Racing Authority or the Stewards is a close associate of a disqualified person a Principal Racing Authority may, in its discretion, waive in favour of the lessee in respect of any particular meeting or during the currency of the lease or any part thereof the provisions of those rules; but in the event of such horse winning any stake or prize money, the amount thereof shall be reduced by the amount or proportion thereof to which such lessor would otherwise be entitled by virtue of any agreement (whether verbal or in writing) entered into between the lessor and the lessee in respect of such horse, and no part of such stake or prize money shall be payable to such lessor nor be recoverable by the lessor from any Club or the lessee or any other person whomsoever. [amended 30/4/03]

**AR 186** No horse shall be disqualified for a race by reason of any bonus payable under the conditions of the race to a disqualified person as breeder or nominator of the sire, and in the event of such horse winning or being placed, any such bonus shall be withheld and paid to the nominator.

**AR 187** So long as a horse is disqualified by the Stewards or a Principal Racing Authority it shall not be entered or run for any race held under these Rules or be trained on any course where these Rules are in force. [amended 30/4/03]

**AR 188** A person or horse disqualified or suspended by any Club, other than a Principal Racing Authority, or by an Association shall, pending adoption or disallowance by the Principal Racing Authority, be subject to disabilities similar to those abovementioned so far as they relate to any course under the control of the Club or Association imposing the disqualification or suspension as the case may be. [amended 30/4/03]

**AR 189** If a horse has been disqualified for any particular race, or for anything occurring in such race, the prize or money including any proportion to which the rider would have been entitled as rider of a winning mount shall be awarded as though such horse had not started in the race.

**AR 190** When a Principal Racing Authority disqualifies any person it may disqualify for the same or any term all or any horses in which he has an interest. Notice of every such general disqualification of horses and their names when they can be ascertained by the Secretary shall be included in the List of Disqualifications, but the omission of any horse's name shall not affect the disabilities involved in such disqualification. [amended 30/4/03]

**AR 191** The disqualification of a trainer or the suspension of his trainer's licence shall not of itself render ineligible for racing any horse which at the time of the disqualification or suspension was being trained by him for fee or reward, and in which he had no interest other than as a trainer, provided that such horse is removed as soon as practicable to the possession and control of another trainer who is expressly approved by the Principal Racing Authority or the appropriate Association. For the purpose of this rule the words "being trained" shall include any horse for which such trainer was responsible for the care, control and superintendence and/or any horse for which a current stable return has been lodged declaring such horse to be trained by the said trainer. [amended 30/4/03]

#### **LR 72A Effect of disqualification relating to a horse**

- (1) If a person is disqualified for any breach of the Rules relating to a horse:
  - (a) any horse in which the person has an interest as owner or lessee is disqualified for all races after the disqualification of such person; and
  - (b) such person forfeits and must return all money and prizes which such horse has won in any race after such disqualification.
- (2) The Directors may waive the application of LR 72A(1) in respect of a lessee to such extent as the Directors think fit.

#### **LR 72B Disqualified horses ineligible to race**

- (1) A horse is ineligible to start in any race, and must be struck out of all its engagements by the Secretary of any Club for any of which races it is entered, if the horse is:
  - (a) disqualified by the Stewards or the Directors; or
  - (b) the Directors confirm or adopt the disqualification of a horse by the Stewards or Committee of any Club.
- (2) If a horse is entered for or started in a race for which it is ineligible, either under the conditions of the race or for any other reason, the Stewards may disqualify, or otherwise penalise the owner, trainer and nominator of such horse. [amended 1/9/09]

**AR 192** Any person found by the Principal Racing Authority or by the Stewards to be a defaulter in bets or any person posted as a defaulter in bets by any Club recognised by a Principal Racing Authority for the purpose of this Rule, may be disqualified until his default is cleared or his posting removed. [amended 30/4/03, 1/10/06]

**AR 193** The Committee of any Club or Association or the Stewards may suspend any licence, right or privilege granted under the Rules for such term as they think fit so far as it relates to the courses or meetings controlled by them provided that such suspension may be disallowed or removed by the Principal Racing Authority. [amended 30/4/03]

[LR 72C deleted 1/10/13]

#### **LR 73 Exclusion from Courses and other places**

The Stewards may exclude or eject from any Course and all places under their jurisdiction any person who is liable to expulsion under:

- (a) the Rules;
- (b) any regulations applicable at the Course; or
- (c) any resolution of the Committee of the relevant Racing Club whether such resolution applies to:
  - (i) general classes of persons or offences; or
  - (ii) particular persons or offences.

**AR 194** A disqualification or suspension imposed by the Committee or Stewards of any registered club or of any registered race meeting

may be adopted or enforced by the Committee or Stewards of any other Club or race meeting pending adoption or disallowance by the Principal Racing Authority. [amended 30/4/03]

**AR 195** The Secretary of every registered club or registered race meeting shall immediately forward to the Secretary of the Principal Racing Authority a certificate of every disqualification or suspension made by the Committee or Stewards thereof, with a statement of the facts on which it is founded. [amended 30/4/03]

#### **AR 195A**

- (1) Subject to AR 195A(2), if a licensed person is disqualified his or her licence immediately ceases and determines and he or she must make application to the Principal Racing Authority to be relicensed.
- (2) A disqualified person is and remains bound by, and subject to, the Rules for the period of his or her disqualification. [amended 1/11/99; replaced 1/10/02; amended 30/4/03; replaced 1/08/14]

#### **AR 196**

- (1) Subject to sub-rule (2) of this Rule any person or body authorised by the Rules to penalise any person may, unless the contrary is provided, do so by disqualification, suspension, reprimand, or fine not exceeding \$100,000. Provided that a disqualification or suspension may be supplemented by a fine. [fine increased 1/8/99; sub-rule amended 1/12/05; deleted and replaced 1/8/09; amended 1/9/09; deleted and replaced 1/2/15]
- (2) In respect of a breach of AR 137A the Stewards may in addition to the penalty options conferred on them under sub-rule (1) of this Rule order the forfeiture of the rider's riding fee and/or forfeiture of all or part of the rider's percentage of prizemoney notwithstanding that the amount exceeds \$100,000. [sub-rule added 1/11/01; deleted and replaced 1/8/09, 1/2/15]
- (3) Unless otherwise ordered by the person or body imposing the penalty, a penalty of disqualification or suspension imposed in pursuance of subrules (1) and (2) of this Rule shall be served cumulatively to any other penalty of suspension or disqualification. [sub-rule added 1/8/09]
- (4) Any person or body authorised by the Rules to penalise any person may in respect of any penalty imposed on a person in relation to the conduct of a person, other than a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding two years upon such terms and conditions as they see fit. [added 1/6/11, deleted and replaced 1/2/15]
- (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 [amended 1/8/16]

AR 83(d) – 2 years  
AR 84 – 2 years  
AR 135(d) – 3 years  
AR 175(aa) – 5 years  
AR 175(h)(i) – 3 years  
AR 175(hh)(i) – 2 years  
AR 177B(6) – 2 years  
AR 178E – 6 months  
AR 178H(2) – 2 years

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(5)(x) added 1/11/13, deleted and replaced 1/2/15]
- (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.

[AR 196(6) added 1/9/13]

#### **LR 73A Special circumstances relevant to the imposition of penalties under AR 196(5)**

For the purpose of these Rules and the imposition of a penalty under AR 196(5), a special circumstance may be found if:

- (a) the person has assisted the Stewards and/or Racing Victoria or has given an undertaking to assist, after the imposition of a penalty on that person, the Stewards and/or Racing Victoria in the investigation or prosecution of a breach of the Rules;
- (b) the person has pleaded guilty at an early stage;
- (c) the person proves on the balance of probabilities that at the time of the commission of the offence, he or she:
- (i) had impaired mental functioning; or
  - (ii) was under duress,
- that is causally linked to the breach of the Rule and substantially reduces his or her culpability; or
- (d) in the interests of justice, the circumstances may be deemed or considered to be special.

[added 1/3/13]

**AR 197** No person shall be entitled to make any claim for damages by reason or in consequence of the imposition, annulment, removal, mitigation, or remission of any penalty imposed or purporting to be imposed under the Rules.

**AR 198** No club, official or member of a club shall be liable to any person for any loss or damage sustained by that person as a result of, or in any way (either directly or indirectly) arising out of the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the Rules.

**AR 199** Subject to the provisions of AR 199A, every person aggrieved by:

- (a) any penalty imposed by the Committee of a Club or an Association or by the Stewards, or
  - (b) any disability imposed by such Committee of a Club, Association or Stewards on a horse
- in which he has an interest – may subject to the Rules appeal to the Principal Racing Authority.

[amended 30/4/03]

#### **AR 199A**

There shall be no right of appeal against a decision of the Stewards in connection with:

- (a) any protest or objection against placed horses arising out of an incident or incidents occurring during the running of a race; or
- (b) a disability imposed on a horse which provides that such horse shall pass a specified trial or test or examination; or
- (c) the eligibility of any horse to run in any race; or
- (d) a declaration under AR 134A.

**AR 199B** A person attending or required to attend an inquiry or hearing conducted by the Stewards or the Committee of a Club or Association shall not be entitled to be represented by any other person, whether a member of the legal profession or otherwise, provided that an apprentice jockey may be represented by his master or other trainer acting for his master. [amended 1/10/06]

**AR 200** Notwithstanding anything in these Rules contained, when an appeal has been duly instituted against a disqualification or suspension imposed under these Rules, the Principal Racing Authority concerned and any persons holding delegated powers of such Principal Racing Authority pursuant to AR 7(q) may in its or their absolute discretion and subject to such conditions as it or they shall think fit, suspend the operation in whole or in part of the Rules imposing disabilities upon disqualified or suspended persons and

horses until the determination of such appeal. [amended 1/4/99, 30/4/03]

**AR 200A** As at the date on which AR 177C and AR 178G take effect, all urine samples taken from horses prior to that date which have not been adjudicated upon by the Stewards shall be dealt with subject to those new Rules. [added 1/10/12]

#### **DESTRUCTION OF HORSE**

**AR 201** In the event of any horse being so injured on a racecourse that the destruction of such horse in the opinion of the stewards or qualified veterinary surgeon appointed by the Club conducting the race meeting, or a qualified veterinary surgeon approved by the Club in control of the racecourse, is advisable in order to save unnecessary suffering, such stewards or qualified veterinary surgeon may order such horse to be destroyed by such person as the stewards or the veterinary surgeon consider suitable.

#### **NOTICES**

**AR 202** Any notice to be given under these Rules may be served upon any person either personally or by sending it through the post in a prepaid envelope or wrapper addressed to such person at his last known address or place of abode in the State, or by advertising in one daily newspaper published in the principal city of the territory in which the Club giving the notice has its office.

**AR 203** Any notice sent by post shall be deemed to have been served in the usual course of post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed, stamped, and posted. Any notice by advertisement shall be deemed to have been served on the day on which the advertisement appears.

**AR 204** The signature to any notice to be given may be written, printed or typed.

**AR 205** Where a given number of days notice or notice extending over any other period is required to be given, the day of service shall, but the day upon which such notice will expire shall not, be included in the number of days or other period.

**AR 206** Any notice may be signed by the Secretary or other officer or person authorised by the Committee of any Club.

#### **FACSIMILE TRANSMISSIONS**

**AR 207** Any entry, scratching or notice required by the Rules to be in writing may be made or given by facsimile transmission and such entry, scratching or notice shall be deemed to have been made or given when facsimile transmission is received by the addressee.

#### **AUSTRALIAN RACING BOARD**

[Rules 208, 209 deleted and replaced by new rules 208 to 215 on 1/8/98]

[AR 208 to 213 deleted and replaced by insertion of new rule 208 on 1/8/03]

**AR 208** The Australian Racing Board is a company limited by guarantee incorporated under the *Corporations Act* established to make, change and administer the Australian Rules of Racing and otherwise do all things whatsoever that the Board considers to be conducive to developing, encouraging, promoting or managing the Australian thoroughbred racing industry. [inserted 1/8/03]

**AR 209** The Australian Racing Board may, from time to time, publish Codes of Practice setting out standards of conduct for persons commercially associated with Australian thoroughbred racing. [adopted 1/5/05]

**AR 214** The incorporation of the Board shall not affect any previous operation of the Rules or of any decisions made or actions taken in accordance with the Rules, or of any rights, privileges, entitlements, obligations, duties, liabilities, penalties or disqualifications accrued or incurred under the Rules before the incorporation of the Board. [amended 1/8/03]

#### **NEW RULES**

**AR 215** These Rules may from time to time be rescinded or altered and new Rules made by (and only by) the Australian Racing Board. [amended 30/4/03; deleted and replaced 1/8/03]

**LR 74** Australian Rules of Racing rescinded, altered, or made by the Australian Racing Board in accordance with AR 215 are adopted by Racing Victoria Limited in "The Rules" on and from their

- (2) From the *TOR Commencement Date*:
  - (a) *persons* bound by *these Rules* must comply with the *TOR Rules*;
  - (b) all *Trainers* and *Owners* (except *Exempt Trainers* and *Exempt Owners*) must comply with the *Racing Australia Standard Training Agreement (STA)* and the *STA* is deemed to apply as between those *Trainers* and *Owners* subject to *TOR Rule 1(4)*; and
  - (c) all *Co-owners*, except for *Co-owners* who have obtained their interest in a *horse* through a *Promoter Syndicate* and who do not own their interest in the *horse* with other *Owners* who are not in a *Promoter Syndicate*, must comply with the *Racing Australia Co-owner Agreement (COA)* and the *COA* is deemed to apply as between those *Co-owners* subject to *TOR Rule 1(5)*.
- (3) Notwithstanding *TOR Rule 1(2)*:
  - (a) specific terms of the *STA* can be excluded, varied or limited by agreement in writing between a *Trainer* and an *Owner*, provided that a *Trainer* and *Owner* cannot exclude, vary or limit the operation of any provision of *these Rules* (including any of the *TOR Rules*); and
  - (b) specific terms of the *COA* can be excluded, varied or limited by agreement in writing by the *Co-owners* of a *horse* if that is done in accordance with the terms of the *COA*, provided that *Co-owners* cannot exclude, vary or limit the operation of any provision of *these Rules* (including any of the *TOR Rules*).
- (4) If a *Trainer* and an *Owner*:
  - (a) are, as at the *TOR Commencement Date*, party to a separate written agreement in relation to *Training Services*, they can in writing agree that the other agreement continues to operate after the *TOR Commencement Date* in conjunction with, or instead of, the *STA*; or
  - (b) enter, after the *TOR Commencement Date*, into a separate written agreement in relation to *Training Services*; they can in writing agree that the other agreement operates in conjunction with, or instead of, the *STA*, provided that they are bound by, and must comply, with *these Rules* (including the *TOR Rules*).
- (5) If one or more of the *Co-owners*:
  - (a) is, as at the *TOR Commencement Date*, party to a separate written agreement with other *Co-owners* in respect of the *Horse Ownership Venture*, the *Co-owners* can agree in writing that the other agreement continues to operate after the *TOR Commencement Date* in conjunction with, or instead of, the *COA*; or
  - (b) enter, after the *TOR Commencement Date*, into a separate written agreement with other *Co-owners* in respect of the *Horse Ownership Venture*, the *Co-owners* can in writing agree that the other agreement operates in conjunction with, or instead of, the *COA*, provided that they are bound by, and must comply with, *these Rules* (including the *TOR Rules*).
- (6) The *TOR* applies equally to a *training partnership* licensed pursuant to *the Rules* as it does to individually licensed *Trainers*.
- (7) These *TOR Rules*, the *STA* and the *COA* apply equally to a lessee of a *horse* as an *Owner*, unless a particular provision of these *TOR Rules*, the *STA* and/or the *COA* expressly states that it only relates to a *person* with an ownership interest (rather than a lease interest) in a *horse*.
- (8) Any company or other business structure through which a *Trainer* provides *Training Services* (including the billing of *Training Services*) is bound by these *TOR Rules* and must comply with them (to the intent that the requirements of the *TOR* cannot be avoided on account of a *Trainer* providing *Training Services* through a corporate entity or other business structure which is not licensed or registered by *Racing Australia* or a *PRA*).
- (9) The *COA* does not apply to *Promoter Syndicates* which own the whole of the ownership of a *horse*. *Promoter Syndicates* must

## SCHEDULE 1 TO THE AUSTRALIAN RULES OF RACING

### TRAINER OWNER REFORMS

#### TOR Rule 1 – Commencement and operation of the TOR

- (1) The *TOR*, including the *TOR Rules*, will commence pursuant to *these Rules* on the *TOR Commencement Date*.

however comply with the STA (subject to TOR Rules 1(2)(b), 1(3)(a) and 1(4)).

- (10) If an *Owner's* ownership interest in a *horse* is as a member of a registered *Syndicate*, including as a member of a *Promoter Syndicate*, then for the purposes of the *TOR*:
  - (a) the *Syndicate Manager* is responsible for representing the *Syndicate*;
  - (b) the *Syndicate* is deemed to be the only *Owner* of the combined ownership interest held by the *Syndicate*, as if it was a separate legal entity, and the *Syndicate Manager* will be its expressly authorised legal representative; and
  - (c) all actions and decisions made by the *Syndicate Manager* will be taken to be made on behalf of the relevant *Syndicate*.
- (11) To the extent that there is any conflict or inconsistency between a provision of *these Rules* (including any of the *TOR Rules*) and a term of the *STA* or the *COA* (including as amended, whether in accordance with TOR Rule 1(3) or otherwise), or a term of any other separate agreement made in relation to *Training Services* or a *Horse Ownership Venture* (whether made in accordance with TOR Rule 1(4) or 1(5) or otherwise), *these Rules* (including the *TOR Rules*) prevail to the extent of the conflict or inconsistency.
- (12) *Racing Australia* (including its officers and employees), each *PRA* (including its officers and employees) and each *TDT* (including its members), shall not be liable to any person, and no person shall be entitled to make any claim for damages, for any loss or damage sustained as a result of, or in any way (either directly or indirectly) arising out of, the exercise of any right, privilege, power, duty or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the *TOR Rules*.
- (13) If a dispute between a *Trainer* and an *Owner* arises under the *TOR Rules*:
  - (a) neither party may commence *External Proceedings* in respect of the matters the subject of the dispute, save as to proceedings seeking urgent interlocutory relief, until all processes set out in the *TOR Rules* through which *Training Fees* and/or *Training Disbursements* can be recovered, or disputes in relation to them resolved or determined, have been followed; and
  - (b) if a party commences *External Proceedings* in respect of the matters the subject of the dispute, this subrule may be relied upon or pleaded by the other party as a bar to any such proceedings.

#### **TOR Rule 2 – Powers of Principal Racing Authorities (PRAs) in relation to the TOR**

- (1) A *PRA* shall, in addition to the powers conferred by these *Rules*, have power, in its discretion, to put in place *Local Rules*, regulations, policies or procedures, and/or take steps incidental or conducive to *Trainers* and *Owners* of *horses* complying with the *TOR*.
- (2) Without limiting TOR Rule 2(1), a *PRA* has power:
  - (a) to appoint a person or persons, who must have relevant experience in dealing with commercial disputes, as a *Training Disputes Tribunal (TDT)* member for the purpose of determining disputes in relation to *Training Fees* and/or *Training Disbursements*;
  - (b) to make and enforce policies or procedures in respect of the role, powers and functions of the *TDT*, and any member of it;
  - (c) to freeze the payment of prizemoney to which an *Owner* would otherwise be entitled and pay that prizemoney to a *Trainer* in payment of *Training Fees* and/or *Training Disbursements* due and payable to the *Trainer*;
  - (d) to take whatever action it thinks fit (including to refuse to accept the nomination of a *horse* to race, or to take disciplinary action permitted by *the Rules*) against a *person* who contravenes any provision of these *TOR Rules* or any regulations, policies or guidelines made by or pursuant to a direction of *Racing Australia* in relation to them;
  - (e) to require fees (including administrative, or transaction processing fees) to be paid to *Racing Australia* or to a *PRA*

in connection with the *TOR*, including in connection with the operation of the *TDT*.

- (3) If there is any inconsistency between a rule contained in these *TOR Rules* and that contained in a *PRA's Local Rules*, to the extent of any conflict or inconsistency, the provision in these *TOR Rules* will prevail (except where a *PRA* makes a local rule in relation to the *TDT's* role and/or processes pursuant to TOR Rule 8(8)).

#### **TOR Rule 3 – The requirement for Trainers to issue a Fees Notice**

- (1) As from the *TOR Commencement Date*:
  - (a) any *Trainer* who currently trains for an *Owner* must issue a *Fees Notice* to the *Managing Owner* within 28 days of the *TOR Commencement Date*;
  - (b) any *Trainer* who is appointed as a *Trainer* on or after the *TOR Commencement Date* must issue a *Fees Notice* to the *Managing Owner*:
    - (i) if the *Trainer* is appointed in the period from the *TOR Commencement Date* up to and including 28 days after the *TOR Commencement Date* – within 35 days of the *TOR Commencement Date*; or
    - (ii) if the *Trainer* is appointed more than 28 days after the *TOR Commencement Date* – within 7 days of the date on which the *Trainer* is appointed;
  - (c) the *Managing Owner* must provide a copy of the *Fees Notice* to each *Owner* within 5 days of being issued the *Fees Notice* by the *Trainer*; and
  - (d) if the *Managing Owner* does not object to the *Trainer* within 14 days of being issued the *Fees Notice*, the basis for providing *Training Services* set out in that notice is deemed to have been accepted by the *Owner/s*.
- (2) The *Fees Notice* must set out:
  - (a) the *Training Fees* itemised by category of service or item provided;
  - (b) the anticipated *Training Disbursements* by name of service and anticipated provider (if known);
  - (c) the anticipated *Direct Payment Disbursements* by name of service and anticipated provider (if known);
  - (d) any additional fees the *Trainer* proposes to charge the *Owner*, including bonuses for winning races, or commissions on the sale of a *horse*; and
  - (e) whether a *Trainer* proposes to charge interest on any unpaid *Training Fees* and/or *Training Disbursements*. The *Trainer* is entitled to do so from the day after an amount falls due and payable, at an interest rate not more than the rate prescribed from time to time for pre-judgment interest in the Supreme Court of the State or Territory of the *TDT* at which any dispute in relation to *Training Fees* and/or *Training Disbursements* would be heard pursuant to TOR Rule 5(4).

#### **TOR Rule 4 – The circumstances in which the TOR's Presumption of a Training Debt arises**

- (1) As a condition precedent to a *Trainer* being able to rely on the *Presumption of a Training Debt*, the *Trainer* must provide the *Trainer's* invoice (or invoices) in relation to *Training Fees* and/or *Training Disbursements* to the *Owner* of the relevant *horse* by the 15th day of any calendar month following a period of time in which *Training Services* were provided by the *Trainer* to the *Owner*.
- (2) A *Trainer* who fails to issue an invoice by the end of the 15th day of a month following a period of time in which *Training Services* were provided must wait until the subsequent month to seek to rely on the *Presumption of a Training Debt*, and can then only do so if an invoice has been provided to the *Owner* by the end of the 15th day of that subsequent month.
- (3) If an invoice is issued in accordance with TOR Rule 4(1), the *Owner* may formally dispute the invoice (or part of it) by serving a *Dispute Notice* which complies with the requirements in TOR Rule 5(1) on the *Trainer*. A copy of the *Dispute Notice* must also be provided to *Racing Australia*.
- (4) If a *Trainer* issues an invoice in accordance with TOR Rule 4(1) and the invoice is not fully paid by the end of the month in which

it is issued, then unless a *Dispute Notice* is provided by the *Owner* to the *Trainer* by the last day of the month in which the invoice is issued, the invoice is deemed to be due and payable to the *Trainer* at the end of that month. (That is known as the *Presumption of a Training Debt* against the *Owner*).

- (5) The provision of a *Dispute Notice* by an *Owner* to a *Trainer* by the last day of the month in which the invoice the subject of the dispute is issued has the effect that the *Presumption of a Training Debt* does not arise. In that instance, unless the dispute is settled by consent, the *Trainer* and *Owner* each may apply in accordance with TOR Rule 5 to have the dispute heard and determined by the *TDT*.

#### **TOR Rule 5 – Requirements in relation to, and the effect of, a *Dispute Notice***

##### **(1) A *Dispute Notice*:**

- (a) must be in a form prescribed by *Racing Australia* from time to time, and must provide the information required by that form;
- (b) must clearly identify the invoice/s (or part of the invoice/s) disputed by the *Owner*, the amount in dispute, and the grounds for the dispute;
- (c) must be provided by an *Owner* to a *Trainer* with supporting documentation (to be enclosed with the *Dispute Notice*) that the *Owner* intends to rely on in relation to the dispute;
- (d) must be served on the *Trainer*, with a copy also required to be provided by the *Owner* to *Racing Australia*:
- (i) subject to TOR Rule 5(1)(e) and TOR Rule 6(2), within 6 months of the date of the relevant invoice; and
- (ii) by the last day of the month in which the relevant invoice is issued if the *Owner* wishes to prevent the *Presumption of a Training Debt* arising; and
- (e) must not be served on the *Trainer* after an *Enforcement Action Application (EAA)* is filed with *Racing Australia* by the *Trainer* under TOR Rule (6)(1), and any purported service of a *Dispute Notice* after that time will not be valid.

- (2) If a *Dispute Notice* challenges part, but not the whole of an invoice issued by a *Trainer* to an *Owner*, the *Owner* must pay to the *Trainer* the part not in dispute by the last day of the relevant month in which the invoice is issued in accordance with TOR Rule 4(1). Failing that, the part not in dispute is deemed due and payable to the *Trainer* at the end of the month in which the invoice is issued.

- (3) Once a *Dispute Notice* is served by an *Owner* on a *Trainer* in accordance with TOR Rule 5(1), each has the right to elect to have the dispute determined by a *TDT* by filing a *Notice of Election of Hearing* with *Racing Australia* within 14 days of the *Dispute Notice* being served, with a copy also required to be served on the other party to the dispute.

- (4) Once a *Notice of Election of Hearing* is filed with *Racing Australia*, it will allocate the matter to the *TDT* of the relevant *PRA* as follows:

- (a) the matter is to be allocated to the *PRA* of the State or Territory in which the *Trainer* who is party to the dispute is licensed to train horses;
- (b) if the *Trainer* is licensed in more than one State or Territory of Australia, the matter is to be allocated to the *PRA* of the State or Territory in which the horse the subject of the dispute (or a majority of the horses where there is more than one horse the subject of the dispute) is predominantly located, based on the most recent *Stable Return/s* lodged by the *Trainer* with *Racing Australia* in respect of the horse/s; and
- (c) if the *Trainer* is licensed in more than one State or Territory and has an equal number of horses the subject of the dispute predominantly located in more than one State or Territory, the matter is to be allocated to the *PRA* that *Racing Australia* thinks fit.

#### **TOR Rule 6 – Consequences for a *Trainer* and *Owner* if the *Presumption of a Training Debt* arises**

- (1) Once the *Presumption of a Training Debt* arises, a *Trainer* may file an *EAA* with *Racing Australia* (with a copy also required to be

served on the relevant *Owner*) seeking that one or more of the following consequences be applied against the *Owner*:

- (a) if the defaulting *Owner* owns 50% or more of the total of the ownership of the relevant horse, that *Racing Australia* will not process any *Stable Return* seeking to transfer the horse to another *Trainer*;
- (b) that *Racing Australia* and/or the relevant *PRA* responsible for any registration function in respect of the relevant horse will not register any transfer of the *Owner's* share or ownership interest in the horse; and
- (c) that *Racing Australia* will notify the relevant *PRA/s* and the *PRA/s* will, other than in a *Special Circumstance* determined in its discretion, Freeze the payment of prizemoney to which the *Owner* would otherwise be entitled, and direct payment of that prizemoney to the *Trainer* owed the *Training Fees* and/or *Training Disbursements*. Subject to any *Special Circumstance* determined by a *PRA*, the defaulting *Owner* expressly waives any right to object to a *PRA's* payment of that prizemoney to the *Trainer*.

- (2) Once an *EAA* is filed with *Racing Australia* by a *Trainer* under TOR Rule 6(1), an *Owner* is not permitted to serve a *Dispute Notice* on the *Trainer* and any purported service of a *Dispute Notice* after that time will not be valid.

- (3) Once an *EAA* is filed with *Racing Australia* by a *Trainer* under TOR Rule (6)(1), unless *Racing Australia* or the relevant *PRA*, as applicable, considers that a *Special Circumstance* warrants another course, each of the consequences stated in TOR Rule 6(1)(a) to 6(1)(c) which were applied for by the *Trainer* will apply until:

- (a) the relevant *Training Fees* and/or *Training Disbursements* which are due and payable are paid to the *Trainer*;
- (b) the *Trainer* notifies *Racing Australia* that the *Trainer* has come to a settlement with the *Owner* in relation to the disputed amount; or
- (c) the *Owner* notifies *Racing Australia* that the *Owner* has come to a settlement with the *Trainer* in relation to the disputed amount and provides sufficient evidence (as determined by *Racing Australia* in its sole discretion) of such settlement.

- (4) A *Trainer* must notify *Racing Australia* in writing within 24 hours of becoming aware of having received payment from an *Owner* of any *Training Fees* and/or *Training Disbursements* referred to in an *EAA*, and/or of becoming aware of the settlement with the *Owner* of a dispute in respect of *Training Fees* and/or *Training Disbursements* the subject of an *EAA*.

#### **TOR Rule 7 – Further rights of a *Trainer* (when the *Presumption of a Training Debt* has not arisen) to object to the transfer of a horse to another *Trainer*, or the transfer of an ownership interest in relation to a horse**

- (1) If, despite the *Presumption of a Training Debt* not having arisen, a *Trainer* contends that *Training Fees* and/or *Training Disbursements* are due and payable to the *Trainer* in respect of a horse, the *Trainer* may object by written notice provided to *Racing Australia* to the transfer of the horse from the *Trainer* to another *Trainer*, or to the transfer of an ownership interest in the horse from one *Owner* to another. A copy of that written objection must also be served on the relevant *Owner*.

- (2) If a *Trainer* objects pursuant to TOR Rule 7(1):

- (a) the following consequences apply:
- (i) *Racing Australia* will notify the relevant *Owner* of the objection;
- (ii) if the *Owner* owns 50% or more of the total ownership of the relevant horse, *Racing Australia* will not process any *Stable Return* seeking to transfer the horse to another *Trainer*; and
- (iii) *Racing Australia* and/or the relevant *PRA* responsible for any registration function in respect of the relevant horse will not register any transfer of an *Owner's* ownership interest in the horse.
- (b) the consequences stated in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will cease after 5 business days unless the *Trainer* provides *Racing Australia* with copies of the invoice/s outstanding to the *Trainer* (clearly identifying the

parts of them alleged to be due and payable to the *Trainer* within 5 *business days* of the proposed transfer (which period is not to be extended in any circumstance);

(c) upon receipt of that information, *Racing Australia* will notify the relevant *Owner* who may then either:

(i) pay the amount of the invoice/s to *Racing Australia* (in which case *Racing Australia* will pay those funds to the *Trainer* and *Racing Australia* and/or the relevant *PRA*, as applicable, will process the relevant transfer request); or

(ii) serve a *Dispute Notice* on the *Trainer* (with a copy also required to be provided to *Racing Australia*). Once that is done, either party may elect to have the matter determined by the *TDT* by filing a *Notice of Election of Hearing* with *Racing Australia* within 14 days of the date of issue of the *Dispute Notice* (with a copy also required to be served on the other party). However, a *Notice of Election of Hearing* will only be valid and accepted by *Racing Australia* if the *Dispute Notice* related to the dispute was served within 6 months of the date of the invoice the subject of the dispute.

(3) If an *Owner* serves a *Dispute Notice* in the circumstances referred to in TOR Rule 7(2)(c)(ii), and the *Owner* still wishes for the relevant transfer to proceed without delay, the *Owner* can pay the amount of the disputed invoice/s into the *Training Disputes Trust Account* pending determination of the dispute, at which point *Racing Australia* and/or the relevant *PRA*, as applicable, will process the relevant transfer.

#### **TOR Rule 8 – The TDT Process**

(1) If an *Owner* has served a *Dispute Notice* on a *Trainer* in accordance with TOR Rule 5(1), either of them may, within 14 days of the service of the *Dispute Notice*, elect to have the dispute determined by a *TDT* by paying the *Filing Fee* to *Racing Australia* and at the same time filing a *Notice of Election of Hearing* with *Racing Australia* and serving it on the other party to the dispute. Once a valid *Notice of Election of Hearing* is filed with *Racing Australia*, it will transfer the *Filing Fee* to the *PRA* allocated the dispute in accordance with TOR Rule 5(4).

(2) A *Notice of Election of Hearing* will only be valid and accepted by *Racing Australia* if the *Dispute Notice* related to the dispute was served within 6 months of the date of the invoice the subject of the dispute and before any *EAA* was filed by the *Trainer*.

(3) When a valid *Notice of Election of Hearing* is received by *Racing Australia* from an *Owner* or a *Trainer*, then the consequences set out in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will apply unless the amount disputed in the *Notice of Election of Hearing* has been paid by the *Owner* into the *Training Disputes Trust Account* pending resolution of the relevant dispute.

(4) The *TDT* may make directions in relation to the preparation of the dispute for hearing as the *TDT* sees fit, except that a hearing on the papers can only take place if all parties agree to it.

(5) In relation to an oral hearing before the *TDT*:

(a) there is no immediate right to legal representation before the *TDT*; and

(b) the *TDT* may grant leave to the *Trainer* and/or *Owner* to be legally represented if in the opinion of the *TDT* that is warranted having regard to one or more of the following matters:

- (i) the complexity of the issues arising on the dispute;
- (ii) the amount disputed;
- (iii) whether or not the case is of general importance to the racing industry;
- (iv) the interests of justice in the circumstances of the case.

(6) In respect of a hearing before the *TDT*:

(a) the *TDT*:

(i) must, other than in exceptional circumstances, make all reasonable efforts to determine a dispute within 10 days of the hearing of that dispute; and

(ii) is only required to provide written reasons of the *TDT*'s decision if at least one party to the dispute requests that;

(b) the decision of the *TDT* will be binding on all parties as a decision under *these Rules*;

(c) the *TDT* may:

(i) determine whether *Training Fees* and/or *Training Disbursements* must be paid and in what amount, including in relation to any amounts paid into the *Training Disputes Trust Account* and/or

(ii) recommend to any *PRA* that the *PRA*'s apply the *Rules* against a *Trainer* or an *Owner* in a manner recommended by the *TDT* (in which case it will then be a matter for the relevant *PRA* as to whether it implements that recommendation);

(d) if either party intends to challenge the decision of the *TDT* by way of *External Proceedings*, it must provide written notice of that intention to the other party, the relevant *PRA*, and *Racing Australia* within 7 days of the *TDT*'s decision. If that is done, then from that point *Racing Australia* and/or the relevant *PRA*, as applicable, must not take any action in relation to the relevant disputed *Training Fees* and/or *Training Disbursements* until, subject to TOR Rule 8(6)(e), the outcome of the *External Proceedings* is known;

(e) if notice of an intention to commence *External Proceedings* is provided in accordance with TOR Rule 8(6)(d), but the notifying party has not provided *Racing Australia* with evidence of the commencement of *External Proceedings* within 28 days of the *TDT*'s decision then:

(i) if the *TDT* has ordered that an amount be paid to a *Trainer* in respect of *Training Fees* and/or *Training Disbursements*, the *Owner* must pay the *Trainer* the amount determined by the *TDT* within 2 days of that date (that is, within 30 days of the *TDT*'s decision);

(ii) *Racing Australia* and/or the relevant *PRA*, as applicable, may take any action in relation to the relevant disputed *Training Fees* and/or *Training Disbursements* that it is permitted to take under the *Rules*, provided it does not receive evidence of the commencement of *External Proceedings* before taking such action; and

(iii) if *Racing Australia* receives evidence of the commencement of *External Proceedings* more than 28 days after the *TDT*'s decision, then from that point *Racing Australia* and/or the relevant *PRA*, as applicable, must not take any action in relation to the relevant disputed *Training Fees* and/or *Training Disbursements* until the outcome of the *External Proceedings* is known.

(f) if notice of an intention to commence *External Proceedings* is not provided in accordance with TOR Rule 8(6)(d), and the *TDT* has ordered that an amount be paid to a *Trainer* in respect of *Training Fees* and/or *Training Disbursements*, the *Owner* must pay the *Trainer* the amount determined by the *TDT* within 7 days of the *TDT*'s decision;

(g) an unsuccessful party to an application before the *TDT* must bear the cost of the relevant *Filing Fee* in respect of that application;

(h) further to TOR Rule 8(6)(g), if the *Trainer* succeeds before the *TDT* and the proceeding was commenced by the *Trainer*, the unsuccessful *Owner* must pay the successful *Trainer* an amount equivalent to the *Filing Fee* within 7 days of the *TDT*'s decision;

(i) further to TOR Rule 8(6)(g), if the *Owner* succeeds before the *TDT* and the proceeding was commenced by the *Owner*, the unsuccessful *Trainer* must pay the successful *Owner* an amount equivalent to the *Filing Fee* within 7 days of the *TDT*'s decision; and

(j) other than as provided in TOR Rule 8(6)(g) to 8(6)(i), the parties to a dispute before the *TDT* must bear their own costs (including any legal costs) in connection with that dispute, except that the *TDT* retains a discretion to order that a party (**first party**) pay some or all of the costs of the other party if the *TDT* is satisfied that:

(i) the **first party** commenced or responded to the *TDT* proceedings vexatiously; or

(ii) the **first party**'s commencement of, or response to, the *TDT* proceedings had no reasonable prospect of success.

(7) A *TDT* has jurisdiction to determine all issues or questions relevant to determining a dispute between a *Trainer* and an *Owner* (or *Owners*) in relation to the payment of *Training Fees* and/or *Training Disbursements*. A *TDT* does not have jurisdiction to determine disputes between Co-owners.

- (8) Despite anything in TOR Rule 8 and TOR Rule 2(3), a *PRA* is entitled to make its own rules and regulations specific to its State or Territory in relation to the role and/or processes of its *TDT*, provided that they are procedurally fair and are not inconsistent with the overriding purpose of TOR Rule 8, being to have in place a *TDT* to impartially and efficiently determine disputes in respect of *Training Fees* and/or *Training Disbursements*. This subrule means that a *PRA* is able to make local rules inconsistent with TOR Rules 8(4) to 8(6), but only if they are procedurally fair and not inconsistent with the stated overriding purpose of TOR Rule 8.

#### **TOR Rule 9 – Facilitating payment after a decision of a *TDT***

- (1) If a *TDT* makes an award in favour of a *Trainer*:
- (a) subject to TOR Rule 8(6)(d) and 9(2), the following consequences apply to the defaulting *Owner*:
    - (i) if the *Owner* owns 50% or more of the total ownership of the relevant *horse*, *Racing Australia* will not process any *Stable Return* seeking to transfer the *horse* to another *Trainer*;
    - (ii) *Racing Australia* and/or relevant *PRA* responsible for any registration function in respect of the relevant *horse* will not register any transfer of the relevant *Owner's* interest in the *horse*; and
    - (iii) the relevant *PRA/s* must, other than in a *Special Circumstance* to be determined in its discretion, *Freeze* the payment of any *prizemoney* to which the *Owner* would otherwise be entitled.
- (2) The consequences in TOR Rule 9(1)(a) will apply until the *Training Fees* and/or *Training Disbursements* the subject of the *TDT's* award are paid by the *Owner* to the *Trainer*.
- (3) If 14 days have passed after a decision of a *TDT* and the *Trainer* has not been paid by the *Owner* as required by the decision of the *TDT* and informs *Racing Australia* of that, in addition to the consequences stated in TOR Rule 9(2):
- (a) *Racing Australia* will notify the *Owner*, the *Trainer* and the relevant *PRA/s* of that, after which the relevant *PRA/s* must, other than in a *Special Circumstance* to be determined in its discretion, pay any *prizemoney* to which the *Owner* would otherwise be entitled to the *Trainer* in payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*. Subject to any *Special Circumstance* determined by a *PRA*, the defaulting *Owner* expressly waives any right to objecting to a *PRA's* payment of that *prizemoney* to the *Trainer*;
  - (b) the relevant *PRA/s* will retain its powers under the *Rules* to take action against the defaulting *Owner* (including to refuse to accept a nomination for a *horse* to race); and
  - (c) the *Trainer* will retain the *Trainer's* rights under the *STA* and at general law.
- (4) For the purposes of TOR Rule 9(1)(a)(iii) and 9(3), if the *PRA* of the *TDT* in which the decision was made notifies *Racing Australia* that it is not in possession of an amount of *prizemoney* to which the *Owner* would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*:
- (a) *Racing Australia* will notify the *Owner*, the *Trainer* and any other *PRA/s* which may be in possession of such *prizemoney*; and
  - (b) if:
    - (i) one of those *PRA/s* is in possession of an amount of *prizemoney* to which the *Owner* would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*, that *PRA* is a relevant *PRA* and *Racing Australia* may direct that *PRA* to pay any outstanding *Training Fees* and/or *Training Disbursements* to the *Trainer* from that *prizemoney*; and
    - (ii) if more than one of those *PRA/s* is in possession of an amount of *prizemoney* to which the *Owner* would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any *Training Fees* and/or *Training Disbursements* outstanding to the *Trainer*, those *PRA/s* are each a relevant *PRA* and *Racing Australia* may determine the order in which one or more

of those *PRA/s* are, on *Racing Australia's* direction, to pay any outstanding *Training Fees* and/or *Training Disbursements* to the *Trainer* from that *prizemoney*.

- (5) If *Racing Australia* or a *PRA* directs *prizemoney* to which an *Owner* would otherwise be entitled be paid to a *Trainer* pursuant to TOR Rule (3)(a), but the disputed amount has already been paid or settled as between *Trainer* and *Owner* by the time that payment is made to the *Trainer*, the *Trainer* must refund to the *Owner* the amount paid to the *Trainer* by that *PRA* within 7 days.
- (6) A *Trainer* must inform *Racing Australia* within 24 hours of becoming aware of having received payment from an *Owner* of any *Training Fees* and/or *Training Disbursements* ordered by a *TDT* to be paid to the *Trainer*.

#### **APPENDIX 1: INTERPRETATION OF THE TOR RULES**

##### **DEFINITIONS**

**Business Day** means a day that is not a Saturday, a Sunday, or a public holiday in the place concerned.

**Co-owner** in relation to a *horse* means a *person* who owns a *horse* together with at least one other *person* and is registered or is intended to be registered with *Racing Australia* as an *Owner*.

**Direct Payment Disbursements** means costs or expenses in relation to the training and/or care of a *horse* which are to be directly invoiced to an *Owner* of a *horse* by service providers other than the *Trainer* (including veterinary fees, breaking in fees, agistment fees and transport costs).

**Dispute Notice** means the *Racing Australia* form of that name referred to in these *TOR Rules*, and in the *STA*, as amended from time to time.

**Enforcement Action Application (EAA)** means the *Racing Australia* form of that name referred to in these *TOR Rules*, as amended from time to time, which a *Trainer* is entitled to submit to *Racing Australia* in accordance with TOR Rule 6 once the *Presumption of a Training Debt* arises.

**Exempt Owner** means an *Owner* who is not required to comply with the *STA*, being an *Owner*: (a) who themselves trains a *horse* pursuant to an owner/trainer *licence* and does not also train the *horse* for any other *Owner*; or (b) who employs (as an employee pursuant to a written contract of employment), or otherwise engages (pursuant to a written contract for services) a *Trainer* to train a *horse* or *horses* exclusively for that *Owner* so that the *Trainer* does not train a *horse* for anyone else.

**Exempt Trainer** means a *Trainer* who is not required to comply with the *STA*, being a *Trainer*: (a) with an owner/trainer *licence* who does not also train the *horse* for any other *Owner*; and/or (b) who is contracted in writing to provide *Training Services* exclusively to an *Exempt Owner*.

**External Proceedings** means legal proceedings in a court or tribunal (not including a *TDT*) outside the *TOR Rules*.

**Filing Fee** means the fee set and charged by *Racing Australia* (published on the *Racing Australia Website*) to cover administrative costs of the *Training Disputes Tribunal (TDT)* process, and which is to be remitted by *Racing Australia* to the relevant *PRA* which is allocated a *TDT* proceeding by *Racing Australia*.

**Fees Notice** means the written fee disclosure notice a *Trainer* must provide to an *Owner* of a *horse* pursuant to TOR Rule 3, and pursuant to the *STA*.

**Freeze** means, in relation to *prizemoney* to which the *Owner* would otherwise be entitled, a direction by a *PRA* that that *prizemoney* be withheld or not allowed for a period of time that is fixed by the *PRA*.

**Horse** means a thoroughbred horse bred, kept, cared for, trained, managed and/or raced for a purpose or purposes connected with the thoroughbred racing industry in Australia. It includes a mare, filly, entire, colt, rig or gelding.

**Horse Ownership Venture** means a venture conducted by *Co-owners* of a *horse*, and can include racing a *horse* together, selling all or part of a *horse*, and/or *breeding* of a *horse*.

**Horse Registration Form (HRF)** means a registration form of that name an *Owner* must lodge with *Racing Australia* to register a *horse* (or an interest in a *horse*) for racing.

**Managing Owner** means an *Owner* of a *horse* who is specified as the managing *owner* in the *HRF* or other relevant registration form lodged or to be lodged with *Racing Australia*.

**Notice of Election of Hearing** means the *Racing Australia* form of that name referred to in these *TOR Rules* and in the *STA*, as

amended from time to time, which *Racing Australia* makes available for the purpose of parties electing to take a dispute in relation to *Training Fees* and/or *Training Disbursements* to a *TDT*.

**Owner** means a person with an ownership interest or share in a horse and, for the purposes of these *TOR Rules*, includes a *Managing Owner*.

**Presumption of a Training Debt** means the presumption that *Training Fees* and/or *Training Disbursements* are due and payable from an *Owner* to a *Trainer* which arises in the circumstances identified in *TOR Rule* 4(4).

**Prizemoney to which an Owner would otherwise be entitled** means, for the purpose of these *TOR Rules*, any prizemoney which, but for these *TOR Rules*, an *Owner* would be entitled to receive from *Racing Australia* or a *PRA* in relation to the results in a race of a horse or horses owned or part owned by the *Owner* which is trained by the *Trainer*. Such prizemoney may therefore include prizemoney earned through the results of a horse/s other than the horse/s that received the relevant *Training Services* the subject of action under these *TOR Rules*.

**Promoter Syndicate** means a *Syndicate* where the *Co-owners* own their interest in a horse as a result of acquiring shares in the horse offered by a *Promoter* approved by a *PRA* and licensed under the *Corporations Act 2001* (Cth) and/or offered pursuant to *ASIC Corporations (Horse Schemes) Instrument 2016/790* or a successor or predecessor instrument to it.

**Racing Australia** means *Racing Australia Ltd* and any successor entity substantially carrying out *Racing Australia's* functions.

**Racing Australia Co-owner Agreement (COA)** means the agreement of that name, as amended by *Racing Australia* from time to time, which is part of the *TOR* and published on the *Racing Australia Website*.

**Racing Australia Standard Training Agreement (STA)** means the agreement of that name, as amended by *Racing Australia* from time to time, which is part of the *TOR* and is published on the *Racing Australia Website*.

**Racing Australia Website** means [www.racingaustralia.horse](http://www.racingaustralia.horse) or another domain name as notified by *Racing Australia*.

**Special Circumstance** means, for the purpose of these *TOR Rules*, a circumstance which is out of the ordinary, including as stipulated to be a "special circumstance" by a *PRA* under its *Local Rules*.

**TOR Commencement Date** means 1 August 2017 or another date as notified by *Racing Australia*.

**TOR Rules** means these rules set out in this Schedule 1 to the *Australian Rules of Racing*, as amended from time to time.

**Trainer** means a person licensed or granted a permit by a *PRA* to train horses, and includes any persons licensed to train as a training partnership. A *Trainer* includes a licensed pre-trainer.

**Trainer and Owner Reforms (TOR)** means the *Racing Australia* reforms in relation to arrangements between *Trainers* and *Owners*, and between *Co-owners*, commencing on the *TOR Commencement Date*.

**Training Disbursements** means the amounts paid or payable by a *Trainer* to third parties in relation to the provision of *Training Services* which are not included in the *Training Fees* and for which a *Trainer* invoices an *Owner* (including veterinary fees, farrier fees, dentist fees, race acceptance and nomination fees, interstate racing costs, and race-day expenses such as strapper attendance fees).

**Training Disputes Tribunal (TDT)** is a decision-making body set up by each *PRA* in the States and/or Territories of Australia to determine disputes in relation to *Training Fees* and/or *Training Disbursements*, as provided for in these *TOR Rules* and in the *STA*.

**Training Disputes Trust Account** is the trust account held and operated by *Racing Australia* for the purposes of the *TOR*.

**Training Fees** means the amounts charged by a *Trainer* to an *Owner* in relation to the provision of *Training Services*, which includes the main daily training fee plus any additional daily charges for other items such as track usage fees and administration fees, together with all other costs charged by a *Trainer* to train and/or care for a horse which are not charged as *Training Disbursements*.

**Training Services** means all the services provided by a *Trainer* (or qualified and authorised employees or persons engaged or approved by a *Trainer*) in relation to the care, training and/or racing of a horse including training, pre-training, rehabilitation, maintenance, stabling, feeding, exercising, freighting, agisting, rental of gear, and the provision of veterinary, chiropractic, acupuncture, dental, and farrier services and treatments.

In the interpretation of these *TOR Rules*:

- (1) Unless the context otherwise requires, italicised words and terms shall have the meaning set out in AR. 1 of these *Rules* and this Appendix 1 of these *TOR Rules*.
- (2) A document (including any notice, form or application) can be served on a *Trainer* or an *Owner*:
  - (a) at the address (electronic (including email) or otherwise) last provided to the person serving the document by the *Trainer* or the *Owner* (as applicable); or
  - (b) at the address of the *Trainer* or the *Owner* most recently recorded in the records of *Racing Australia*; or
  - (c) at the address of the *Trainer* or the *Owner* recorded on the relevant current *Racing Australia* registration form in respect of the relevant *Horse*.
- (3) Unless established to the contrary, a document (including any notice, form or application) is taken to have been received:
  - (a) on the fourth *Business Day* after the date on which it was sent by registered post;
  - (b) on the day and at the time that it appears from the record of email communication that the sending of an email concluded; and
  - (c) when the facsimile transmission is received by an addressee of a facsimile correspondence.

## INTERPRETATION





Schedule referred to in AR 104

STANDARD WEIGHT-FOR-AGE FOR FLAT RACES – SCHEDULE													
Month		Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
	Age												
1000m to 1200m	2	-	-	-	-	-	45	46	47	48	49	50	51
	3	51.5	52	53	53.5	54.5	55	55.5	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5
	5+	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5	58.5
Over 1200m to 1400m	2	-	-	-	-	-	44	45	46	47	48	49	50
	3	50.5	51	52	53	54	54.5	55.5	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	59	59	59	59	59	59	59	59	59
	5+	59	59	59	59	59	59	59	59	59	59	59	59
Over 1400m to 1600m	2	-	-	-	-	-	43.5	44.5	45.5	46.5	47.5	48.5	49.5
	3	50	50.5	51	52	53	54	55	56	56.5	57	57.5	58
	4	58.5	58.5	58.5	59	59	59	59	59	59	59	59	59
	5+	59	59	59	59	59	59	59	59	59	59	59	59
Over 1600m to 2000m	2	-	-	-	-	-	42.5	43.5	44.5	45.5	46.5	47.5	48.5
	3	49	49.5	50	51	52	53	54	54.5	55.5	56.5	57	57.5
	4	58	58	58	58.5	58.5	58.5	59	59	59	59	59	59
	5+	59	59	59	59	59	59	59	59	59	59	59	59
Over 2000m to 2400m	3	48.5	49	49.5	50.5	51	52	53	54	54.5	55.5	56	57
	4	57.5	57.5	57.5	58	58	58	58.5	58.5	58.5	59	59	59
	5+	59	59	59	59	59	59	59	59	59	59	59	59
Over 2400m to 3200m	3	48	48.5	49	50	50.5	51.5	52.5	53.5	54	55	55.5	56
	4	57.5	57.5	57.5	58	58	58	58.5	58.5	58.5	59	59	59
	5+	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5	59.5

Fillies and Mares allowed 2kg from 1 August – 31 July



## RULES OF RACE BETTING

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## 1. PRELIMINARY

### 1.1 Title

These Rules may be cited as the Rules of Race Betting. [amended 1/7/10]

### 1.2 Purpose

The purpose of these Rules is to provide rules for the conduct of Betting pursuant to a Club Bookmakers Licence other than Sports Betting.

### 1.3 Authorising provision

These Rules are made pursuant to:

- (a) section 91A of the *Racing Act 1958*; and
- (b) the Rules of Racing.

### 1.4 Application

These Rules apply to all Bets, other than Sports Betting, conducted:

- (a) at any race meeting held under the Rules of Racing; or
- (b) pursuant to a Club Bookmaker's Licence.

### 1.5 Bookmaker to provide copy

A Bookmaker must give a copy of these Rules to a Customer upon request.

### 1.6 Bookmaker may specify additional terms

#### 1.6.1 Bookmaker may specify

A Bookmaker may specify additional terms for Bets with his or her Customers in respect of issues not dealt with by these Rules, provided that:

- (a) the additional terms are in writing and clearly identified as "Additional Terms Applicable to Bets with (name of Bookmaker)"; and
- (b) a copy of the additional terms is given by the Bookmaker to:
  - (i) his or her Customers before any Betting transaction is entered into which is subject to them; and
  - (ii) Racing Victoria.

#### 1.6.2 Racing Victoria may disallow

Racing Victoria may disallow any or all such additional terms.

### 1.7 Applicable law

All Bets between a Bookmaker and his or her Customers are subject to the laws of Victoria.

### 1.8 Consequence of non-compliance

A failure by a Bookmaker to comply with any obligation imposed on him or her by these Rules may not be used by the Bookmaker to cancel a Bet.

### 1.9 Transitional

#### 1.9.1 Definitions

In this Rule 1.9:

"**Appointed Day**" means the day on which sections 3 and 6 of the *Racing (Racing Victoria Limited) Act 2001* come into operation.

"**RVL Rules**" means the Rules of Betting made by the Directors of Racing Victoria pursuant to the Rules of Racing as in effect immediately before the Appointed Day.

#### 1.9.2 Commencement

These Rules come into operation and effect on and from the beginning of the Appointed Day.

#### 1.9.3 Preservation of effect, decision, rights and obligations

Everything arising, done or suffered under the Racing Victoria Rules is deemed to have arisen, been done or suffered under these Rules and, without limiting the generality of the foregoing:

- (a) Decisions made and action taken under Racing Victoria Rules: all decisions made, action taken and discretions and powers exercised under or pursuant to the Racing Victoria Rules are deemed to be fully effective and to continue in force as if properly and validly made or taken under or pursuant to these Rules.
- (b) Rights, entitlements, obligations and liabilities: all rights, entitlements, obligations and liabilities (including of a pecuniary nature) arising, accruing or incurred under or pursuant to the Racing Victoria Rules are deemed to have arisen, accrued or incurred under or pursuant to these Rules.
- (c) Offences: any offence under or breach of the Racing Victoria Rules is deemed to be an offence under or breach of these Rules.
- (d) Penalties and disabilities: all penalties, disabilities, disqualifications, suspensions and obligations of any kind

(including pecuniary obligations) imposed, incurred or arising under or pursuant to the Racing Victoria Rules are deemed to be imposed, incurred or to arise under or pursuant to these Rules.

- (e) Inquiries, investigations and proceedings: all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the Racing Victoria Rules are deemed to be initiated or conducted under or pursuant to these Rules.

## 2. DEFINITIONS

In these Rules:

- (a) unless the context necessarily requires otherwise, all terms have the same meaning as in the Club Bookmakers' Licence Rules; and
- (b) the following terms have the meaning ascribed below:

"**All-in**" means that the Bet stands and no refund is payable whether or not a horse which is the subject of the Bet does not start in the race on which the Bet was made.

"**Approved Algorithm**" means the algorithm approved by the Australian Racing Board from time to time for the purpose of calculating deductions. Note: an explanatory memorandum of the Approved Algorithm is published on the Racing Victoria website. [added 1/8/11]

"**Bet**" includes wager and "Betting" includes wagering.

"**Betting Ticket**" means a ticket issued in accordance with the Club Bookmakers' Licence Rules 2010 and the Bookmakers' Licence Levy Rules 2001. [amended 1/7/10]

"**Customer**" means a person from whom a Bookmaker accepts a Bet.

"**Dividend**" means the agreed payout or return, including any Stake, on a Bet.

"**Face Value**" Face Value of the ticket means the total sum of moneys payable to the backer including the stakes in the event of a Bet being successful. [added 1/7/07]

"**Odds**" means either:

- (a) when expressed in monetary terms, the return for an outlay of a certain monetary unit, inclusive of the unit of outlay; or
- (b) when expressed in fractional terms, the ratio of win to Stake, in either case as agreed to by the Bookmaker and Customer at the time the Bet is made.

"**Racing Victoria**" means Racing Victoria Limited.

"**Rules**" means these Rules of Race Betting 2001 as amended from time to time.

"**Stake**" means the monetary outlay (whether paid at the time or not) by a Customer in placing a Bet.

"**Starting Price**" means the final price fluctuation officially declared by Racing Victoria Stewards. [added 1/7/07, amended 1/9/16]

"**Starting Price Insurance**" means the highest of either the price agreed at bet placement or the final Starting Price declared for that horse. [added 1/7/07]

"**Top Fluctuation**" means the highest official price fluctuation recognised by Racing Victoria Stewards during the entire betting period of the particular race. [added 1/7/07, amended 1/9/16]

"**Void**" means that the Bet is cancelled as if it had not been made and the Stake must be refunded.

"**Warrnambool May Racing Carnival**" means the racing carnival held at the Warrnambool Racing Club in or around May, on dates as prescribed or set by Racing Victoria.

"**Win**" means the profit portion of a Dividend, being the Dividend less any Stake outlaid by the customer.

## 3. GENERAL RULES

### 3.1 Possibility to win is essential

A Bet is Void if, at the time that the Bet is made, there is no possibility for the Customer to win.

### 3.2 Bets are "All-in"

#### 3.2.1 General rule

All Bets are All-in unless:

- (a) otherwise agreed between the parties to the Bet; or

- (b) otherwise expressly provided by these Rules.

### 3.2.2 Bets which are not All-in unless agreed

Unless otherwise agreed by the parties to the Bet, the following Bets are not All-in:

- (a) Bets made on the day of the race;
- (b) Bets on a postponed race;
- (c) Bets on a contest between two horses; and
- (d) Bets made after the running numbers are officially placed on the number board in respect of a horse that is not subsequently under the Starter's orders.

### 3.3 No betting on photo finish

A Bookmaker must not Bet on the result of a photo finish or an objection lodged pursuant to AR 165. Any such bets made are Void.

[3.4 deleted 1/7/10]

### 3.5 Horses in more than one event on the day

If a person bets on a horse engaged for more than one event to be run on the same day and does not specify to which event the Bet relates:

- (a) the Bet is on the first race in which such horse starts; and
- (b) if the first event is a walk-over, the Bet is Void.

### 3.6 Bets by letter, facsimile or electronically

A Bookmaker must not accept a Bet from a person where that bet is made by letter, facsimile or by electronic means which are not approved by Racing Victoria. [amended 1/7/10]

### 3.7 Place Bets on interstate events

Winning place Bets on interstate events at starting price Odds must, if the favourite starts Odds on, be paid at Odds equivalent to those of the place totalisator.

### 3.8 Bets which are Void

#### 3.8.1 Bets made in running [heading changed 1/7/07]

All Bets made on horses in running are Void if:

- (a) the race is ordered by the Stewards to be run again;
- (b) the horses run from a false or void start; or
- (c) the winner of the race is disqualified by the Stewards for being short of weight.

#### 3.8.2 Division of races

If a race is divided in accordance with the Rules of Racing, all Bets on the race made before the announcement that the race is to be divided are Void.

#### 3.8.3 Bets with defaulters

All Bets with any person who is declared after the making of such Bets to be a defaulter are Void.

#### 3.8.4 Bets involving a contest between two horses

All Bets on a contest between any two horses are Void if:

- (a) after the Bets are made but before the race is run, the horses become the property of the same person or of a person and his or her associate; or
- (b) neither of the horses wins, unless the parties otherwise agree.

#### 3.8.5 Bet after race determined

Any Bet made after the result of the race has been determined is Void.

### 3.9 Allegation of fraud or corruption

The Stewards may investigate any allegation of fraud or corrupt practices and declare any particular Bets Void.

### 3.10 Bets on horses disqualified prior to correct weight

For the avoidance of doubt, provided that the bet is not made in running, Bets made on horses that are disqualified prior to correct weight shall not be void by reason of the disqualification.

[3.10 added 1/7/07; existing 3.10 renumbered to become 3.11]

### 3.11 Questions not covered by these Rules

The Stewards may determine any question which is not provided for by these Rules. [formerly 3.10, renumbered 1/7/07]

## 4. DETERMINATION OF RESULTS OF BETS

### 4.1 Bets to be won as horses placed

- (a) Subject to the following paragraph 4.1(b), Bets go to the backers of horses as placed by the Judge.
- (b) If an objection or protest is entered in accordance with the Rules of Racing before the riders of the horses placed by the Judge have been weighed in, Bets are decided on the basis of the Stewards' decision on the objection or protest.

## 4.2 Disqualification of horse or jockey

### 4.2.1 Bets may be declared Void

If a horse or jockey is disqualified and there are circumstances in connection therewith which in the opinion of the Stewards require further investigation, then:

- (a) the Stewards may forthwith make an order postponing the settlement of all Bets on such race, and report the matter to the Directors; and
- (b) the Directors may make such declaration as they think fit in respect of the Betting and in particular may declare all or any Bets on such race to be Void.

### 4.2.2 Effect of an appeal

If there is an appeal under the Rules of Racing against a disqualification referred to in Rule 4.2.1, and notice of appeal has been made in accordance with the Rules of Racing, the Directors may deal with the Betting on the race in the manner set out in Rule 4.2.1 on the basis of evidence given on such appeal.

## 4.3 Withdrawal of horse or horses

### 4.3.1 Application of this Rule 4.3

This Rule 4.3 applies if the Stewards:

- (a) permit or authorise the withdrawal of a horse from a race after:
  - (i) final acceptances for races on which future win/place betting operates;
  - (ii) final scratching time for all other races;
- (b) declare a horse to be a non-starter, including under AR 128(2), AR 130 or AR 134A; or
- (c) in the case of the Melbourne Cup, a horse withdrawn after the commencement of "Call of the Card".

[amended 6/2/03, 1/8/11]

### 4.3.2 One horse withdrawn

If one horse is withdrawn or declared a non-starter as described in Rule 4.3.1, then:

- (a) Subject to paragraph 4.3.2(b):
  - (i) all Bets made on the horse for such race are void; and
  - (ii) all Bets that are win Bets, place Bets or doubles Bets made before such withdrawal or race start (whichever is applicable) on the horses remaining in the race stand, but the Stewards may declare that all such Bets:
    - (A) are at the official starting price; or
    - (B) subject to Rule 4.3.5, will be subject to deductions that are calculated in accordance with the Approved Algorithm and applied to the Face Value of the Betting Ticket; or
    - (C) in the event that the Stewards are unable for any reason to make a declaration in accordance with Rule 4.3.2(a)(ii)(B), and subject to Rule 4.3.5, will be subject to deductions as set out in accordance with the table in Appendix "B" to these Rules and applied to the Face Value of the Betting Ticket,
  - (iii) all concession other Bets made before such withdrawal or race start (whichever is applicable) on the horses remaining in the race stand, but the Stewards may declare that all such Bets:
    - (A) are at the official starting price; or
    - (B) subject to Rule 4.3.5, will be subject to deductions as set out in accordance with the table at Appendix "A" to these Rules and applied to the Face Value of the Betting Ticket.
- (b) Where Rule 4.3.2(ii)(C) or 4.3.2(iii)(B) applies, if the Odds prevailing for the one horse which is withdrawn or prevented from starting are outside the limits (at either end) of the Odds enumerated in Appendix "A" or Appendix "B" (as applicable) or are included in the Odds so enumerated, the matter of the settlement of all Bets is in the sole discretion of the Stewards to determine as they see fit.

[amended 6/2/03, 1/7/07, 1/8/11]

### 4.3.3 Two or more horses withdrawn

If more than one horse is withdrawn or prevented from starting as set out in Rule 4.3.1 Stewards may determine the deductions and settlement of all Bets as follows:

- (a) in relation to win Bets, place Bets or doubles Bets, Bets placed prior to the withdrawals shall stand subject to a

declaration calculated in accordance with the Approved Algorithm (or as otherwise determined by the Stewards in their discretion) and declared by the Stewards and applied to the Face Value of the Betting Ticket; or

- (b) in relation to all other Bets, in their sole discretion.  
[amended 1/8/11]

#### 4.3.4 Bets on races outside Victoria

In respect of all Bets made on a race run outside Victoria, deductions are to be made at the discretion of Racing Victoria Stewards, either:

- (a) on the same basis as is ordered by the Stewards officiating at the race meeting at which such race is held; or  
(b) in accordance with the Approved Algorithm or Appendix "A" or "B" (as applicable).

[amended 1/8/11, 1/9/16]

#### 4.3.5 Limit on totalisator odds

If the Stewards in the exercise of their powers hereunder order totalisator Odds to be paid such Odds must not be in excess of one hundred to one.

#### 4.3.6 Limit on deductions

- (a) Notwithstanding the provisions contained in Appendix "A", Appendix "B" or any calculation made in accordance with the Approved Algorithm, but subject to paragraph (b), except in the case of a dead-heat, no deduction may be made which would return to the Bettor a sum less than the Stake or amount Bet by him or her.  
(b) At race meetings where there is no win and place totalisator the Stewards may exercise discretion as to whether or not a deduction must be made.  
(c) Where a Top Fluctuation bet has been made with a bookmaker, any deduction declared by Stewards in the event of a horse being withdrawn must be calculated against the Top Fluctuation for the entire betting period.

[amended 1/7/07, 1/8/11]

#### 4.4 Dead-heats

##### 4.4.1 Dead-heats for first place

If there is a dead-heat for first place, the money Bet on such horses must be put together and equally divided.

##### 4.4.2 Triple dead-heat for second

If there is a triple dead-heat for second place the Customer must be paid two thirds of the face value of the place Bet.

##### 4.4.3 Dead-heat for third in place betting

If there is a dead-heat for third place, money Bet on such horses in place Betting must be put together and equally divided.

##### 4.4.4 One-on-one betting

If a Bet is made horse against horse and the horses dead heat for any official placing, then the backer of the horse wins half the face value of the ticket.

#### 5. BETTING OBLIGATIONS OF BOOKMAKERS

Any Bookmaker Betting on a racecourse offering fixed Odds against a horse and conducting face to face betting via cash or account, is required to accept a fixed Odds bet in the categories described below up to the maximum amounts for the Bookmaker to lose as specified below:

##### 5.1 Metropolitan Race Meeting

###### 5.1.1 Rails

- (a) In any one win, win/place or each-way Bet: to lose \$3,000  
(b) In any one place Bet: to lose \$1,500.

###### 5.1.2 Other areas

- (a) In any one win, win/place or each-way Bet: to lose \$1,000  
(b) In any one place bet: to lose \$500

##### 5.2 Non-Metropolitan Race Meetings

- (a) In any one win, win/place or each-way Bet: to lose \$1,000  
(b) In any one place Bet: to lose \$500.

##### 5.3 Warrnambool May Racing Carnival

###### 5.3.1 Rails

- (a) Betting on Country Races (including any place Bet) in any one Bet: to lose \$3,000.  
(b) Betting on interstate Races (including any place Bet) in any one Bet: to lose \$1,500.

###### 5.3.2 Other areas

- (a) In any one win or each-way Bet: to lose \$1,500.

- (b) In any one place Bet: to lose \$800.

[5.2 amended 1/9/04, 10/11/04, 1/7/07, 1/8/11]

[5.3 deleted 1/9/04 and replaced 31/03/16]

[5.1 and 5.2 amended 1/10/16]

#### 6. WIN AND PLACE AND EACH WAY BETTING

##### 6.1 Place Bets

Place Bets are:

- (a) 1,2,3 if there are eight or more horses in the race when a Bet is made; and  
(b) 1,2 when there are not less than three nor more than seven horses in the race when the Bet is made.

##### 6.2 Win and place Bets

A Bookmaker must not lay Odds for a win and place in any race unless:

- (a) the Bookmaker Bets win and place about every horse in any such race; and  
(b) the Bookmaker clearly displays both Win and Place odds (separately).

##### 6.2A Each way Betting

A Bookmaker must not lay each way Odds in any race unless:

- (a) the Bookmaker Bets each way about every horse in any such race; and  
(b) the Odds for a place are:  
(i) where there are eight or more horses in a race when the Bet is made: one-fourth of the Odds for a straight out win; and  
(ii) where there are not less than three nor more than seven horses in the race when the Bet is made: one-third of the Odds for a straight out win.

##### 6.3 Withdrawal of horses

If the Stewards permit or authorise the withdrawal of a horse or horses from a race which results in the field being reduced to less than three runners, all place Bets are Void.

#### 7. DOUBLE EVENT BETS

"Double event" Bets are subject to the following Rules:

##### 7.1 First event lost

Bets are determined when the first event is lost.

##### 7.2 Dead-heats

- (a) If either event is decided in the backer's favour and the other results in a dead-heat, the money Betted must be put together and equally divided.  
(b) If both horses backed run dead-heats, the money Betted must be put together and divided in the proportion of one-fourth to the Customer and three-fourths to the Bookmaker.

##### 7.3 When bets are Void

Bets made on the course on the day of the race on which both events are run are Void if:

- (a) the horse backed for the first event:  
(i) does not come under the Starter's orders; or  
(ii) is withdrawn;  
(b) the horse backed for the second event is scratched before the starting time of the first event; or  
(c) the first event is divided after the Bet is made.

##### 7.4 Second event divided

Notwithstanding the provisions of Rule 3.7.2, if the horse backed for the first event wins and the second event is divided after the Bet is made, one half of the Bet must be paid to the backer whose double finishes with the winner of a division of the second event.

##### 7.5 Scratching or withdrawal

If the first horse of a doubles Bet wins and either:

- (a) the other horse named in the Bet is scratched or withdrawn after the starting time for the event in which the first horse was engaged; or  
(b) the second event of a double is abandoned or declared no race, the backer of the first horse must be paid at starting price Odds to be determined by Racing Victoria Bookmakers' Supervisor or the Stewards acting at the meeting.

## 7.6 Deductions

- (a) In the event of the withdrawal of a horse or the declaration by the Stewards that a horse is a non-starter, where a deduction is made under Rule 4.3.2(a)(ii) or Rule 4.3.2(a)(iii), a deduction may be made on the Face Value of successful doubles Bets Betting Tickets or as otherwise directed by the Stewards as the case may be.
- (b) Where a deduction is so made in respect of each race forming the leg of a winning double the deduction for the first leg must be applied before the deduction for the second leg.

[amended 1/8/11]

## 7.7 Feature Doubles

For all fixed price feature race doubles bets, whereby the time of the bet placement

- (1) is before final acceptances have been declared for one or both races:
  - (a) all bets shall be regarded as "all-in".
- (2) is after final acceptance for both races:
  - (a) the withdrawal of a selected horse from one such event shall result in the stake being invested on the selected horse in the alternate leg at the agreed fixed price odds for such horse;
  - (b) the withdrawal of the selections from both races shall result in the stake being refunded;
  - (c) the withdrawal of any horse from a leg of the double shall result in winning bets being subject to deductions made in accordance with Rule 4.3.2(a)(ii)(B) or Rule 4.3.2(a)(ii)(C) or as otherwise directed by the Stewards;
  - (d) the winning payment shall be the multiple of the stake and the product of the cumulative prices of the winning horses subject to any deductions given in accordance with part (c) of this rule.

[7.7 adopted 1/6/06; amended 1/8/11]

## 7.8 Quinella Bets

- (1) If a late withdrawal is odds-on at the time of its withdrawal, all quinella bets on the race will be void and all moneys refunded.
- (2) If one of the nominated horses in a quinella is even money or longer at the time of its withdrawal, all quinella bets incorporating the withdrawn horse are off, and all moneys are to be refunded. Winning bets made prior to the time of the withdrawal are subject to a deduction in accordance with the scale of deductions in Appendix A for quinella betting.
- (3) If one horse wins and the other horse dead heats for second, the backer wins half the face value of the ticket.

[7.8 added 1/7/07]

## 8. TREBLE EVENT BETS

All "treble events" Bets made on the course on the day on which the events are run shall be subject to the following Rules:

### 8.1 First event lost

Bets are determined when the first event is lost.

### 8.2 Determination of Odds

- (1) In any case where:
  - (a) the first horse wins and the other horses named in the Bet are scratched or withdrawn after the starting time for the event in which the first horse is engaged the backer of the first horse mentioned in the bet shall be paid at starting price Odds to be determined by the Racing Victoria Bookmakers' Supervisor or the Stewards acting at such meeting.
  - (b) the first horse wins, the horse backed for the second event is scratched after the first horse has won, and the horse backed for the third event wins, the backer shall be paid a dividend calculated by multiplying the starting price dividend of both winners as determined by the Racing Victoria Bookmakers' Supervisor or the Steward acting at such meeting.
  - (c) the horses backed for the first and second events win, and the horse backed for the third event is scratched after the advertised starting times for the events in which the other horses are engaged, the backer shall be paid a dividend calculated by multiplying the starting price dividend of both winners as determined by the Racing Victoria Bookmakers' Supervisor or the Steward acting at such meeting.

## 9. "3 OR 4 PLACED HORSES" BETS

In "3 or 4 placed horses" Bets:

### 9.1 Definition

Backers select a horse from each of 3 or 4 races displayed on the Bookmakers' board on which each runners' price is displayed. The Odds are added to achieve Bet Value.

#### 9.1.1 Bets are determined when the first event is lost

Bets are determined when the first event is lost.

### 9.2 Result of scratchings

#### 9.2.1 Scratchings after the first leg

Provided that all scratching(s) occur after the starting time of the first leg:

- (a) If a scratching(s) prevents a win, the remaining placed runners must be paid at the product of the relative totalisator place Odds.
- (b) If there are three scratchings the remaining placed runner must be paid at the relative totalisator place Odds.

#### 9.2.2 Bet Void if scratching before first leg

If any one or more of the selected horses are scratched or withdrawn before the running of the first leg the Bet is Void.

### 9.3 Winning Bets not subject to deductions

Winning Bets are not subject to any Betting deductions for late withdrawals.

## 9A. JOCKEY CHALLENGE BETTING

### 9A.1 Definition

"Jockey Challenge" is betting on a jockey achieving the highest aggregate points scored in accordance with these rules for achieving a place in races conducted at a particular race meeting or over a racing carnival. A racing carnival shall include a series of race meetings as approved by Racing Victoria.

### 9A.2 Bookmakers to prepare list of jockeys and opening prices

Prior to commencement of betting, bookmakers will prepare a list of jockeys and opening prices. Jockey selections that are included in the list will be sourced from the official jockey list published by Racing Information Services Australia Pty Ltd (RISA). The list will also include an "any other" selection that represents any jockeys who are not included in the list as an individual selection. At all times the "any other" selection shall be treated as one entity.

### 9A.3 Abandoned or postponed race meeting

In the event of a race meeting being abandoned or postponed all bets are void and moneys are to be refunded except as provided by Rules 9A.4 and 9A.5.

### 9A.4 Incomplete race meeting

In the event of a race meeting not being completed as originally programmed all bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing Victoria Stewards that a jockey has an unassailable lead, in which case all bets stand.

### 9A.5 Incomplete racing carnival

In the case of Jockey Challenge betting on a racing carnival, should any of the programmed carnival race meetings not be completed in their entirety, all bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing Victoria Stewards that a jockey has an unassailable lead, in which case all bets stand.

### 9A.6 Postponed and abandoned races

No points shall be allocated in relation to a race scheduled to be conducted at a race meeting if that race is postponed to another race meeting, abandoned or declared a non-race by the Stewards on the day of the race meeting.

### 9A.7 Determination of Jockey Challenge winner

#### 9A.7.1 Winner

The winner will be the jockey who has the most points accumulated at the end of the competition. Points will be accrued per race and calculated as follows:

- (a) 3 points for a winning ride;
- (b) 2 points for a second placed ride; and
- (c) 1 point for a third placed ride.

#### 9A.7.2 Allocation of points

Points will only be allocated to the jockey(s) who actually rides the winning or placed horse(s) in a race. Points will not be allocated to any rider who may have been engaged to ride a horse but was subsequently replaced by permission or direction of the Stewards.



### 9A.7.3 No refunds on replacement of rider

There will be no refunds of bets should a jockey be replaced by another rider.

### 9A.8 Dead Heats and Triple Dead Heats

#### 9A.8.1 Dead heat

In the event of a dead heat for any or all of the placings, jockey points will be allocated on a proportionate fractional basis as follows:

Dead Heat for a Win	Dead Heat for Second	Dead Heat for Third
Points	Points	Points
1 <sup>st</sup> – 2.5, 2.5	1 <sup>st</sup> – 3	1 <sup>st</sup> – 3
2 <sup>nd</sup> – 0	2 <sup>nd</sup> – 1.5, 1.5	2 <sup>nd</sup> – 2
3 <sup>rd</sup> – 1	3 <sup>rd</sup> – 0	3 <sup>rd</sup> – 0.5, 0.5

#### 9A.8.2 Triple dead heat

In the event of a triple dead heat for any or all of the placings, points will be allocated on a proportionate fractional basis as follows:

Triple Dead Heat for a Win	Triple Dead Heat for Second	Triple Dead Heat for Third
Points	Points	Points
1 <sup>st</sup> – 2, 2, 2	1 <sup>st</sup> – 3	1 <sup>st</sup> – 3
2 <sup>nd</sup> – 0	2 <sup>nd</sup> – 1, 1, 1	2 <sup>nd</sup> – 2
3 <sup>rd</sup> – 0	3 <sup>rd</sup> – 0	3 <sup>rd</sup> – 0.3, 0.3, 0.3

### 9A.9 Tie

In the event of two or more jockeys being tied on the same number of points at the completion of the competition all successful bets will be paid by dividing the Face Value of the Betting Ticket by the number of jockeys involved in the tie.

### 9A.10 Future disqualification

Allocated points will not be subject to change in the case of any future disqualification.

### 9A.11 Payment to be declared

Payment will be declared at the end of each race meeting or carnival, unless otherwise directed by the Stewards.

### 9A.12 Stewards to determine matters

Any matter in respect to a Jockey Challenge at a race meeting or racing carnival not provided for in this Rule shall be determined by the Stewards officiating at the race meeting or racing carnival to which that matter relates.

[Rule 9A added 1/7/10]

## 10. CONCESSION BETTING

### 10.1 Definition

Concession Betting means a Bet to win with the stake being refunded to the backer if the horse concerned is placed second or third.

### 10.2 There must be at least three runners

Concession Betting must not be conducted on any race in which there are less than three horses running.

### 10.3 Stewards declaration of totalisator Odds

If the Stewards declare win and place bets be paid at totalisator Odds, winning Concession Bets must:

- have their stake divided half for win and half for place; and
- be paid at totalisator Odds.

### 10.4 Dead-heat for first

In the event of a dead-heat for first, Concession Bettors must be paid an amount equivalent to their Stake plus a sum equal to the Bookmakers' Stake divided by the number of horses adjudged to have dead-heated.

### 10.5 Eight or more starters

If there are eight or more horses in the race when the Bet is made:

#### 10.5.1 Refund for second and third

The backers of the second and third horses must have their Stake refunded.

#### 10.5.2 Dead-heat for second

If there is a dead-heat for second, the backers of the dead-heaters must be paid an amount equal to their Stake divided by half the number of horses adjudged to have dead-heated for second.

### 10.5.3 Dead-heat for third

If there is a dead-heat for third the backers of the dead-heaters must be paid their Stake divided by the number of horses adjudged to have dead-heated for third.

### 10.6 Three to seven starters

If there are no less than three and no more than seven horses in the race when the Bet is made:

#### 10.6.1 Refund for second

The backers of the second horse must have their Stake refunded.

#### 10.6.2 Dead-heat for second

If there is a dead-heat for second in a race, the backers of the dead-heaters must be paid their Stake divided by the number of horses adjudged to be dead-heated.

## 11. FAVOURITE-OUT BETTING

### 11.1 Definition

Favourite-out Betting means Bookmakers may Bet win and place on a race while excluding from that Betting the odds-on favourite, and where the finishing position of such horse or the withdrawal of such horse has no bearing on how bookmakers will settle bets for such event.

### 11.2 Approval required to conduct

#### 11.2.1 Grant of approval

A Bookmaker must not conduct Favourite-out Betting unless, no later than one hour before the advertised starting time of the event, the Bookmaker is granted approval by the Betting Supervisor or Stewards to operate Favourite-out Betting.

#### 11.2.2 Bookmaker must not conduct other betting

A Bookmaker granted approval to conduct Favourite-out Betting must conduct only that form of betting for the duration of that race.

#### 11.2.3 Limit on approvals

No more than 40% of Bookmakers operating on an event may operate favourite out Betting. If more than that number of Bookmakers seek approval, a ballot will be conducted by the Betting Supervisor or the Stewards to select the Bookmakers to be granted approval.

### 11.3 Horse withdrawn or declared a non-runner

If a horse, other than the horse excluded from Betting, is withdrawn or declared a non-runner, payment of Bets must be based on deductions for Favourite-out Betting as declared by the Stewards and calculated pursuant to the Approved Algorithm or otherwise in accordance with the scale of deductions in Appendix B to these Rules (as determined by the Stewards in their discretion).

[amended 1/8/11]

## 12. TOTALISATOR ODDS

### 12.1 Definition

Totalisator Odds means Odds which are determined or to be determined by the result of the operation of a totalisator on any event where such totalisator is operated by a person or company licensed in Australia. [amended 2/9/10]

[12.2 deleted 1/6/06]

### 12.3 Bookmakers making or offering Totalisator Odds

The Chairman of Stewards or Racing Victoria may by order or declaration:

- permit bookmakers carrying on their business at a race meeting to make or offer Totalisator Odds or odds referable to Totalisator Odds for any bet type on any race on which off-course totalisator betting is conducted by the licensee within the meaning of Chapter 4 of the *Gambling Regulation Act 2003* (Vic), or
  - require any bet or bets to be paid at Totalisator Odds.
- [deleted and replaced 1/6/06; amended 2/9/10]

[Rule 12 effective on and from 15/8/05; amended 1/9/05, 1/6/06]

**APPENDIX A**  
**BETTING DEDUCTIONS – QUINELLA AND CONCESSION BETTING**

Dividend Of Withdrawn Horse	Concession Deduction	Quinella Deduction	Dividend Of Withdrawn Horse	Concession Deduction	Quinella Deduction
1.05	0.70	N/A	2.90	0.30	0.60
1.06	0.70	N/A	3.00	0.29	0.55
1.07	0.70	N/A	3.10	0.28	0.55
1.08	0.70	N/A	3.20	0.27	0.55
1.09	0.70	N/A	3.30	0.26	0.55
1.10	0.70	N/A	3.40	0.25	0.50
1.12	0.70	N/A	3.50	0.25	0.50
1.14	0.70	N/A	3.60	0.24	0.50
1.16	0.70	N/A	3.70	0.24	0.50
1.18	0.70	N/A	3.80	0.23	0.50
1.20	0.70	N/A	3.90	0.23	0.45
1.22	0.70	N/A	4.00	0.22	0.45
1.24	0.68	N/A	4.20	0.21	0.45
1.26	0.66	N/A	4.40	0.21	0.40
1.28	0.66	N/A	4.60	0.20	0.40
1.30	0.64	N/A	4.80	0.19	0.40
1.35	0.62	N/A	5.00	0.18	0.40
1.40	0.61	N/A	5.50	0.17	0.35
1.45	0.59	N/A	6.00	0.16	0.35
1.50	0.56	N/A	6.50	0.14	0.30
1.55	0.55	N/A	7.00	0.14	0.30
1.60	0.53	N/A	7.50	0.12	0.25
1.65	0.52	N/A	8.00	0.12	0.25
1.70	0.50	N/A	8.50	0.11	0.25
1.75	0.48	N/A	9.00	0.11	0.20
1.80	0.47	N/A	9.50	0.09	0.20
1.85	0.46	N/A	10.00	0.09	0.20
1.90	0.45	N/A	11.00	0.08	0.16
1.95	0.43	N/A	12.00	0.08	0.16
2.00	0.42	0.70	13.00	0.07	0.16
2.05	0.41	0.70	14.00	0.07	0.14
2.10	0.40	0.70	15.00	0.06	0.12
2.15	0.39	0.70	16.00	0.06	0.12
2.20	0.38	0.65	17.00	0.06	0.12
2.25	0.38	0.65	18.00	0.05	0.12
2.30	0.37	0.65	19.00	0.04	0.10
2.35	0.37	0.65	20.00	0.04	0.10
2.40	0.36	0.65	21.00	0.04	0.08
2.45	0.35	0.65	26.00	0.03	0.08
2.50	0.35	0.65	31.00	0.03	0.06
2.60	0.33	0.65	41.00	0.02	0.04
2.70	0.31	0.60	51.00	0.02	0.04
2.80	0.31	0.60			

**APPENDIX B**  
**BETTING DEDUCTIONS – WIN, PLACE AND DOUBLE BETTING**

Dividend Of Withdrawn Horse	Win	3 PLACE @ 1/4 ODDS	2 PLACE @ 1/3 ODDS	DOUBLE	Dividend Of Withdrawn Horse	Win	3 PLACE @ 1/4 ODDS	2 PLACE @ 1/3 ODDS	DOUBLE
1.05	0.80	0.30	0.44	0.80	2.90	0.32	0.21	0.29	0.32
1.06	0.80	0.30	0.44	0.80	3.00	0.31	0.21	0.28	0.31
1.07	0.80	0.30	0.44	0.80	3.10	0.30	0.20	0.27	0.30
1.08	0.80	0.30	0.44	0.80	3.20	0.29	0.20	0.27	0.29
1.09	0.80	0.30	0.44	0.80	3.30	0.28	0.20	0.26	0.28
1.10	0.80	0.30	0.44	0.80	3.40	0.27	0.19	0.26	0.27
1.12	0.80	0.30	0.44	0.80	3.50	0.27	0.19	0.25	0.27
1.14	0.80	0.30	0.44	0.80	3.60	0.26	0.19	0.25	0.26
1.16	0.80	0.30	0.44	0.80	3.70	0.25	0.19	0.25	0.25
1.18	0.79	0.30	0.44	0.79	3.80	0.25	0.18	0.24	0.25
1.20	0.78	0.30	0.44	0.78	3.90	0.24	0.18	0.24	0.24
1.22	0.77	0.30	0.44	0.77	4.00	0.23	0.18	0.23	0.23
1.24	0.75	0.29	0.43	0.75	4.20	0.22	0.17	0.23	0.22
1.26	0.74	0.29	0.43	0.74	4.40	0.21	0.17	0.22	0.21
1.28	0.73	0.29	0.43	0.73	4.60	0.20	0.16	0.21	0.20
1.30	0.72	0.29	0.42	0.72	4.80	0.19	0.16	0.21	0.19
1.35	0.69	0.29	0.42	0.69	5.00	0.19	0.16	0.20	0.19
1.40	0.67	0.28	0.41	0.67	5.50	0.17	0.15	0.19	0.17
1.45	0.64	0.28	0.41	0.64	6.00	0.16	0.14	0.18	0.16
1.50	0.62	0.28	0.40	0.62	6.50	0.14	0.13	0.16	0.14
1.55	0.60	0.27	0.39	0.60	7.00	0.13	0.12	0.16	0.13
1.60	0.58	0.27	0.39	0.58	7.50	0.12	0.12	0.15	0.12
1.65	0.57	0.27	0.38	0.57	8.00	0.12	0.11	0.14	0.12
1.70	0.55	0.27	0.38	0.55	8.50	0.11	0.11	0.13	0.11
1.75	0.53	0.26	0.37	0.53	9.00	0.10	0.10	0.13	0.10
1.80	0.52	0.26	0.37	0.52	9.50	0.10	0.10	0.12	0.10
1.85	0.51	0.26	0.36	0.51	10.00	0.09	0.10	0.12	0.09
1.90	0.49	0.25	0.36	0.49	11.00	0.08	0.09	0.11	0.08
1.95	0.48	0.25	0.35	0.48	12.00	0.08	0.08	0.10	0.08
2.00	0.47	0.25	0.35	0.47	13.00	0.07	0.08	0.09	0.07
2.05	0.46	0.25	0.35	0.46	14.00	0.07	0.07	0.09	0.07
2.10	0.45	0.24	0.34	0.45	15.00	0.06	0.07	0.08	0.06
2.15	0.43	0.24	0.34	0.43	16.00	0.06	0.07	0.08	0.06
2.20	0.42	0.24	0.33	0.42	17.00	0.05	0.06	0.07	0.05
2.25	0.42	0.24	0.33	0.42	18.00	0.05	0.06	0.07	0.05
2.30	0.41	0.24	0.33	0.41	19.00	0.05	0.06	0.07	0.05
2.35	0.40	0.23	0.32	0.40	20.00	0.05	0.05	0.06	0.05
2.40	0.39	0.23	0.32	0.39	21.00	0.04	0.05	0.06	0.04
2.45	0.38	0.23	0.32	0.38	26.00	0.03	0.04	0.05	0.03
2.50	0.37	0.23	0.31	0.37	31.00	0.03	0.03	0.04	0.03
2.60	0.36	0.22	0.30	0.36	41.00	0.02	0.03	0.03	0.02
2.70	0.35	0.22	0.30	0.35	51.00	0.02	0.02	0.02	0.02
2.80	0.33	0.21	0.29	0.33					