



IN THE AUSTRALIAN COMPETITION TRIBUNAL

## Statement

No. ACT of 2017

### Tabcorp Holdings Limited

### Proposed acquisition of Tatts Group Limited by Tabcorp Holdings Limited by way of scheme of arrangement

Statement of: Andrew Raymond O'Toole  
Address: Thoroughbred Racing Northern Territory, Fannie Bay Racecourse, Dick Ward Drive,  
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Occupation: Chief Executive Officer, Thoroughbred Racing Northern Territory  
Date: 17<sup>th</sup> February 2017

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|---------------------|--|-----|-----------------|
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*Handwritten initials*

I, Andrew Raymond O'Toole, Chief Executive Officer of Thoroughbred Racing Northern Territory, in the Northern Territory, say that:

## **BACKGROUND**

- 1 I am the Chief Executive Officer of Thoroughbred Racing Northern Territory (**TRNT**). I have held this position since September 2010. In this role I oversee the control of racing in the Northern Territory (**NT**, or the **Territory**). This includes overseeing race programming, the distribution of stakes and funding, human resources, racing facilities, strategic planning, and industry compliance and reporting. I also liaise with industry participants, the Australian Racing Board and representatives of the NT Government, and represent TRNT publicly in the media and at industry events. I make this statement in my position as Chief Executive Officer and on behalf of TRNT.
- 2 This statement is made in relation to an application by Tabcorp Holdings Limited (**Tabcorp**) to the Australian Competition Tribunal (the **Tribunal**) for the authorisation of the proposed merger of Tatts Group Limited (**Tatts**) and Tabcorp.

## **Personal interest in and involvement in thoroughbred racing**

- 3 I grew up in Hamilton, New Zealand where my parents owned a dry stock farm. I developed an interest in horse racing at a young age through working at horse stables. My father also owned and bred race horses as a hobby. I pursued my interest in racing throughout a 12 year career in racing journalism where I worked in New Zealand and London and covered horse races across the world.

## **Previous roles and experience**

- 4 Prior to commencing as CEO of TRNT, I spent approximately 18 months working as a business manager at the Darwin Turf Club (**DTC**). The DTC is the largest turf club in the territory and conducts thoroughbred race meetings at the Fannie Bay race track in Darwin (which is owned by DTC). TRNT oversees the activities performed by TRNT as well as the activities of the other turf clubs in the Territory. Both DTC's and TRNT's offices are located at the Fannie Bay race track and TRNT pays rent to DTC. Because of TRNT's colocation with the DTC in Darwin, and DTC being the largest turf club in the Territory, the TRNT and DTC management have a close relationship and the organisations share a number of common board members (see paragraph 15 below for more details).
- 5 Between 2005 and 2009, I was the CEO of the Alice Springs Turf Club (**ASTC**), which conducts thoroughbred race meetings in Alice Springs. Prior to that, I spent 9 years working for the Auckland Racing Club where I was the racing manager and second in charge.

- 6 The remainder of this note sets out my views on the racing industry in the Territory, based on my experience over the last 11 years at the ASTC, DTC and TRNT.

### **THOROUGHBRED RACING IN THE NORTHERN TERRITORY**

- 7 The NT racing industry includes thoroughbred and greyhound racing. The NT thoroughbred racing industry is comprised of 5 race clubs, which held a total of 419 races in 2015, with total prize money of \$6,868,700. The 5 clubs are:
- (a) DTC, which held 36 race meetings at Fannie Bay racecourse in Darwin in 2015;
  - (b) ASTC, which held 34 race meetings at Pioneer Park racecourse in Alice Springs in 2015;
  - (c) Adelaide River Turf Club, which held 3 race meetings at the Adelaide River racecourse in 2015;
  - (d) Katherine Turf Club, which held 1 race meeting at the Katherine racecourse in 2015; and
  - (e) Tennant Creek Turf Club, which held 1 race meeting at the Tennant Creek racecourse in 2015.
- 8 TRNT has prepared a Strategic Plan for thoroughbred racing in the Territory, which it updates annually. The Plan recognises that "horse racing is an integral part of the fabric of Territory life" and "returns significant amounts to the [Territory Government] through tourism, employment TAB commissions and GST". However, the Plan also acknowledges that the development of the industry has stalled in recent years "due to inadequate funding". This is largely because the Territory Government failed to honour funding commitments to the industry. As noted in the Strategic Plan, the industry is struggling and individual clubs' resources "have been stretched to breaking point". If not for recent one-off funding injections, the consequences for Territory racing clubs would have been dire. More details about the funding of the thoroughbred racing industry in the Territory are set out in paragraphs 17 to 37 below.
- 9 The Strategic Plan also recognises the unique challenges that the NT racing industry faces "due to its sparsely scattered population in isolated locations", with the only two major racecourses in the Territory being over 1,400kms apart. However this also has some positives, as racing is an important attraction for the local community and brings Territorians together. In addition to race meetings, community organisations benefit from the use of racing club facilities.

### **TRNT OVERVIEW**

#### **Governance and functions**

- 10 TRNT was established in 2005 as the governing body for NT thoroughbred racing. TRNT is the NT Principal Racing Authority (**PRA**) under the *Racing and Betting Act* (NT) and oversees all

aspects of NT thoroughbred racing including the administration of the Australian Rules of Racing in the Territory. A copy of the Australian Rules of Racing is at **Annexure AO-1**. Prior to TRNT being established, DTC was the PRA in the Territory.

- 11 TRNT is a member of Racing Australia, which is the peak administrative body for thoroughbred racing in Australia. Under Racing Australia's governing structure, TRNT, the Canberra Racing Club and TasRacing Pty Ltd are represented by one director appointed on a two-year rotational basis by an agreement between the three clubs.
- 12 TRNT's key objectives include:
  - (a) leading the development of the thoroughbred racing industry;
  - (b) achieving greater financial returns for the industry's stakeholders; and
  - (c) improving the position and integrity of the industry.
- 13 As the NT's PRA, TRNT has general responsibility for the control and supervision of thoroughbred racing in the Territory. In particular, TRNT performs the following functions:
  - (a) registering and supervising racing clubs;
  - (b) licensing trainers, jockeys, bookmakers, bookmakers' clerks and other industry participants;
  - (c) programming for all thoroughbred race meetings in the Territory;
  - (d) marketing and promotional activities;
  - (e) handling race broadcasting rights;
  - (f) industry publications;
  - (g) administration of funding (including stakes);
  - (h) appointing Stewards' panels to apply the Rules of Racing; and
  - (i) industry strategic planning.
- 14 In addition to TRNT's functions as a PRA, TRNT employs the majority of race day staff for race meetings held in the Territory. This includes race stewards, judges, swabbing stewards, farriers, camera staff, barrier staff and vets. In addition to the employees that TRNT engages for race meetings, TRNT also has 5 full time staff members.
- 15 TRNT's Board currently comprises 7 members:

- (a) an independent Chairman (appointed by the NT Government);
- (b) 3 DTC executive nominees;
- (c) 2 ASTC nominees; and
- (d) 1 country racing club nominee.

16 I also sit on TRNT's Board as the country racing club nominee, representing the collective interests of the Katherine Turf Club, Adelaide River Races Club and Tennant Creek Races Club.

## FUNDING AND FINANCIALS

### TRNT financial overview

17 In recent years, TRNT has struggled to receive adequate funding to support participants and racing clubs in the NT thoroughbred racing industry. This has in part been due to changes of Government in the Territory, which resulted in some \$5.4 million of TRNT's existing funding commitment from the NT Government not being honoured. More details about TRNT's funding arrangements, and its agreement with the NT Government, are set out below.

18 TRNT's main sources of revenue in 2015 were:

- (a) NT Government funding;
- (b) operating income (including from licensing and registration, as well as wagering product fees); and
- (c) club racing income (including bookmaker product fees, TV rights, nominations, and facility fees). However, a large proportion of club racing income is returned to clubs.

Each of these funding sources is explained further below.

19 As set out in TRNT's financial report for the year ended 31 December 2015 (at **Annexure AO-2**), TRNT received:

- (a) \$15,025,357 from the NT Government;
- (b) \$666,065 in operating income; and
- (c) \$2,135,956 in club racing income (which included approximately \$1.1 million in product fees).

TRNT's total revenue for the year ended 31 December 2015 was \$18,268,288.

### **Funding arrangements between the NT Government, UBET and TRNT**

- 20 Tatts has held the off-course totalisator licence in the Territory since the NT Government privatised the NT TAB in 2000. On 1 November 2015, the NT Government entered into a new agreement with Tatts-owned UBET NT Pty Ltd (**UBET**), which gives UBET the exclusive right to conduct totalisator operations in the territory for 20 years (**UBET Agreement**).
- 21 TRNT is not party to the UBET Agreement and was not involved in its negotiation. The details of the UBET Agreement are confidential and TRNT is not aware of its terms except indirectly to the extent that they affect TRNT (such as UBET's obligation to pay certain fees to TRNT as explained in paragraph 23 below). In particular, TRNT has no direct knowledge of the payments that UBET is required to make to the NT Government or the terms on which UBET has agreed to make those payments. However my understanding is that the agreement requires UBET to pay the NT Government a proportion of its turnover from its wagering operations in the Territory.
- 22 TRNT has a separate funding agreement with the NT Government (the **TRNT Agreement**). The current TRNT Agreement commenced on 1 July 2016 and expires on 30 June 2017. Under this agreement, TRNT is entitled to receive a total of approximately \$15.4 million as follows:
- (a) an initial payment of approximately \$7.1 million from the NT Government (which TRNT received in August 2016); and
  - (b) a second payment of up to approximately \$8.3 million from the NT Government, less any amounts that UBET pays directly to TRNT between 1 November 2015 and 30 June 2017 under the UBET Agreement (as explained in paragraph 23).
- 23 The amounts that UBET is required to pay TRNT during this period are:
- (a) a fixed fee of \$3,290,000, which was paid on 1 July 2016. This figure represents 94% of the total fixed amount of \$3,500,000 that UBET is required to pay under the UBET Agreement. The remaining \$210,000 (which represents 6% of the total fixed UBET payment) is allocated directly to greyhound racing in the Territory;
  - (b) an industry funding package fee of \$94,000 per quarter (\$376,000 per year) for the first 10 years of the UBET Agreement only – ie from 1 November 2015 to 1 November 2025. This figure represents 94% of the \$400,000 UBET NT racing industry funding package that UBET is required to pay under the UBET Agreement. The remaining \$24,000 (which represents 6% of the total UBET NT racing industry funding package) is allocated directly to greyhound racing in the Territory;
  - (c) a racing and regional marketing support fee of \$82,250 per quarter (\$329,000 per year) for the first 10 years of the UBET Agreement only – ie from 1 November 2015 to 1

November 2025. This figure represents 94% of the \$350,000 UBET racing and regional marketing support fees that UBET is required to pay under the UBET Agreement. The remaining \$21,000 (which represents 6% of the total UBET racing and regional marketing support fees) is allocated directly to greyhound racing in the Territory; and

- (d) a variable fee based on UBET's fixed odds sales on races conducted anywhere in Australia from its retail outlets (including its retail outlets at on course venues), which is typically around \$200,000 per month (approximately \$2.4 million per year).
- 24 While the total amount of the NT Government's contribution to TRNT depends on the total amount that UBET pays to TRNT, the amount that TRNT is entitled to receive under the TRNT Agreement is fixed and does not depend on how much the NT Government receives from UBET. This is because the NT Government has committed to 'topping up' the difference if the payments UBET makes directly to TRNT during the period of the TRNT Agreement amount to less than \$8.3 million.
- 25 Prior to the implementation of the current funding arrangements, TRNT received its funding directly from the NT Government and my understanding is that UBET was required to make certain payments to the NT Government. While I am not aware of the amounts that the NT Government received from UBET, I understand that the amount of those payments has been decreasing in recent years due to the reduction in wagering revenue that UBET was receiving due to the increased popularity of corporate bookmakers.
- 26 I am not aware of the amount that the NT Government currently receives from UBET, but I suspect that it is still substantial and could possibly exceed the total amount that TRNT receives from the NT Government under the TRNT Agreement. In any case, UBET makes an extremely important financial contribution to the thoroughbred racing industry in the Territory.
- 27 Since the election of a new Labor Government in the Territory in August 2016, TRNT has been promised an additional \$2.5 million per year, increasing the total amount of funding that TRNT receives under the TRNT Agreement to approximately \$17.9 million. This is of great benefit to the NT thoroughbred racing industry, which has been significantly underfunded over the last 3-4 years due to the NT Government not meeting its funding commitments under the previous funding agreement. However, even with this additional funding injection, TRNT still faces difficulties in ensuring that the industry is adequately supported. TRNT hopes to negotiate a new agreement with the NT Government to secure TRNT's funding over the next 5 years.

#### **Funding of NT racing clubs**

- 28 As the peak body for thoroughbred racing in the Territory, TRNT is responsible for managing and administering funds on behalf of the 5 racing clubs in the Territory.

- 29 TRNT provides funding for the following:
- (a) prize money (for all NT thoroughbred clubs);
  - (b) operating expenses (DTC and ASTC only), as explained further in paragraphs 30 to 32; and
  - (c) capital works (for DTC and ASTC, and country clubs on an ad hoc basis), as explained further in paragraphs 33 to 37.
- 30 TRNT allocates funding to DTC and ASTC on a discretionary basis for operating expenditure using annual forecasts submitted by each club in accordance with TRNT's Clubs' Management Requirements Policy. Under this policy, DTC and ASTC are required each year to provide TRNT with various supporting documents. This includes a strategic plan for the next five years, a budget and set of financial reports, governing documents, sponsor details and other benchmark information (including year-on-year comparisons of functions, sponsorships and crowd numbers).
- 31 In FY2015/16, ASTC received approximately \$907,000 in funding from TRNT for operational expenditure, and DTC received approximately \$2.3 million. In addition, TRNT paid DTC approximately \$300,000 in rent for its offices at the Fannie Bay race track and for various services that DTC provided to TRNT (including accounting services).
- 32 Country clubs do not receive any funding for operating expenses from TRNT. However, TRNT provides country clubs with other forms of ongoing financial support, including in the form of travel subsidies and nomination fees, in order to ensure the ongoing viability of racing at these clubs. Each country club must provide TRNT with its financial reports, governance documents and sponsor details on an annual basis.
- 33 TRNT also allocates a portion of its total funding to capital works in accordance with its Capital Works Grants Procedures Policy. Under the Policy, spending on integrity and safety measures receives priority funding. In addition, TRNT sets aside \$100,000 each year to meet capital funding requirements of an urgent and unexpected nature. The remaining allocation of capital works funding is split between DTC, which receives 70%, and ASTC, which receives 30%. Any funds that are not used by these clubs are held by TRNT on the relevant club's behalf and are available for future projects.
- 34 Under the Capital Works Grants Procedures Policy, racing clubs must submit a project list to TRNT for approval in the preceding year. Funding is generally available for purchases, construction, upgrades, repairs and maintenance that TRNT considers appropriate.

- 35 Country clubs can also apply to TRNT for capital works funding on an ad hoc basis. For example, TRNT recently committed approximately \$300,000 for the installation of plastic inside running rails at Adelaide River Turf Club, Katherine Turf Club and Tennant Creek Turf Club as TRNT deemed this to be necessary for occupational health and safety reasons. TRNT has also provided funding to country clubs in the past for irrigation upgrades, new storage facilities and jockey rooms.
- 36 Even with this support, racing clubs in the Territory are underfunded and are frequently forced to defer projects. It is common for clubs to defer even relatively small projects (such as painting) due to insufficient funding.
- 37 Recognising that Territory racing clubs are underfunded, UBET as part of its recent bid to secure the off-course totalisator licence in the Territory committed \$100,000 to fund upgrades so that race meetings that are conducted by country racing clubs, which were previously 'non-TAB' meetings, could become 'TAB' meetings. The upgrades were overseen by TRNT, and UBET subsequently increased its contribution to \$120,000 largely due to TRNT's involvement. These upgrades, which included improving communications and power facilities and installing a plastic mounting yard, enabled UBET to offer totalisator pools for race meetings held at NT country racing clubs.

#### **VIEWS ON CHANGES IN THE WAGERING INDUSTRY AND ITS IMPACT ON THE NT RACING INDUSTRY**

- 38 As explained above, revenue from wagering is an important source of funding for the NT thoroughbred racing industry as it is a significant factor in the level of funding that the NT Government determines to grant to the industry. There are broadly two types of wagering:
- (a) pari-mutuel betting (also known as 'tote' betting), which is a form of betting in which all bets of a particular type (such as bets on first place in a particular race) are pooled and allocated to winning bets after deducting commissions by the operator of the pool (also known as the 'tote operator'). The final payout is determined when betting closes; and
  - (b) fixed odds wagering, where punters receive the odds for their bet upfront.
- 39 I have no doubt that pari-mutuel betting remains the primary source of funding for the NT racing industry through the arrangements in place under the UBET Agreement and the TRNT Agreement (and their respective predecessors).
- 40 I am aware, both from my own observations and from the product fee returns that wagering service providers submit to TRNT on a quarterly basis, that over the last decade, off-course corporate bookmakers (who largely operate through online channels, including smartphone 'apps' and also by telephone) have entered Australia and become popular with punters by

offering promotions and incentives such as 'bonus bets' and 'cash back'. Corporate bookmakers offer fixed odds wagering and also typically a 'best of tote' derivative product, which provide a pay-out based on a state tote or range of state tote pay-outs and often an on-course official starting take out rate. These bookmakers include Ladbrokes, CrownBet, William Hill, Sportsbet and Bet365.

- 41 I understand from my dealings with various contacts at UBET that corporate bookmakers have been successful in gaining a significantly larger share of wagering turnover, and that the share of tote wagering turnover and the level of tote wagering revenue available to tote operators has been diminishing in light of the success of corporate bookmakers. This was highlighted in a briefing presentation that I received from Tabcorp executives in relation to the proposed Tabcorp acquisition of Tatts and is consistent with my general observations from within the industry.
- 42 Since 2013, TRNT has received product fees from wagering service providers (which include corporate bookmakers and totalisators). Under 'race field' legislation in the territory, TRNT has the power to charge wagering service providers a product fee of between 1.5% and 3% of their wagering turnover for using information provided by TRNT about race fields (for example, information about the identification of the horses racing). Such information is necessary for wagering service providers to conduct their operations. TRNT currently charges operators a 1.5% fee on wagering turnover above a \$500,000 threshold. My understanding is that the objective behind this threshold is to ensure that smaller on course bookmakers are not required to pay product fees, as they provide an important service to the industry and, in particular, racing clubs in the Territory. As set out in paragraph 19, TRNT received approximately \$1.1 million in product fees in CY2015. This represented less than 10% of TRNT's total funding in that year. However TRNT estimates that product fee receipts increased to approximately \$1.2 million for CY2016.
- 43 I understand that the NT Government also receives approximately \$580,000 per year from each corporate bookmaker that is licensed in the Territory, and that the majority of corporate bookmakers operating in Australia are licensed in the Territory due to highly favourable taxation arrangements. I understand that corporate bookmakers contribute significantly less to the NT racing industry (both in total and as a proportion of total wagering turnover) than the Territory's tote operator, UBET.

#### **VIEWS ON PROPOSED MERGER OF TABCORP AND TATTS**

- 44 Tabcorp has proposed to acquire the issued shares of Tatts by a scheme of arrangement (the **Proposed Transaction**). As indicated above, I received a briefing presentation about the Proposed Transaction from Tabcorp executives.

- 45 I support the Proposed Transaction for a number of reasons. These are set out in TRNT's letter to the Australian Competition and Consumer Commission of 12 December 2016 (at **Annexure AO-3**). I believe that two aspects of the transaction will be particularly beneficial to the NT thoroughbred racing industry:
- (a) the prospect of introducing national pooling if the Proposed Transaction proceeds (described further in paragraphs 47 and 48); and
  - (b) a revitalisation of the tote brand in the Territory under a national brand (described further in paragraphs 49 and 50).
- 46 I consider the most important opportunity for the NT thoroughbred racing industry arising out of the Proposed Transaction is the prospect of a single, national totalisator pool. While the introduction of larger pools would benefit punters in all jurisdictions, it would be particularly beneficial for punters in smaller racing jurisdictions like the Territory. Larger pools are more attractive to punters because odds are more stable. That is, they are less likely to deviate significantly from the indicative odds at the time a bet is placed and are less likely to be affected by large bets. I am concerned that as it currently stands, NT punters do not consider it worthwhile to place large bets into pari-mutuel pools because of the relatively small pay-outs. This is particularly the case for punters betting on races run by small country clubs, which typically have small pools, as a large bet can significantly affect the final odds. A larger pool would assist because the payouts would be larger, even though the payout would need to be shared across a larger number of punters. I believe that this would make pari-mutuel betting on Territory races more attractive to punters and result in more bets being directed away from fixed odds products and towards pari-mutuel pools.
- 47 I believe that the introduction of a national pool would remove the current disincentives associated with smaller pools and reinvigorate pari-mutuel wagering in the Territory, making it a more attractive alternative to the products offered by corporate bookmakers. I believe that this would benefit the NT racing industry, which would likely see an increase in funding from the NT Government as a result. I further believe that larger, more liquid tote pools would create an opportunity for the merged entity to provide more interesting and innovative products. For example, I understand that there may be scope for the merged entity to introduce new pari-mutuel products, which could facilitate the merging of pools, and I am aware that Tabcorp is considering new products like this.
- 48 I also believe that introducing a single, national TAB brand would benefit the NT racing industry. There is a general lack of awareness of the UBET brand in the Territory following the recent rebranding of Tatts' wagering division. On the other hand, TAB is a far better known brand. I believe that replacing the UBET brand with TAB would attract more punters to tote wagering and away from wagering with corporate bookmakers. This would have flow on benefits for the

thoroughbred racing industry in the Territory even though the payments that TRNT receives from the NT Government are fixed. For example, from 2013 and 2016 product fees received by TRNT increased by approximately 80%. Territory racing clubs also receive a direct 6% commission from on-course pari-mutuel wagering, and a 3.5% commission from fixed odds wagering.

- 49 Another benefit of introducing a national TAB brand is that Tabcorp's superior technology (such as self-service machines, smartphone betting application and improved odds display), as well as other improvements would become available to punters in the Territory through proposed retail network upgrades. For example, I understand that the Tabcorp smartphone betting app incorporates 'geo-location' technology, which allows Tabcorp to tailor its offering based on a punter's location when placing a bet. I understand that this technology is not currently offered by UBET. I believe that the proposed retail upgrades would also help to revitalise tote wagering with flow on benefits for the NT racing industry, including through increased commissions paid to clubs as explained above.
- 50 TRNT also made a submission to the Australian Competition and Consumer Commission on 30 January 2017 in relation to the broadcast of racing vision. A copy of TRNT's submission is at **Annexure AO-4**. As indicated in TRNT's submission, TRNT does not believe that the Proposed Transaction will have any negative impact on competition in wagering or racing media.
- 51 Any additional funding received by TRNT would be used to further its key strategic objectives and would help to address the ongoing funding difficulties experienced across the NT thoroughbred racing industry. This includes increasing prizemoney, subsidies and other payments to stakeholders and improving facilities for participants and spectators at race meetings (such as shade, furniture, fencing and televisions). While it is important that all industry participants are adequately remunerated to secure the industry's future, it is particularly important that jockeys who race in the Territory receive fees that are high enough to keep them racing, and also high enough to attract new riders, which is difficult because of the remoteness of Territory racing clubs.
- 52 TRNT would also like to be able to more actively support local social and community organisations, which it could do with more funding. For example, TRNT is particularly mindful of the importance of horse welfare and is keen to support horse re-housing initiatives and other community programs such as riding for the disabled. In this way, the broader NT community would also be able to benefit from any increased funding that the racing industry may receive.

**ANNEXURES**

53 Set out in Schedule "A" of my statement is a table of annexures that I refer to in my statement.

*A. R. O. Toole*

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Signature

**Andrew Raymond O'Toole, Chief Executive Officer, Thoroughbred Racing Northern Territory**

Date: 17<sup>th</sup> February 2017

## SCHEDULE A

### TABLE OF ANNEXURES REFERRED TO IN STATEMENT OF ANDREW RAYMOND O'TOOLE

| Annexure | Title   | Confidentiality |
|----------|---|-----------------|
| AO-1     | Australian Rules of Racing (amended to 1 February 2017)   | -               |
| AO-2     | TRNT Financial Report for the year ending 31 December 2015  | -               |
| AO-3     | TRNT submission to the Australian Competition and Consumer Commission in relation to Tabcorp/Tatts (12 December 2016) | -               |
| AO-4     | TRNT submission to the Australian Competition and Consumer Commission in relation to Tabcorp/Tatts (30 January 2017)  | -               |



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**AUSTRALIAN RULES OF RACING**

**amended to**

**1<sup>st</sup> FEBRUARY 2017**

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**Including amended rules AR.69 & AR.69A(b)**

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

"**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 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.

"**Association**" mean 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.

"**Australian Racing Board**" and "**Board**" means the "Australian Racing Board Limited" constituted in accordance with AR.208. *[replaced 1.8.03]*

"**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.

"**Banned Substance**" means a substance declared as a banned substance in riders by AR.81B. *[added 1.10.08]*

"**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]*

"**Chairmen of Stewards**" means the National Chairmen of Stewards Advisory Group to the Australian Racing Board Limited.

"**Clear Day**" means a 24 hour period from 12.01am to 12 midnight. *[added 1.9.13]*

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

"**Cruelty**" includes any act or omission as a consequence of which a horse is mistreated. *[added 1.2.00]*

"**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]*

“**Correct Weight**” means a declaration by the Stewards officiating at a race meeting that the result of a race is official.

"**Deputy Registrar of Racehorses**" and "**Deputy Registrar**" mean 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 1.7.05]*

"**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.

“**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]*

"**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 as such 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.

“**Helmet**” means a protective riding helmet the standard of which is approved by the Australian Racing Board. *[added 1.10.06]*

“**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]*

"**Interest**" in respect of a horse for purposes of A.R. 53, A.R. 166(c) and A.R. 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 A.R. 84, A.R. 85 and A.R. 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.

A "**Jockey**" is a person licensed by a Principal Racing Authority or an Association to ride for hire.

"**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.

"**Lease**" includes any agreement whereby the owner of a horse permits another person to race the horse. *[added 19.10.06]*

“**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 15.6.12]*

“**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]*

"**Licence**" includes any approval or permit.

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

"**Local Rules**" are those rules made from time to time by a Principal Racing Authority and in force within its territory.

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][amended 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 A.R. 69A to A.R. 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**” mean any Area so designated by the Local Rules of a Principal Racing Authority.

“**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 all gear approved by the Chairmen of Stewards, together with conditions for the use of such gear approved by the Chairmen of Stewards. *[added 14.6.07]*

“**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.

“**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*.

**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 17.3.08][amended 01.10.12][amended 11.6.14][amended 11.9.14][amended 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. *[added 1.9.09]*

“**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.

*[added 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
- (f) any person who provides a service or services connected with the keeping, training or racing of a horse.” *[definition 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. *[amended 1.9.09]*

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

“**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, the NSW Thoroughbred Racing Board; in the State of Victoria, Racing Victoria Limited; in the State of Queensland, Racing Queensland Limited; in the State of South Australia, Thoroughbred Racing S.A. Limited; in the State of Western Australia, Racing and Wagering Western Australia; in the State of Tasmania, the Tasmanian Thoroughbred Racing Council; in the Northern Territory, Thoroughbred Racing NT; and in the Australian Capital Territory, the Committee of the Canberra Racing Club Incorporated; and,  
*[amended 24.10.03; 8.5.06; 1.7.06]*

- (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 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]*

"**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. *[added 20.11.02]*

"**Race**" includes each division of a divided race.

"**Racing Calendar**" means the publication published under that name or any similar name by or under the authority of a Principal Racing Authority.

"**Registered Club**" means a Club registered by a Principal Racing Authority in accordance with 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.

"**Registered Meeting**" or "**Registered Race Meeting**" includes any race meeting held under the Management of a Principal Racing Authority or of any registered Club.

"**Registrar of Racehorses**" and the "**Registrar**" mean 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, 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.

"**RISA**" means Racing Information Services Australia Proprietary Limited.

"**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 01.10.12]*

"**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. *[added 1.12.10]*

"**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.

"**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. *[replaced 1.11.99]*

"**Syndicate**" means a Syndicate as defined by A.R. 69A and registered pursuant to these Rules.

“**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 01.10.12]*

"**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.

"**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]*

"**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]*

"**Warned off.**" "**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.

“**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.” *[added 1.12.10]*

**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]*

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]*

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.

\* The value of the prize to the winner shall not exceed:  
in a Class A Race - \$6,000  
in a Class B Race - \$10,000.

Provided that 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 1st August 2003 other than a win as a Maiden Horse.

*[amended 9.5.07]*

*[Note: Former Class A-D Races replaced by Class A and Class B Races on 1st August 2003]*

*[Note: Provisions for Class One to Class Six Races; and for definitions of "Special Condition Race" and "Restricted Race" replaced 1.9.04; and for the amendment of Class One to Class Six Races*

*& the deletion of definitions of "Special Condition Race" & "Restricted Race on 1.1.08]*

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. *[amended 1.8.16]*

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. *[amended 1.8.16]*

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. *[amended 1.8.16]*

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. *[amended 1.8.16]*

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 the following races shall be ineligible:

- (a) Any Group Race;
- (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.

*[amended 1.8.16][amended 1.1.17]*

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.

*[amended 1.8.16]*

*[rule replaced 01.10.12]*

### **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 1.8.03]*

**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 A.R. 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 -

[amended 1.10.06]

- (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;
- (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.

(3) Paragraphs (b) and (c) of subrule (2) shall not apply to any race or race meeting in which thoroughbreds do not take part and which is or 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. *[replaced 1.7.05]*

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

**AR.7.** A Principal Racing Authority shall, in furtherance and not in limitation of all powers conferred on it or implied by these Rules, have power, in its discretion: *[amended 1.1.15]*

- (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 therefor.
  - (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]*
  - (d) To penalise:- *[amended 1.9.09]*
    - (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.
  - (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. *[amended 1.9.90]*
  - (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. *[amended 1.9.09]*
- (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.
- (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.” *[AR.7 replaced 19.3.09]*
- (t) To appoint or to approve the appointment by any Club of any official 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 1.1.15]*

- (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 1.1.15]*

**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]*

## 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 inquiry.
- (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.
- (e) To penalise any person committing a breach of the Rules.
- (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.

- (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.  
*[paragraph replaced 1.5.02] [amended 20.11.02][amended 14.6.07][amended 1.10.08] [amended 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.  
*[subrule 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 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 20.11.02][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. *[added 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. *[subrule added 1.10.13]*

**AR.8A.** The powers given the Stewards under A.R. 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 A.R. 8 (e) may be exercised only by the Stewards. *[amended 20.11.02][amended 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.

*[subrule 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.

*[subrule 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 1.9.90]*

**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 persons to obstruct, hinder or delay investigators from exercising such powers or carrying out their duties, may be penalised.

*[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, jump-out, trackwork, 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 trials, jump-outs, trackwork, or associated activity; *[amended 1.9.09]*

(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; *[amended 1.9.09]*

(c) take any action deemed necessary in respect of any horse involved in any inquiry conducted under this rule *[subrule added 1.2.01][subrule amended 1.9.09]*

## **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.

**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.

## **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 upon such conditions as they see fit; further provided that an unregistered yearling may be entered for a race if the conditions so provide. *[amended 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, within 30 days of the Mare Return lodgement, the Foal Ownership Declaration has been lodged by the Manager, or his or her Authorised Agent, with the Registrar.
- (c) Save that in its sole and absolute discretion the Registrar may extend the time specified in subrule (b) to no greater than 90 days including but not limited to a case where a legally qualified veterinary surgeon certifies in writing that such extension is in the best interests of the health of the Eligible Horse.
- (d) Between the time specified in subrule (b) (or any extension of same) and the time an Eligible Horse is first registered under these Rules, all transfers of ownership of such Eligible Horse must be submitted by the transferee, within four weeks of each such transfer taking place, by lodging the prescribed form and paying the prescribed fee.
- (e) Any transfer of ownership application by a syndicate under subrule (d) shall be sufficient if signed by a majority of the members or by the registered manager thereof.
- (f) It is a condition precedent to any application or lodgement under this rule that the Manager, or his or her Authorised Agent, lodging the Foal Ownership Declaration or making application undertakes to be bound by 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). *[amended 1.10.16]*
- (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.

*[amended 1.10.16]*

*[rule added 1.8.16]*

**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][replaced 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. *[amended 1.1.15]*

(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. *[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. *[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. *[replaced 01.10.12]*

**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. *[rule added 01.10.12]*

**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. *[replaced 1.7.05][replaced 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.

**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 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 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.

**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.

*[replaced 1.7.05][replaced 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, and 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. *[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. *[replaced 1.7.05][replaced 1.11.11]*

**ASSUMED NAMES** *(rescinded from 1.8.86, existing assumed names unaffected by rescission)*

## SALE OF A HORSE

**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.

*[rule 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.

**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.

**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.

## RACE MEETINGS

**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.

**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 therefor refuse approval of any race or the name of any race or the conditions of any race.

(2) Notwithstanding the provisions of subrule (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 subrule, shall be deemed to have the approval of the Australian Racing Board.

*[subrule added 1.3.06]*

**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. *[subrule 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.

**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.

**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.

**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.

**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.

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

**AR.44.** Yearlings shall not run in any race or official trial. *[deleted & replaced 15.6.12]*

**AR.45.** *[deleted 1.6.11]*

**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 1.6.11]*

**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. *[added 1.6.11][amended 1.8.15]*

**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. *[replaced 1.8.00]*

Provided that the Australian Racing Board, in exceptional circumstances, may by Order vary the conditions provided by this Rule. *[proviso added 27.8.07]*

*[Note: Pursuant to this proviso the Board Ordered on 27.8.07: that the breeding season for the year 2007 commence on 27<sup>th</sup> August 2007 instead of 1<sup>st</sup> September 2007; and that a foal produced from a covering of a dam on or from 27<sup>th</sup> August 2007 shall have its age reckoned from 1<sup>st</sup> August 2008]*

**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]*

## 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. *[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. *[subrule amended 24.8.00]*

(d) If no other hour be fixed the list of entries shall close at 4 p.m.

**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 subrule (2) then it may be disqualified for such official trial or race. *[amended 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.

**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.

(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.

(7) Unless the Stewards are satisfied that the presence of blood provided for in subrule (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.

**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 in 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. *[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 - *[amended 1.9.09]*

- (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. *[rule replaced 1.7.05]*

**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. *[rule deleted 1.7.05][new rule added 1.10.06] [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.
- (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]*

**AR.56A.** No horse, if in Australia, shall be entered for or run in any race or official trial or jump-out unless it is trained by a person with a licence or permit to train. *[amended 1.8.08][amended 1.9.09]*

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 14.6.07]*

**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. *[New Rule 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.

(3) *[Subrule deleted 1.9.13]*

(4) *[Subrule deleted 1.9.13]*

**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.

*[amended 1.9.09]*

(e) The stewards, in their absolute discretion, if otherwise satisfied as to the bona fides of a licensed person or horse, may waive the requirements of subrule (d) of this rule.

(f) The stewards may penalise any person who has not conformed to the requirements of this rule.

*[amended 1.9.09]*

**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,
  - (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.

**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 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.

*[deleted 1.10.07] [new rule 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.

*[rule replaced 20.11.02][rule deleted 1.10.07][rule added 1.2.14]*

**AR.64A.** (1) A horse that is totally blind in one eye is ineligible for any race, official trial, jump-out or trackwork. *[amended 1.9.09]*

(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. *[amended 1.9.09]*

(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. *[replaced 1.11.99][replaced 1.7.05]*

**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 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. *[amended 1.9.09]*

(3) Notwithstanding the provisions of subrule (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.

(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 details to 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.
- [rule deleted & replaced 1.10.99][subrule (3) amended 1.7.05][subrules (1), (2) & (4) amended 14.6.07]*

**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. *[rule 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. *[rule 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. *[rule added 1.11.99][para (b) 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] [amended 1.9.09]*

(2) Notwithstanding the provisions of subrule (1) of this rule, a horse that was subjected to a firing procedure prior to 1<sup>st</sup> October 2001 is eligible to race provided that prior to 1<sup>st</sup> 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. *[rule added 1.10.01][subrule (3) 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.

*[added 1.9.01] [amended 1.9.09] [deleted and replaced 1.3.13][deleted and replaced 1.9.13][deleted and replaced 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 (1<sup>st</sup> day of month), that horse would be ineligible to trial or race until the Tuesday in the following week (9<sup>th</sup> day of month).*

*[added 1.6.04] [replaced 01.01.13][amended 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.

*[added 1.7.05][replaced 1.7.14][amended 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][amended 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 (9) 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

*[subrule 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 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 subrule 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 subrules (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 subrule (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.

*[added 28.8.07][amended & renumbered 1.9.09]*

(9) An order made under this Rule comes into effect on the day it is made.

*[added 27.8.07][renumbered 1.9.09]*

**AR.64L.** A horse suffering from an infectious disease shall not be brought on a racecourse or training track.

*[added 1.6.11]*

**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 (1<sup>st</sup> day of month), that horse would be ineligible to race until the*

*Wednesday in the following week (10<sup>th</sup> day of month).*

*[added 1.8.14][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, 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 (1<sup>st</sup> day of month), that horse would be ineligible to race until the following Sunday (7<sup>th</sup> day of month).*

*[added 1.8.16][amended 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.

**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.

**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 a race. *[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 and reframed 1.10.06] [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]*

## SYNDICATES

**AR.69.** A horse shall not be entered or raced except by; *[amended 1.2.17]*

- (a) A natural person, or a combination of not more than twenty natural persons. *[amended 1.8.12]*
- (b) A syndicate.
- (c) A combination of one or more registered syndicates and/or natural persons totalling in all not more than twenty. *[amended 1.8.12][amended 1.1.17][amended 1.2.17]*

Provided the syndicate has been registered in accordance with the Rules of Racing and complies with the Regulations.

**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 A.R.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 A.R.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.** [rule 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.

**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. [replaced 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.

**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 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.

**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. *[replaced 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 & 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. *[amended 1.10.08]*

(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. *[subrules (i),(ii),(iii) amended 1.8.07]*

## SYNDICATE REGULATIONS

**Synd Regn (a)** The members of a syndicate may apply to a Principal Racing Authority for approval to

race a horse.

**Synd Regn (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.

**Synd Regn (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 Principal Racing Authority considers desirable either generally or in particular cases.

**Synd Regn (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;
- (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.

*[amended 5.7.02]*

**Synd Regn (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.

**Synd Regn (f)** Every syndicate agreement approved by a Principal Racing Authority and any other instrument that a 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.

**Synd Regn (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.

**Synd Regn (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.

**Synd Regn (i)** (1) The registration of a syndicate may be cancelled by a 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.

**Synd Regn (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.

**Synd Regn (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.

**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.

### **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. *[deleted and replaced 24.8.00]*

**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.

**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.

### **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.

### **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 1.8.08]*

**AR.80A.** Any person training horses under the provisions of A.R. 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.

**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 in his care that is being led or ridden outside his stable premises on 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.  
*[added 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 and Commonwealth legislation.

(2) The Stewards may take possession of any substance or preparation mentioned in subrule (1), and may use it as evidence in any relevant proceedings.  
*[added 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.  
*[added 14.6.07] [amended 1.9.09]*

**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) Subrule (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. *[added 1.8.08] [amended 1.9.09]*

### 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. *[subrule replaced 1.5.02]*

(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.

(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.

(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]*

*[Note: On 1.10.08. AR.81A, AR.81AA, AR.81B & AR.81C were deleted  
& replaced by AR.81A, AR.81B, AR.81C, AR.81D, AR.81E, AR.81F, AR.81G]*

**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 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. *[added 1.6.11]*

**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 JWH-018, JWH-073 and HU-210. *[replaced 1.11.11]*

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). *[amended 1.8.16]*

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: alphanethyltryptamine: 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.81BB.** 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).  
*[amended 1.8.16]*

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.  
*[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.

*[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. *[amended 1.9.09]*
  - (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. *[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. *[amended 1.9.09]*

(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.

(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 fulfill 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.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.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. *[added 01.01.13]*

**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 , or *[replaced 1.9.09]*
- (c) If he bet or have any interest in a bet or facilitates a bet on any race, or if he be present in the betting ring during any race meeting. *[amended 1.8.01]. [amended 1.9.09]*
- (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)). *[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.

**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.

*[amended 14.6.07][amended 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.

**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 subrule (1).

(3) A person who fails to comply with subrule (1) or with a term or condition imposed under subrule (2) is guilty of an offence.

(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. *[added 1.12.10]*

**AR.86.** Riders must wear thoroughly clean and appropriate dress.

**AR.86A.** No rider shall in any race, 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. *[amended 1.10.00][amended 3.11.03][amended 1.10.06]*

**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. *[replaced 1.11.11][amended 21.4.16]*
- (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.
- (d) the use of helmets is subject to the conditions of Australian Rule of Racing 87AA. *[amended 1.10.06]*

**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 be equipped with safety irons of a design approved by the Stewards. Provided that in official trials or jump-outs if a rider wears race boots the saddle shall be equipped with race irons. *[replaced 1.8.04] [amended 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 & 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. *[subrule 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. *[added 1.8.99] [subrule (3) replaced 1.12.05][rule amended 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. *[added 1.6.04][amended 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. *[amended 14.6.07 & 1.8.07]*

(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: Hovs Racesafe, Ozvest, Racelite Pro, Vipa, Vipa 1, USG Flexi Race and Airowear Swift.

*[amended 1.8.14][amended 1.5.15][amended 1.2.16]*

(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).

*[rule replaced 1.3.2000] [subrule (2) added 1.12.05][ amended 1.8.07][rule replaced 1.7.14]*

*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. [replaced 1.7.14]*

**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.

*[rule deleted & 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] [amended 1.9.09] [amended 1.12.10][rule 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]*

**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.

**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.

*[Formerly AR.118: amended & renumbered 1.9.09]*

## 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.

(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 |

*[amended 1.8.07]*

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 proviso added 1.1.99]*

Further provided that, notwithstanding the provisions of subrules (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 proviso added 1.8.05][subrule amended 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<br>and/or a Provincial Area | 3kg   |
| If he has not ridden 50 winners on the flat in a Metropolitan Area<br>and/or a Provincial Area | 2kg   |
| If he has not ridden 80 winners on the flat in a Metropolitan Area<br>and/or a Provincial Area | 1.5kg |

(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. *[replaced 1.5.02]*

(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.

(7) No horse shall have its weight reduced below 43.5 kg 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.

*[added 1.5.02]*

(13)(a) Subject to paragraph (b) of this subrule 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 the 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 meeting shall be regarded as winning rides in a Provincial Area, provided that for the 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.

*[added 30.6.03][deleted & replaced 01.02.11] [deleted & replaced 15.6.12]*

(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 subrule (12) renumbered 1.5.02]*

### **RIDING SKILLS PANELS**

**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 requirements of horse welfare.

*[added 1.10.06] [amended 18.6.09]*

### **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.

**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 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.

**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.

### 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.

(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.

### 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]*

(2) Notwithstanding the provisions of subrule (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). *[amended 10.9.09][amended 1.10.15][amended 1.3.16]*

(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). *[amended 1.10.16]*

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. *[amended 1.10.16]*

*[rule deleted and replaced 1.1.07][rule deleted and replaced 1.1.12][amended 1.10.15]*

**AR.104.** The Standard Weight-for-Age, expressed in kilograms, for flat races shall be from 1<sup>st</sup> August 2008 in accordance with the following schedule: *[amended 1.8.08]*

| STANDARD WEIGHT-FOR-AGE FOR FLAT RACES – SCHEDULE |   |     |     |     |     |     |     |     |     |     |     |     |     |
|---|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| MONTH   |   | AUG | SEP | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL |
| 1000m<br>to                                       | 2 |     |     |     |     |     | 45  | 46  | 47  | 48  | 49  | 50  | 51  |

|                     |    |      |      |      |      |      |      |      |      |      |      |      |      |
|---------------------|----|------|------|------|------|------|------|------|------|------|------|------|------|
| 1200m               |    |      |      |      |      |      |      |      |      |      |      |      |      |
|                     | 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 2.kg from 1 August - 31 July

*[rule and schedule deleted and replaced 1.8.98 & 1.1.07][addendum amended 1.8.08]*

**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.

*[added 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<br>and<br>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<br>1200m<br>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<br>1600m<br>to<br>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<br>2000m<br>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<br>2400m<br>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<br>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.

**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 subrule (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. *[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][subrule amended 1.10.07]*

(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. *[subrule 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. *[amended 1.4.99]*

**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 1.12.10] [Rule deleted & replaced 15.6.12]*

**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.

**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 & replaced 1.11.99]*

### **WEIGHING-OUT**

**AR.118.** When calculating a rider's weight in weighing-out and 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.

*[amended 1.9.09. & renumbered AR.91][New rule added 1.9.09]*

**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; or *[amended 1.8.07]*
- (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. *[added 1.12.98][amended 1.8.07]*
- (c) to weigh-out or attempt to weigh-out or ride in any race unless he is wearing an Approved safety vest. *[added 1.10.00][amended 1.8.07][rule 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]*

**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.

**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.

### **STARTING**

*[Rules AR.124 to AR.134 deleted and replaced 1.9.09]*

**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.

**AR.125** Every horse shall parade and proceed, without delay, to the start as directed by the Stewards.

**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.

**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.

**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.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.

**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.

**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.

**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.

**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.

**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).

**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.

**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. *[amended 1.9.09]*

(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).

**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. *[added 1.3.05][amended 1.10.06][rule replaced 01.10.12]*

**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. *[replaced 1.11.11]*

**AR.137.** Any rider may be penalised if, in the opinion of the Stewards,

*[amended 1.9.09]*

- (a) He is guilty of careless, reckless, improper, incompetent or foul riding. *[amended 1.3.05]*
- (b) He fails to ride his horse out to the end of the race and/or approaching the end of the race. *[amended 1.10.06]*
- (c) He makes any celebratory gesture prior to his mount passing the winning post. *[added 1.10.00]*
- (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. *[added 1.3.05]*

**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. *[amended 1.8.16]*

(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 - *[amended 1.8.09]*

- (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.
 

*[subrule deleted and replaced 15.6.12][amended 1.12.15][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.
 

*[Rule replaced 1.8.09]*

(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).
 

*[subrule added 1.8.09][subrule 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).
 

*[subrule added 11.4.16]*

**AR.137AA.** *[Deleted 1.8.09]*

**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][amended 1..9.90][amended 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.

**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. *[deleted & 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. *[words inserted 1.12.05] [amended 14.6.07] [amended 1.9.09][rule deleted & replaced 1.9.13]*

**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 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. *[words added 1.5.02 & 30.6.03] [amended 14.6.07]*

(3) When permission has been obtained in accordance with the provisions of subrule (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]*

**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.

**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 *[amended 1.8.04][amended 1.6.08]*
- (b) notify to the Stewards any change from tips to plates, or from plates to tips.

(3) To ensure compliance with the requirements for plating as prescribed in AR141B, 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. *[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.

*[subrule replaced 30.6.03]*

## 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 –  
*[amended 1.5.15]*

- (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 *[amended 1.10.07]*
- (b) notwithstanding paragraph (a), the rider and/or any person at fault may be penalised.  
*[rule amended 1.10.06] [amended 1.9.09]*

**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] [amended 1.12.10]*

**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] [amended 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.  
*[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 subrule (1), whether prior 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. *[subrule (2) amended 1.11.99]*

Notwithstanding the provisions of this subrule an owner present in the mounting yard immediately after the running of a race is permitted to use a mobile phone. *[added 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.

### **OBJECTIONS AND COMPLAINTS**

*[AR.161 to AR.174 replaced 1.9.09]*

**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.

**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.

**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.

**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.

**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 as provided for in AR.137A; *[added 26.9.09]*

(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 signaling of correct weight.. *[amended 1.5.15]*

(2) An objection made under paragraph (a) 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.

(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.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.

**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 Rule 136.

(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 AR137A(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. *[replaced 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.

**AR.170.** An objection cannot be withdrawn without leave of the Stewards.

**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

**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.

**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.

**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.

## OFFENCES

**AR.175.** The Principal Racing Authority (or the Stewards exercising powers delegated to them) may penalise; *[amended 1.5.09] [amended 1.12.10][amended 1.6.15]*

- (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. *[paragraph 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. *[amended 1.5.02][amended 1.2.14][amended 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. *[amended 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][rule deleted and replaced 1.3.13]*

- (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. *[replaced 1.11.01] [amended 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. *[paragraph added 1.2.01][amended 1.8.04][amended 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 *[amended 1.9.09]*
  - (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. *[added 1.2.01]*
  - (iv) to provide proper and sufficient nutrition for a horse. *[added 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. *[added 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]*

**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][amended 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.  
*[rule replaced 19.10.06][subrule (7) added 15.2.07][subrule replaced 1.10.07]*

**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. *[added 19.10.06]*

**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 AR.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][replaced 01.10.12]*

**AR.177A.** When a horse is brought to a racecourse or recognised training track to engage in either –

- (a) an official trial,
- (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 1.9.09][amended 1.6.11]*

(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).  
[amended 10.8.06][amended 1.11.12][amended 1.12.12][amended 1.11.13][replaced 01.11.16]
- (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 1.6.11][amended 1.11.12]

(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. *[added 1.6.11][amended 1.11.12]*

(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 1.11.12][replaced 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.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 01.10.12][replaced 1.11.13][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] [amended 1.9.09][replaced 01.10.12]*

**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.

*[amended 1.8.16]*

(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. *[replaced 1.9.09][amended 1.8.16]*

(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. *[added 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). *[New Rule 1.9.13]*

**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 AR.178AB(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. *[New Rule 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

*[amended 1.6.11]*

(2) Substances falling within, but not limited to, the following categories:-

acidifying agents  
 adrenergic blocking agents  
 adrenergic stimulants  
 agents affecting calcium and bone metabolism  
 alcohols  
 alkalinising agents  
 anabolic agents  
 anaesthetic agents  
 analgesics  
 antiangina agents  
 antianxiety 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  
 plasma volume expanders  
 respiratory stimulants  
 sedatives  
 stimulants  
 sympathomimetic amines  
 tranquillisers  
 vasodilators  
 vasopressor agents  
 vitamins administered by injection  
 oxygen carriers  
 Agents that directly or indirectly affect or manipulate gene expression

*[amended 1.6.11] [amended 15.6.12]*

(3) Metabolites, artifacts and isomers of the prohibited substances prescribed by subrules (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:- *[amended 1.11.13]*

- (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 that of 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. *[amended 1.1.15]*
- (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. *[AR.178C replaced 1.11.99 and 1.10.01]*
- (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. *[added 1.12.05]*
- (k) Theobromine at a mass concentration of 2.00 milligrams per litre in urine. *[added 10.8.06]*
- (l) Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma. *[added 1.1.15][amended 1.9.16]*

(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 *[subrule (2) added 3.2.03]*  
 orally administered glucosamine *[added 1.12.05]*  
 orally administered chondroitin sulphate *[added 1.12.05]*  
 altrenogest when administered to fillies and mares. *[added 10.8.06]*  
*[subrule amended 1.6.11]*

**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 1.1.15]*

- (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 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 purposes of these rules. *[rule deleted and replaced 1.2.14][subrule amended 1.1.15]*
  - (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. *[subrule 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 subrule (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 subrule (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. *[rule added 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 subrule (1) of this rule. *[RuleAR189A added 3.2.03][renumbered 1.8.04]*

**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. *[rule added 01.10.12]*

**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.

*[rule added 1.9.09][subrule deleted & replaced 1.9.13][rule deleted & replaced 1.1.15]*

**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 01.10.12][replaced 1.11.13][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.

*[added 1.11.13]*

## **PENALTIES**

(except weight penalties)

**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  
[amended 1.9.09]
- (b) The publication in a *Racing Calendar* or similar publication of a statement to the effect that any penalty has been imposed or adopted,  
[paragraph renumbered 19.3.09]

as prima facie evidence of the fact stated and may assume unless the contrary is proved that such penalty not been set aside or mitigated.  
[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 licensed 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 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 subrule (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 subrule (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 sub-paragraphs (a) and (b) of sub-rule (6), the terms of any declaration(s) sought.

(8) Upon receipt of an application pursuant to sub-rule (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:
  - A. with the leave of the Principal Racing Authority, be represented by a legal practitioner or agent;
  - B. give oral evidence;
  - C. adduce other oral or written evidence;
  - D. 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:

- (a) if satisfied that there are exceptional circumstances, order that the application be granted and make the declaration(s) sought;
- (b) 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 whom such Notice was issued.

[rule added 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.

**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:

- (a) 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;
- (b) Enter upon any training premises, complex or establishment of any Club, Principal Racing Authority or licensed person;
- (c) Be an office holder, official, member or employee of any Club or Principal Racing Authority;
- (d) Be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable;
- (e) Ride any racehorse in any race, official trial, jump-out or test;
- (f) Enter or nominate any horse for a race or official trial whether acting as agent or principal or in any other capacity;
- (g) Subscribe to any sweepstakes;
- (h) Race or have trained any horse whether as owner, lessee or in any other capacity;
- (i) Share in the winnings of any horse;
- (j) Participate in any way in the preparation for racing or training of any racehorse;
- (k) 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;

- (l) Conduct or assist with thoroughbred breeding in Australia;
- (m) Attend or participate in thoroughbred racehorse sales or related events;
- (n) 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
- (o) 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:

- (a) not to participate in social media or mainstream media in relation to any racing or wagering matter;
- (b) 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.

*[Rule deleted and replaced 1.2.15]*

**AR.182A.** A bookmaker shall not bet by telephone or otherwise with a disqualified person.

**AR.183.** A person warned-off by a Principal Racing Authority shall be subject to the same disabilities as a person disqualified.

**AR.183A.** (1) 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]*

(2) 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.

*[rule added 1.5.02] [subrule (2) 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:-

*[words added to introductory words 1.1.00]*

- (a) As a trainer or permit holder, nominate a horse for a race, official trial or jump-out; or  
*[amended 1.9.09]*
- (b) Train or participate in any way in the training of any racehorse; or
- (c) Be registered as a stablehand, or be employed or act or be involved in any capacity in any racing stable.  
*[amended 1.10.06]*

**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.

**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.

**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.

**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.

*[Rule 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.

**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.

**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.

**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.

**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.189A.** [*Rule added 3.2.03*] [*renumbered AR.178E 1.8.04*]

**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.

**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.

**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.

**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.

**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.

**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.

**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. *[words deleted 1.11.99][replaced 1.10.02][amended 1.8.14]*

**AR.196.** (1) Subject to subrule (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. *[amended 1.9.09][subrule amended 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 subrule (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. *[subrule amended 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. *[Rule deleted and replaced 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. *[subrule added 1.6.11][subrule amended 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 (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.

*[paragraph added 1.3.13][replaced 1.11.13][subrule 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. *[subrule added 1.9.13]*

**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. *[amended 1.9.09]*

**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.

**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. *[words added 1.4.99]*

**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. *[rule added 01.10.12]*

### **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]  
[rules 208 to 213 deleted and replaced by the 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.

**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.

*[Rule added 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.

*[deleted and replaced 1.8.03]*



# Annual Report 2015

*For the period ending 31 December 2015*

# THOROUGHBRED RACING NORTHERN TERRITORY

## ANNUAL REPORT

### 2015

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# THOROUGHBRED RACING NORTHERN TERRITORY

**Chairman:** John Stewart

**Board:**

Brett Dixon  
Craig Lambley  
Cameron McNally

Andrew Doyle  
Rob Longuet  
Andrew O'Toole  
(country rep)

**Staff:**

**Chief Executive Officer:**

Andrew O'Toole

**Minute Secretary:**

Tracey Hamilton

**Chairman of Stewards:**

David Hensler

**Chairman of Stewards (Alice Springs):**

David Westover

**Assistant to Chairman of Stewards:**

Lee Twomey

**Racing Administration Assistant:**

Maria Okwa

## **CHAIRMAN'S REPORT**

The year ended 31 December 2015 featured a similar theme as in the preceding couple of years – a struggle for funds to provide adequate support to participants and racing clubs.

The granting of a new TAB license to UBET has introduced a new element to the funding equation, namely direct funding for TRNT from the licensee with the NT Government complementing that input. However, the persistent difficulty is that the total funding for TRNT remains inadequate.

Negotiations are continuing in an attempt to persuade the government that, given the revenue derived from the sport and its contribution to the fabric of life in the Northern Territory, additional funding can be amply justified. This battle is constantly before us – persistence is the keynote.

In the past year TRNT has negotiated the headwinds resolutely and capably. Submissions to the government resulted in special grants for operational expenses of Darwin Turf Club and Alice Springs Turf Club and a contribution towards the erection of an underpass at Fannie Bay.

A precondition for the grants for operational expenses was a forensic examination by Deloitte of the budgetary processes of both clubs. The Board had no trouble complying with the request – we have always welcomed legitimate interest in the business affairs of TRNT and racing clubs in the Northern Territory.

Once again, the resultant report by Deloitte backed the way in which the clubs went about their budgets. That said, TRNT is operating within tightly confined budgetary constraints; racing clubs must expect that any request for increased operational funding will be closely scrutinized.

Returns to participants reflected a marginal increase which was a satisfactory outcome in light of other demands. The Board intends to prioritize increased benefits to participants when considering the application of the surplus for the year. A primary objective is to provide more incentive during the off-season. Our capacity to transform these intentions into action will depend on whether the negotiations for next year's overall funding are successful.

Recognising the symbiotic relationship between the government and the industry, we always advance the case for additional funding in a respectful manner.

The Minister for Racing, Mr Peter Styles MLA, and his departmental officers have been available and

attentive and I remain hopeful that our efforts will yield appropriate results.

My thanks are extended to TRNT's Chief Executive Officer, Andrew O'Toole, and Chairman of Stewards, David Hensler, and their respective teams.

I also thank each and every member of the Board for their loyal and considerate support. Special mention should be made of Charles Burkitt who retired from the Board during the year. His knowledge of the industry, experience and sound judgment were always of immense assistance in our deliberations.

**John Stewart**  
**Chairman**

## CHIEF EXECUTIVE'S REPORT

### Board Meetings:

During the 2015 financial year (January-December) there were seven Board meetings, six held in Darwin and one in Alice Springs.

#### 2015 Attendance at Board Meetings

|                 |                    |
|-----------------|--------------------|
| John Stewart    | 7/7                |
| Charles Burkitt | 0/1                |
| Brett Dixon     | 7/7                |
| Andrew Doyle    | 6/7                |
| Craig Lambley   | 7/7                |
| Rob Longuet     | 7/7                |
| Cameron McNally | 5/6                |
| Michael Toomey  | 1/1 as alternate   |
| Andrew O'Toole  | 7/7 as Country rep |

There was only one change to the make-up of the Board during the year – long-time DTC representative Charles Burkitt resigned in March and his place on the Board was taken by Cameron McNally.

### Programming

This role is the responsibility of TRNT management who prepare a draft for consultation with the clubs and participants prior to it being submitted to the Board for approval.

### Performance Statistics (Jan-Dec 2015)

| Racedays              | 2015      | 2014      | 2013      |
|-----------------------|-----------|-----------|-----------|
| Darwin                | 36        | 39        | 41        |
| Alice Springs         | 34        | 34        | 33        |
| Adelaide River        | 3         | 1         | 2         |
| Katherine             | 1         | 1         | 1         |
| Tennant Creek         | 1         | 1         | 1         |
| <b>Total Racedays</b> | <b>75</b> | <b>76</b> | <b>78</b> |

| Races runs         | 2015       | 2014       | 2013       |
|--------------------|------------|------------|------------|
| Darwin             | 205        | 216        | 224        |
| Alice Springs      | 185        | 186        | 181        |
| Adelaide River     | 17         | 7          | 11         |
| Katherine          | 6          | 6          | 6          |
| Tennant Creek      | 6          | 6          | 5          |
| <b>Total Races</b> | <b>419</b> | <b>421</b> | <b>427</b> |

### Racedates

All racedates for the NT are set in consultation with the clubs after taking into account all manner of indicators, i.e. activities that are on in each area at various times of the year, racecourse promotions, etc.

The number of meetings scheduled in the 2015 financial year (Jan-Dec) was 76, the same as the previous year. However, due to the Fannie Bay pedestrian underpass works which took place in August and September, the mid-August meeting of the DTC was cancelled and the club's scheduled late-August

and mid-September meetings were held by the Adelaide River Race Club.

Darwin therefore raced on 36 occasions (three fewer than the previous year), Alice Springs 34 (same as the previous year), Adelaide River three (two more than the previous year), Katherine one and Tennant Creek one.

The Katherine Turf Club meeting was run five days after the Darwin Cup for the first time, and the change of date resulted in excellent fields, with a number of trainers who had attended the Darwin Cup Carnival using the meeting as an extra opportunity to earn stakemoney.

### Participant Incentives

There are three incentives that the TRNT pay to industry participants to encourage them to be involved and to make their participation more cost-effective.

These are payments to the owners of non-prizemoney earning horses, payments to jockeys of non-prizemoney earning horses and payments to owners of travel subsidies to attend country race meetings.

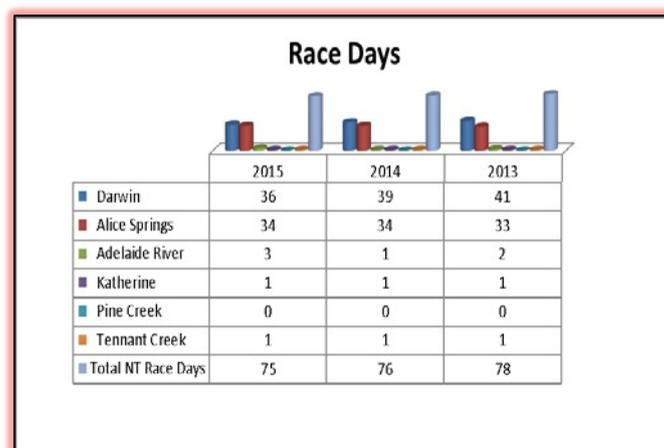
The owners' subsidy paid to each runner increased from \$420 to \$550 on 1 October 2015, while the jockeys' fee, the highest in Australia, was \$225 plus Superannuation Guarantee (9.5%) of \$21.38, meaning a total paid per ride of \$246.38.

The travel subsidies for the country meetings were substantial, with \$500 per runner at both Katherine and Tennant Creek, and \$200 for starters at Adelaide River, while all trainers and jockeys of horses which won at the country fixtures received an additional \$200.

### Prizemoney

As with programming, the TRNT Board approves the prizemoney and unplaced subsidy levels for the industry. TRNT makes every effort to grow returns to participants year on year, dependent on funding levels.

The amount paid to participants in stakemoney during 2015 amounted to \$6,868,700, a healthy increase on the previous year of \$212,377. Owners' unplaced subsidies amounted to \$842,760, while the unplaced jockeys' fees were \$467,376.



| Starters              | 2015         | 2014         | 2013         |
|-----------------------|--------------|--------------|--------------|
| Darwin                | 1,743        | 1,743        | 1,677        |
| Alice Springs         | 1,406        | 1,490        | 1,496        |
| Adelaide River        | 113          | 45           | 64           |
| Katherine             | 47           | 25           | 33           |
| Tennant Creek         | 39           | 36           | 46           |
| <b>Total Starters</b> | <b>3,348</b> | <b>3,339</b> | <b>3,316</b> |

**NB:** Adelaide River had three meetings in 2015, two more than the previous year.

| Average Starters per Race | 2015        | 2014        | 2013        |
|---------------------------|-------------|-------------|-------------|
| Darwin                    | 8.50        | 8.06        | 7.48        |
| Alice Springs             | 7.60        | 8.01        | 8.26        |
| Adelaide River            | 6.64        | 6.42        | 5.81        |
| Katherine                 | 7.83        | 4.16        | 5.50        |
| Tennant Creek             | 6.50        | 6.00        | 9.20        |
| <b>Overall Average</b>    | <b>7.99</b> | <b>7.93</b> | <b>7.76</b> |

### Capital Works

Each funding year, the Government grants the TRNT an amount of \$650,000 for capital works projects. The two major clubs are allocated a percentage of this amount, and they are at liberty to “bank” some of this allocation to be used on major projects in future years. This was largely the case in 2015, therefore fewer projects than is usually the case were undertaken, as follows:

**Alice Springs:** Paving under equine walking machine – \$12,027; Relocation of Periduki Marquee – \$61,641; replacement of bore water pump – \$14,967; purchase of second-hand Nissan Navara ute – \$6,500; purchase (in two stages) of Heath Road stable complex – \$75,000.

**Darwin:** Pedestrian tunnel project – \$350,000; application for gaming machine license and 55 machines – \$104,932.

**TRNT:** Raceday stewards’ video camera – \$34,308; fibre option cable for upgrade to stewards’ camera footage – \$4,536.

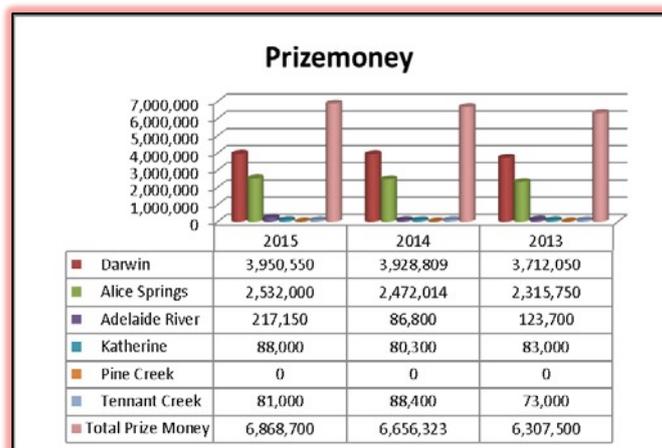
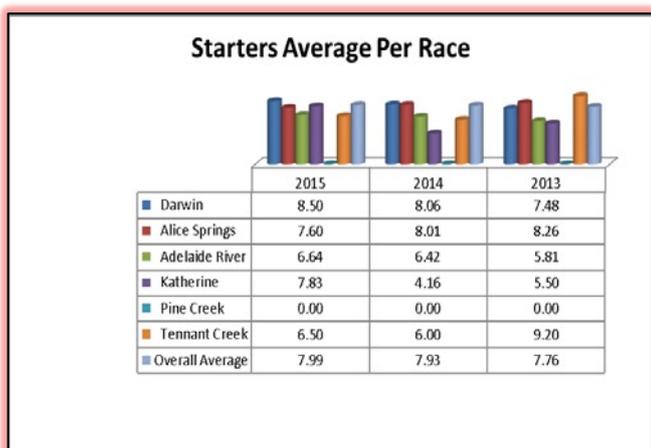
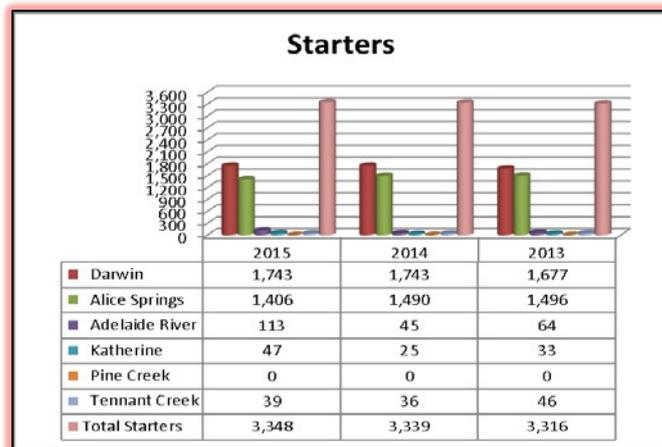
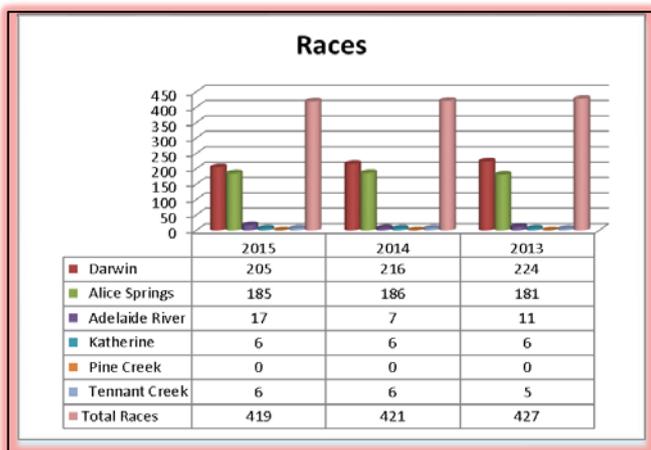
### NT Horse of the Year Awards

#### Darwin

|                           |                    |
|---------------------------|--------------------|
| Leading Trainer           | Gary Clarke        |
| Leading Jockey            | Brendon Davis      |
| Leading Apprentice Jockey | Felicia Bergstrand |
| Leading Carnival Trainer  | Neil Dyer          |
| Leading Carnival Jockey   | Raymond Vigar      |
| 3 yr old of the Year      | Flying Tormenta    |
| Sprinter of the Year      | Petman             |
| Middle Distance/Stayer    | King Kev           |
| Country Performer         | White Sambuca      |
| Out-of-Carnival Performer | King Kev           |
| Horse of the Year         | King Kev           |
| Character of Racing Award | Yvonne Forrest OAM |

#### Alice Springs

|                           |                |
|---------------------------|----------------|
| Leading Trainer           | Lisa Lefoe     |
| Leading Jockey            | Kim Gladwin    |
| Leading Apprentice Jockey | David Pisani   |
| 2 yr old of the Year      | Remember Razor |
| 3 yr old of the Year      | Sirbible       |
| Middle Distance/Stayer    | Sirbible       |
| Horse of the Year         | Sirbible       |



## Summary

Once again, it gives me great pleasure to report on the 2015 financial year (January-December) as Chief Executive of Thoroughbred Racing Northern Territory.

The most recent financial year showed a slight increase in horses competing on raceday, with starters up overall in the Territory by nine.

Darwin's numbers were identical to the previous year, with 1,743 runners competing in 205 races. The number of races was down 11 on the previous year, due mainly to the Pedestrian Underpass works which took place at Fannie Bay in August and September, forcing the cancellation of one meeting and the transfer of two (to Adelaide River). Average starters per race showed a healthy increase to 8.50 per race, up from 8.06 in 2014.

However, Alice Springs numbers were down significantly, with 1,406 starters as opposed to 1,490 in 2014, with one less race (185) than the previous year. Overall, average runners per race fell from 8.01 in 2014 to 7.60 last year, which represents a worrying trend that it is hoped can be arrested in 2016.

The country meetings at Tennant Creek (39 runners, up from 36 in 2014), Adelaide River (113 runners in three meetings as opposed to 45 runners at its sole meeting in 2014) and Katherine (47 runners, significantly up from 25 the previous year) were more than satisfactory.

The decision to run the Katherine Cup meeting on the Saturday following the Darwin Cup for the first time was extremely well received and a tremendous day's racing was showcased by the KTC team. Not surprisingly, the Katherine date will be retained in its present position in 2016.

While stakes remained constant during the year, the TRNT Board increased the unplaced subsidy from \$420 to \$550 from 1 October 2015. While this has been well received by the participants, it has yet to translate into increased runner numbers to the extent expected; however, it is early days and there is still confidence that it will have the desired effect.

The total amount paid out in stakes was \$6,868,700, or an increase of \$212,377 on the 2014 level.

As has become the norm, the Darwin Cup Carnival was again a tremendous month of racing and social action, with crowds holding their own, turnovers up and 130 visiting horses making Darwin home for the months of June-August.

The Gary Clarke-trained Lightinthenite was the undoubted star, setting track records in both his wins in the Darwin Cup and Chief Minister's Cup. His Darwin Cup win, in the hands of Sydney's leading rider Hugh Bowman, had to be seen to be believed, such was his domination of the event.

Spartan Eagle, trained by Bob Richard, did his connections proud with a runaway win in the XXXX Gold Alice Springs Cup on the first Monday in May. The five-day Carnival in the Red Centre again attracted good numbers both on and off the track, and continues to go from strength to strength.

In late August, and after an exhaustive process, Racing Minister Peter Styles announced that UBET (a subsidiary of Tatts Group) had been awarded a new 20-year totalisator

license in the Northern Territory. This announcement was welcomed by the industry, and TRNT is appreciative of its involvement with the Department of Business in the signing of this new agreement, which began on 1 November 2015.

As mentioned earlier, long-serving DTC delegate Charles Burkitt resigned his position on the Board in March and his place was taken by Cameron McNally. I would like to take this opportunity to thank Charles for his tremendous contribution to Territory racing – he joined the Board of TRNT in April 2008 and gave close on seven years of sterling service to the organisation.

I am indebted to the tireless support of all Board members, especially Chairman John Stewart. John's wise counsel, considered decision-making and availability makes my role all the more easier. Thank you John.

DTC delegates Brett Dixon, Rob Longuet and Cameron McNally, and Alice Springs' representatives Craig Lambley and Andrew Doyle make up a vibrant and constructive Board whose contributions to Territory racing cannot be overstated. A very big thank you for your assistance and support in assisting TRNT to function as well as it possibly can.

I would also like to offer my sincere thanks to the hard-working and dedicated staff of TRNT. Chairman of Stewards David Hensler has been with us for close on two years now and is a tremendous asset to the organisation. His knowledge of all things integrity, not to mention his strong OH & S background, has proven its worth to TRNT time and again, and I am indebted to David for his support and assistance.

Lee Twomey, David's assistant, is a vital cog in the wheel of TRNT, and her racing and racing administration knowledge is second to none. She is well supported by Maria Okwa, who handles many tasks including the compilation of the *Trackside* magazine, licensing and registration duties, with aplomb.

TRNT contracts the Darwin Turf Club accounting team to deal with the day-to-day running of its finances. This entails stakes payment, payroll, accounts payable/receivable, budget preparation, Board meeting financial reports and accounts preparation for the yearly audit, among other things. The team is headed by Barry Lloyd, who along with Jessica Knips, Robyne Jhowry and Dani Edgley do a fine job for TRNT.

Alice Springs Chairman of Stewards David Westover continues to hold Red Centre racing integrity together. David and his small raceday team do a great job and he is to be congratulated for the way in which he carries out his role.

Tracey Hamilton, TRNT's minute secretary, again did a great job for TRNT at each Board meeting with her meticulous recording of the discussion and decisions. Thank you Tracey.

I would like to also pay tribute to TRNT's long-serving audio-visual expert Bill Fletcher. Bill retired from the role following the 2015 Darwin Cup Carnival and his assistant Fletcher Waters took the reins, but Bill is still a constant around the place and his contribution to NT racing is immense.

Lastly, a big thank you to all the TRNT raceday staff for their superb efforts on behalf of the industry.

**Andrew O'Toole**  
Chief Executive

# Thoroughbred Racing NT Inc

## Statement of Comprehensive Income for the year ended 31 December 2015

|  | Notes     | 31 Dec 2015<br>(\$) | 31 Dec 2014<br>(\$) |
|--|-----------|---------------------|---------------------|
| <b>REVENUE</b>                                   |           |                     |                     |
| Northern Territory Government Funding            | <b>2</b>  | 15,025,357          | 14,411,368          |
| Operating Income                                 | <b>3</b>  | 666,065             | 194,604             |
| Club Racing Income Collected                     | <b>4</b>  | 2,135,956           | 1,746,251           |
| Prize Money Recouped from Clubs                  | <b>5</b>  | 40,000              | 36,000              |
| Interest Received                                |           | 164,145             | 164,048             |
| Other Income                                     | <b>6</b>  | 236,765             | 59,767              |
| Total Revenue                                    |           | <u>18,268,288</u>   | <u>16,612,038</u>   |
| <b>EXPENSES FROM ORDINARY ACTIVITIES</b>         |           |                     |                     |
| Administration Expenses                          | <b>7</b>  | 2,993,280           | 3,641,288           |
| Integrity Service Expenses                       | <b>8</b>  | 397,983             | 355,082             |
| Integrity Staffing Expenses                      | <b>9</b>  | 128,311             | 145,714             |
| Integrity Salaries and Employee Benefit Expenses |           | 1,094,709           | 1,121,126           |
| Grants to Thoroughbred Racing Clubs              | <b>10</b> | 3,641,615           | 2,734,259           |
| Returns to Industry Participants                 | <b>11</b> | 8,480,645           | 8,150,525           |
| Depreciation Expense                             |           | 213,528             | 248,403             |
| Allowance for Impairment                         |           | -                   | 115,000             |
| Total Expenses                                   |           | <u>16,950,071</u>   | <u>16,511,397</u>   |
| Surplus / Deficit for the Period                 |           | <u>1,318,217</u>    | <u>100,641</u>      |

*The Statement of Comprehensive Income is to be read in conjunction with the notes to the financial statements.*

# Thoroughbred Racing NT Inc

## Statement of Financial Position As at 31 December 2015

|  | Notes | 31 Dec 2015<br>(\$)     | 31 Dec 2014<br>(\$)     |
|--|-------|-------------------------|-------------------------|
| <b>CURRENT ASSETS</b>                                    |       |                         |                         |
| Cash and Cash Equivalents                                | 12    | 8,569,435               | 7,580,391               |
| Trade and Other Receivables                              | 13    | 713,098                 | 348,972                 |
| Other  | 14    | 373,086                 | 750,422                 |
| Total Current Assets                                     |       | <u>9,655,619</u>        | <u>8,679,785</u>        |
| <b>NON CURRENT ASSETS</b>                                |       |                         |                         |
| Property, Plant and Equipment                            | 15    | <u>134,653</u>          | <u>300,700</u>          |
| Total Non Current Assets                                 |       | <u>134,653</u>          | <u>300,700</u>          |
| Total Assets   |       | <u><u>9,790,272</u></u> | <u><u>8,980,485</u></u> |
| <b>CURRENT LIABILITIES</b>                               |       |                         |                         |
| Trade and Other Payables                                 | 16    | 5,503,475               | 6,024,891               |
| Provisions   | 17    | 96,635                  | 95,567                  |
| Trobis Reserve   | 18    | 96,735                  | 148,190                 |
| Accrued Jockey & Stablehand Workers' Compensation Income | 19    | 961,153                 | 901,730                 |
| Total Current Liabilities                                |       | <u>6,657,998</u>        | <u>7,170,378</u>        |
| <b>NON CURRENT LIABILITIES</b>                           |       |                         |                         |
| Provisions   | 17    | <u>31,347</u>           | <u>27,397</u>           |
| Total Non Current Liabilities                            |       | <u>31,347</u>           | <u>27,397</u>           |
| Total Liabilities  |       | <u><u>6,689,345</u></u> | <u><u>7,197,775</u></u> |
| <b>Net Assets</b>  |       | <u><u>3,100,927</u></u> | <u><u>1,782,710</u></u> |
| <b>ACCUMULATED FUNDS</b>                                 |       |                         |                         |
| Retained Surplus   | 21    | 2,476,954               | 1,080,508               |
| Capital Reserve  | 21    | 623,973                 | 702,202                 |
| Total Accumulated Funds                                  |       | <u><u>3,100,927</u></u> | <u><u>1,782,710</u></u> |

*The Statement of Financial Position is to be read in conjunction with the notes to the financial statements.*

# Thoroughbred Racing NT Inc

## Statement of Cash Flow for the year ended 31 December 2015

|   | Notes     | 31 Dec 2015<br>(\$)     | 31 Dec 2014<br>(\$)     |
|---|-----------|-------------------------|-------------------------|
| <b>CASH FLOWS FROM OPERATING ACTIVITIES</b>         |           |                         |                         |
| Receipts from Customers                             |           | 2,562,796               | 1,911,613               |
| Receipts from Government Funding                    |           | 14,868,503              | 14,625,309              |
| Interest Received                                   |           | 201,570                 | 164,048                 |
| Payments to Suppliers and Employees                 |           | (4,474,083)             | (5,585,238)             |
| Payments to Industry as Prizemoney and Subsidies    |           | (8,480,645)             | (8,150,525)             |
| Payments to Clubs as Funding                        |           | (3,641,615)             | (2,688,731)             |
| Net Cash Provided by (Used in) Operating Activities | <b>20</b> | <u>1,036,526</u>        | <u>276,476</u>          |
| <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>         |           |                         |                         |
| Proceed from Sale of Property, Plant and Equipment  |           | -                       | -                       |
| Purchase of Property, Plant and Equipment           |           | (47,482)                | (10,486)                |
| Net Cash Provided by (Used In) Investing Activities |           | <u>(47,482)</u>         | <u>(10,486)</u>         |
| <b>CASH FLOWS FROM FINANCING ACTIVITIES</b>         |           |                         |                         |
| Advance to Thoroughbred Racing Clubs                |           | (1,287,340)             | (100,000)               |
| Repayment from Thoroughbred Racing Clubs            |           | 1,287,340               | 100,000                 |
| Net Cash Provided by (Used In) Financing Activities |           | <u>-</u>                | <u>-</u>                |
| Net Increase in Cash and Cash Equivalents           |           | 989,044                 | 265,990                 |
| Cash and Cash Equivalents at Beginning of Period    |           | 7,580,391               | 7,314,401               |
| Cash and Cash Equivalents at End of Period          | <b>12</b> | <u><u>8,569,435</u></u> | <u><u>7,580,391</u></u> |

*The Statement of Cash Flow is to be read in conjunction with the notes to the financial statements.*

# THOROUGHBRED RACING NT

## Notes to the Financial Statements

For the year ended 31 December 2015

### 1. Significant Accounting Policies

#### (a) Basis of preparation

The financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Act. The committee has determined that the association is not a reporting entity.

The financial report has been prepared on an accrual basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets. The financial report is presented in Australian dollars.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report:

#### (b) Estimates and Judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgments, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgments about carrying values of assets and liabilities that are not readily apparent from other source. Actual results may differ from these estimates. These accounting policies have been consistently applied by Thoroughbred Racing NT.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised, if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

#### (c) Taxation

TRNT is considered to be exempt from income tax under section 50-10 of the Income Tax Assessment Act 1997.

# Notes to the Financial Statements

For the year ended 31 December 2015

## 1. Significant accounting policies (continued)

### (d) Going concern

The financial statements of TRNT have been prepared on the basis that TRNT is a going concern and will continue to operate. TRNT relies on grants provided by the Government, and the financial statements are prepared on a going concern basis on the understanding that such grants will continue.

### (e) Grants

Monies received by way of grants from Government bodies are brought to account in the income statement in the period in which the grant is intended. Grants that are received in advance are treated as accrued income.

### (f) Other income

Income from the sale of goods is recognised in the income statement when the significant risks and rewards of ownership have been transferred to the buyer.

### (g) Goods and services tax

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST) except where the amount of GST incurred is not recoverable from the taxation authority. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated with the amount of GST included. The net amount of GST recoverable from, or payable to, the ATO is included as a current asset or liability in the balance sheet.

### (h) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of twelve months or less.

### (i) Receivables

Receivables are stated at their cost less impairment losses.

# Notes to the Financial Statements

For the year ended 31 December 2015

## 1. Significant accounting policies (continued)

### (j) Property, plant and equipment

Items of property, plant and equipment are stated at cost less accumulated depreciation.

Property, plant and equipment is based on depreciated replacement cost. New property, plant and equipment acquired during year with a value of less than \$1,000 are expensed in the income statement.

The depreciation rates used for each class of depreciable assets are:

| Class                         | Depreciation Rate |
|-------------------------------|-------------------|
| Office Equipment              | 20%               |
| Computer Equipment            | 20% - 33.3%       |
| Stewarding & Racing Equipment | 10% - 33.3%       |
| Motor Vehicles                | 20%               |
| Television Studio Equipment   | 20%               |

#### *Impairment of assets*

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the assets fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the surplus or deficit.

Where the future economic benefits of the asset are not primarily dependent upon the assets ability to generate net cash inflows and when the entity would, if deprived of the asset, replace its remaining future economic benefits, value in use is determined as the depreciated replacement cost of an asset.

Where it is not possible to estimate the recoverable amount of an assets class, the entity estimates the recoverable amount of the cash-generating unit to which the class of assets belong.

Where an impairment loss on a revalued asset is identified, this is debited against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

### (k) Impairment

The carrying amounts of assets are reviewed at each balance sheet date to determine whether there is any indication of impairment. If any such indication exists, the asset's recoverable amount is estimated. An impairment loss is recognised whenever the carrying amount of an asset exceeds its recoverable amount. Impairment losses are recognised in the operating surplus.

Impairment of receivables is not recognised until objective evidence is available that a loss event has occurred. Significant receivables are individually assessed for impairment. Non-significant receivables are not individually assessed. Instead, impairment testing is performed by placing non-significant receivables in portfolios of similar risk profiles, based on objective evidence from historical experience adjusted for any effects of conditions existing at each balance date.

The recoverable amount of the other assets is the fair value less costs to sell.

# Notes to the Financial Statements

For the year ended 31 December 2015

## 1. Significant accounting policies (continued)

### (l) Payables

Payables are stated at cost.

### (m) Employee Entitlements

Provision is made for employee benefits accumulated as a result of employees rendering services up to the reporting date. These benefits include annual leave and long service leave. Liabilities arising in respect of annual leave and long service leave expected to be settled within twelve months of the reporting date are measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled.

Long service leave expected to be paid later than one year is measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date. Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using interest rates on national government guaranteed securities with terms to maturity that match, as closely as possible, the estimated future cash outflows.

TRNT also contributes to various accumulating Employee Superannuation Plans.

### (n) Segment Reporting

TRNT operates predominantly in one industry, being the controlling body of Thoroughbred Racing in the Northern Territory.

### (o) Incorporation

TRNT was incorporated on 28th October 2005. TRNT has been established to assume the roles, responsibilities and financial functions that were previously maintained by the Darwin Turf Club as the Northern Territory Principal Racing Authority.

As at 31 December 2015 the composition of the TRNT committee consists of:

|   |   |
|---|---|
| Chairman - as appointed by the Minister | - John Stewart.                                 |
| DTC - 3 representatives                 | - Brett Dixon, Robert Longuet, Cameron McNally. |
| ASTC - 2 representatives                | - Andrew Doyle, Craig Lambley.                  |
| Country Clubs - 1 representative        | - Andrew O'Toole.                               |
| CEO                                     | - Andrew O'Toole.                               |

### (p) Revenue Recognition

Registration and Transfer Fees - Revenue is recognised in the Income Statement when received.  
Fines and Licence Fees - Revenue is recognised in the Income Statement when accrued.

### (q) Northern Territory Principal Racing Authority

The Northern Territory Treasury provides TRNT, in its' capacity as the Northern Territory Principal Racing Authority, with funding to undertake Principal Racing Authority activities as determined in the Northern Territory Racing Industry Agreement.

# Notes to the Financial Statements

For the year ended 31 December 2015

## 1. Significant accounting policies (continued)

### (r) Territory Racehorse Owners Bonus Incentive Scheme (TROBIS)

TROBIS is a bonus scheme providing a major incentive for a person to participate in racing within the Northern Territory. TROBIS is designed to increase the horse base, particularly two and three year olds, by offering bonus incentives to the nominator/owner of a TROBIS registered horse.

Funds held in the TROBIS Reserve at 31 December 2015 was \$96,735.

### (s) Northern Territory Country Clubs

TRNT as Principal Racing Authority in the Northern Territory has responsibility under the Northern Territory Racing Industry Funding Agreement to control funding to the Northern Territory Country Clubs. This funding program is administered by the TRNT Committee and Management.

Funds held in the Northern Territory Country Clubs Reserve at 31 December 2015 was nil.

### (t) Accrued Jockey & Stablehand Workers' Compensation Income

TRNT as Principal Racing Authority in the Northern Territory has responsibility under the *Northern Territory Workers Rehabilitation and Compensation Act* to provide Workers Compensation Insurance cover for Jockeys and Stablehands.

Where the amount of annual Jockey & Stablehand Workers Compensation premium is less than the amount of funding provided, the balance is to be retained as accrued income and applied towards any future shortfall in funding for jockeys and stablehands workers compensation insurance.

Accrued Jockey & Stablehand Workers Compensation Income at 31 December 2015 was \$961,153.

# Thoroughbred Racing NT Inc

## Notes to the Accounts for the year ended 31 December 2015

|   | 31 Dec 2015<br>(\$) | 31 Dec 2014<br>(\$) |
|---|---------------------|---------------------|
| <b>2 Northern Territory Government Funding</b>  |                     |                     |
| Operational                                     | 12,675,357          | 11,568,035          |
| Jockey Workers' Compensation                    | 1,340,000           | 1,983,333           |
| Capital Works                                   | 800,000             | 650,000             |
| Television                                      | 210,000             | 210,000             |
|   | -                   | -                   |
|   | <u>15,025,357</u>   | <u>14,411,368</u>   |
| <b>3 Operating Income</b>                       |                     |                     |
| Licence Fees                                    | 65,936              | 67,879              |
| Registration Fees                               | 11,958              | 11,120              |
| Transfer Fees                                   | 23,723              | 22,336              |
| Fines and Fees                                  | 55,238              | 39,053              |
| Accounting Services Recovery - Darwin Turf Club | -                   | 39,500              |
| UBET Licensee Funding                           | 485,712             |                     |
| Other   | 23,498              | 14,716              |
|   | <u>666,065</u>      | <u>194,604</u>      |
| <b>4 Club Racing Income</b>                     |                     |                     |
| Acceptances                                     | 66,400              | 60,800              |
| Facility Fees                                   | 558,938             | 565,701             |
| Nominations                                     | 312,233             | 307,194             |
| TV Recovery                                     | 91,481              | 48,991              |
| Bookmaker Product Fees                          | 1,106,904           | 763,565             |
|   | <u>2,135,956</u>    | <u>1,746,251</u>    |
| <b>5 Prize Money Recouped from Clubs</b>        |                     |                     |
| Alice Springs Turf Club                         | -                   | 3,000               |
| Darwin Turf Club                                | 6,000               | 6,000               |
| Country Clubs                                   | 34,000              | 27,000              |
|   | <u>40,000</u>       | <u>36,000</u>       |
| <b>6 Other Income</b>                           |                     |                     |
| Clubs Contribution to Jockeys Riding Insurance  | 121,765             | 59,767              |
| Debt Recovery                                   | 115,000             | -                   |
| Other Income                                    | -                   | -                   |
|   | <u>236,765</u>      | <u>59,767</u>       |
| <b>7 Administration Expense</b>                 |                     |                     |
| Administration Expense                          | 1,829,495           | 2,433,710           |
| Appeal Expenses                                 | 4,721               | 39,200              |
| Australian Racing Board Expenses                | 39,139              | 44,091              |
| TRNT Board Meeting Expenses                     | 95,024              | 122,903             |
| Management Fees & Expenses                      | 23,783              | 26,679              |
| Industry Training Expenses                      | 63,547              | 41,010              |
| Clubs Racing Fees                               | 937,571             | 933,695             |
|   | <u>2,993,280</u>    | <u>3,641,288</u>    |

# Thoroughbred Racing NT Inc

## Notes to the Accounts for the year ended 31 December 2015

|  | 31 Dec 2015<br>(\$) | 31 Dec 2014<br>(\$) |
|--|---------------------|---------------------|
| <b>8 Integrity Services Expenses</b>         |                     |                     |
| Ambulance Service Expenses                   | 99,584              | 93,264              |
| Barrier Trial Jockey Fees                    | 4,250               | 4,773               |
| Handicapping Expenses                        | 21,345              | 24,075              |
| Photo Finish Expenses                        | 25,610              | 25,753              |
| Race Filming Expenses                        | 82,008              | 73,542              |
| Swabbing Analysis Expenses                   | 113,220             | 86,160              |
| Veterinary Expenses                          | 51,966              | 47,515              |
|  | <u>397,983</u>      | <u>355,082</u>      |
| <b>9 Integrity Staffing Expenses</b>         |                     |                     |
| Race Day Farrier Expenses                    | 24                  | -                   |
| Race Filming Expenses                        | 83,047              | 88,358              |
| Race Day Starting Expenses                   | 570                 | 1,886               |
| Stewarding Expenses                          | 44,670              | 55,470              |
|  | <u>128,311</u>      | <u>145,714</u>      |
| <b>10 Grant to Thoroughbred Racing Clubs</b> |                     |                     |
| <i>Capital</i>                               |                     |                     |
| Adelaide River                               | 19,133              | 6,195               |
| Alice Springs Turf Club                      | 254,977             | 129,731             |
| Darwin Turf Club                             | 625,886             | 45,330              |
| Katherine Turf Club                          | 17,533              | 6,195               |
| Tennant Creek                                | -                   | 42,951              |
| TRNT   | 15,533              | 6,027               |
|  | <u>933,062</u>      | <u>236,429</u>      |
| <i>Operational</i>                           |                     |                     |
| Adelaide River                               | 7,513               | -                   |
| Alice Springs Turf Club                      | 878,280             | 775,780             |
| Darwin Turf Club                             | 1,818,152           | 1,672,004           |
| Katherine Turf Club                          | -                   | 10,546              |
|  | <u>2,703,945</u>    | <u>2,458,330</u>    |
| <i>UBET Infrastructure Upgrade</i>           |                     |                     |
| Katherine                                    | 4,608               | -                   |
| Tennant Creek                                | -                   | -                   |
|  | <u>4,608</u>        | <u>-</u>            |
| <i>In-Kind Contributions</i>                 |                     |                     |
| Accounting Service - Darwin Turf Club        | -                   | 39,500              |
|  | <u>3,641,615</u>    | <u>2,734,259</u>    |

# Thoroughbred Racing NT Inc

## Notes to the Accounts for the year ended 31 December 2015

|  | 31 Dec 2015<br>(\$) | 31 Dec 2014<br>(\$) |
|--|---------------------|---------------------|
| <b>11 Returns to Industry Participants</b> |                     |                     |
| Prize Money                                | 6,892,245           | 6,652,541           |
| Unplaced Runners Fees                      | 842,210             | 795,060             |
| Unplaced Jockey Fees                       | 490,590             | 468,124             |
| TROBIS Contributions to Reserve            | 189,000             | 189,000             |
| Travel Subsidies                           | 66,600              | 45,800              |
|  | <u>8,480,645</u>    | <u>8,150,525</u>    |
| <b>12 Cash and Cash Equivalents</b>        |                     |                     |
| Cash on Hand                               | 460                 | 350                 |
| Cash at Bank                               | 6,671,244           | 233,226             |
| Term Deposits                              | 1,897,731           | 7,346,815           |
|  | <u>8,569,435</u>    | <u>7,580,391</u>    |
| <b>13 Trade and Other Receivables</b>      |                     |                     |
| <i>Current</i>                             |                     |                     |
| Debtors                                    | 32,085              | 154,440             |
| Less Provision for Doubtful Debts          | (4,104)             | (2,946)             |
|  | <u>27,981</u>       | <u>151,494</u>      |
| Loan to Alice Springs Turf Club            | -                   | 115,000             |
| Allowance for Impairment                   | -                   | (115,000)           |
|  | <u>-</u>            | <u>-</u>            |
| Accrued Income                             | 685,117             | 197,478             |
|  | <u>713,098</u>      | <u>348,972</u>      |
| <b>14 Other Current Assets</b>             |                     |                     |
| Prepaid expenses                           | 373,086             | 750,422             |
|  | <u>373,086</u>      | <u>750,422</u>      |
| <b>15 Plant and Equipment</b>              |                     |                     |
| Office Equipment at Cost                   | 20,993              | 17,776              |
| Accumulated Depreciation                   | (17,803)            | (17,078)            |
|  | <u>3,190</u>        | <u>698</u>          |
| Computer Equipment at Cost                 | 90,206              | 90,433              |
| Accumulated Depreciation                   | (77,485)            | (70,899)            |
|  | <u>12,721</u>       | <u>19,534</u>       |
| Stewarding & Racing Equipment at Cost      | 196,891             | 188,572             |
| Accumulated Depreciation                   | (146,336)           | (137,645)           |
|  | <u>50,555</u>       | <u>50,927</u>       |
| Motor Vehicles at Cost                     | 53,493              | 51,254              |
| Accumulated Depreciation                   | (47,743)            | (39,286)            |
|  | <u>5,750</u>        | <u>11,968</u>       |

# Thoroughbred Racing NT Inc

## Notes to the Accounts for the year ended 31 December 2015

|  | 31 Dec 2015<br>(\$) | 31 Dec 2014<br>(\$) |
|--|---------------------|---------------------|
| SkyRacing Vision Equipment   |                     |                     |
| Studio Equipment   | 1,170,173           | 1,135,727           |
| Accumulated Depreciation   | (1,107,736)         | (918,154)           |
|  | <u>62,437</u>       | <u>217,573</u>      |
| <br>   |                     |                     |
| Total Property, Plant and Equipment                                    | <u>134,653</u>      | <u>300,700</u>      |
| <br>   |                     |                     |
| Total at Cost  | 1,531,756           | 1,483,762           |
| Accumulated Depreciation   | (1,397,103)         | (1,183,062)         |
| Total Written Down Amount  | <u>134,653</u>      | <u>300,700</u>      |
| <br>   |                     |                     |
| <b>16 Trade and Other Payables</b>                                     |                     |                     |
| <i>Current</i>   |                     |                     |
| Creditors and Accrued Expenses   | 184,073             | 374,775             |
| Income received in Advance   | 5,319,402           | 5,650,116           |
|  | <u>5,503,475</u>    | <u>6,024,891</u>    |
| <br>   |                     |                     |
| <b>17 Provisions</b>   |                     |                     |
| <i>Current</i>   |                     |                     |
| Employee Entitlements  | 56,706              | 65,593              |
| NT Jockeys Welfare   | 39,929              | 29,974              |
|  | <u>96,635</u>       | <u>95,567</u>       |
| <br>   |                     |                     |
| <i>Non Current</i>   |                     |                     |
| Employee Entitlements  | <u>31,347</u>       | <u>27,397</u>       |
| <br>   |                     |                     |
| <b>18 Trobis Reserve</b>   |                     |                     |
| At Beginning of period   | 148,190             | 193,463             |
| TROBIS Contribution by Clubs   | 189,000             | 189,000             |
| TROBIS Contribution by Owners  | 60,545              | 71,727              |
| Trobis Bonus Payments  | (301,000)           | (306,000)           |
| At end of period   | <u>96,735</u>       | <u>148,190</u>      |
| <br>   |                     |                     |
| <b>19 Accrued Jockey &amp; Stablehand Workers' Compensation Income</b> |                     |                     |
| At Beginning of period   | 901,730             | 567,917             |
| Contribution by NT Government  | 1,427,713           | 333,813             |
| Transfer to TRNT for Club Operational Funding                          | (1,368,290)         | -                   |
| At end of period   | <u>961,153</u>      | <u>901,730</u>      |

# Thoroughbred Racing NT Inc

## Notes to the Accounts for the year ended 31 December 2015

|  | 31 Dec 2015<br>(\$) | 31 Dec 2014<br>(\$) |
|--|---------------------|---------------------|
| <b>20</b> Statement of Cash Flows  |                     |                     |
| <i>Reconciliation of Operating Result to Net Cash used in Operating Activities</i> |                     |                     |
| Net Surplus (Deficit)  | 1,318,217           | 100,641             |
| Depreciation   | 213,528             | 248,403             |
| <br><i>Change in Assets and Liabilities</i>  |                     |                     |
| Decrease (Increase) In Trade and Other Receivables                                 | 123,513             | 11,623              |
| Decrease (Increase) In Prepaid Expenses  | 377,337             | (116,268)           |
| Increase (Decrease) in Accrued Revenue   | (487,639)           | (33,138)            |
| Increase (Decrease) in Trade and Other Payables                                    | (521,416)           | (204,582)           |
| Increase (Decrease) in Provisions  | 5,018               | (18,743)            |
| Increase (Decrease) in the TROBIS Reserve  | (51,455)            | (45,273)            |
| Increase (Decrease) in the Jockey & Stablehand<br>Workers' Compensation Reserve    | 59,423              | 333,813             |
| Net Cash provided by (Used in ) Operating Activities                               | <u>1,036,526</u>    | <u>276,476</u>      |
| <br><b>21</b> Statement of Change in Accumulated Funds                             |                     |                     |
| <i>Retained Surplus</i>  |                     |                     |
| At beginning of year   | 1,080,508           | 1,594,518           |
| Transfer to Capital Reserve  | 78,229              | (614,651)           |
| Surplus (Deficit) for the year   | 1,318,217           | 100,641             |
| At end of year   | <u>2,476,954</u>    | <u>1,080,508</u>    |
| <br><i>Capital Reserve</i>   |                     |                     |
| At beginning of year   | 702,202             | 87,551              |
| Transfers from Retained Surplus  | (78,229)            | 614,651             |
| At end of year   | <u>623,973</u>      | <u>702,202</u>      |

## Statement by the Management Committee for the Year Ended 31 December 2015

### COMMITTEE MEMBERS

|                |                |
|----------------|----------------|
| Chairman       | John Stewart   |
| Secretary      | Andrew O'Toole |
| Treasurer      | Andrew O'Toole |
| Public Officer | Andrew O'Toole |

|              |                 |
|--------------|-----------------|
| Board Member | Brett Dixon     |
| Board Member | Robert Longuet  |
| Board Member | Cameron McNally |
| Board Member | Craig Lambley   |
| Board Member | Andrew Doyle    |

### PRINCIPLE ACTIVITY

To oversee Thoroughbred Racing in the Northern Territory.

### OPERATING RESULT

The net result for the period was \$1,318,217, (31 December 2014: profit \$100,641)

In the opinion of the management committee of Thoroughbred Racing NT Incorporated ("the Principal Club"):

- (a) the Principal Club is not a reporting entity;
- (b) the accompanying financial report, being a special purpose report, is drawn up so as to present fairly the state of affairs of the Principal Club as at 31 December 2015 and the results of the Principal Club for the period ended on that date;
- (c) the accounts of the Principal Club have been properly prepared and are in accordance with the books of account of the Principal Club; and
- (d) there are reasonable grounds to believe that the Principal Club will be able to pay its debts as and when they fall due.

Signed in accordance with a resolution by the Management Committee.

Dated at Darwin on this 31st day of March 2016.

|   |   |
|---|---|
|  |  |
| .....<br>Committee Member Name  | .....<br>Committee Member Name  |
| JOHN STEWART  | CAMERON McNALLY.  |



## **Independent auditor's report to the members of Thoroughbred Racing NT Inc**

We have audited the accompanying financial report, being a special purpose financial report, of Thoroughbred Racing NT Inc. (the "Association"), which comprises the statement of financial position as at 31 December 2015, the statement of comprehensive income and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory notes, and the committee's report.

### **The Responsibility of the Committee for the Financial Report**

The Association's Committee is responsible for the preparation and fair presentation of the financial report, and have determined that the basis of preparation described in Note 1, is appropriate to meet the requirements of the *Associations Act (NT)* and the Association's constitution and is appropriate to meet the needs of the members. The Committee's responsibility also includes such internal control as the Committee determines is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, we consider internal controls relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Committee as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Independence**

In conducting our audit we have met the independence requirements of the Australian professional accounting bodies.

**Auditor's Opinion**

In our opinion, the financial report presents fairly, in all material respects, the financial position of Thoroughbred Racing NT Inc. as at 31 December 2015 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the *Associations Act (NT)*.

**Basis of Accounting**

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Thoroughbred Racing NT Inc. to meet the requirements of the Associations Act and the Association's constitution. As a result, the financial report may not be suitable for another purpose.



Matthew Kennon  
Director

Darwin

Date: 31 March 2016



**Thoroughbred Racing  
Northern Territory**

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12 December 2016

Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601



**Submission re: TABCORP/Tatts**  
**Attention: Sam Campbell/Sarah Hilborn**

**Email: [mergers@accc.gov.au](mailto:mergers@accc.gov.au)**

Dear Sir/Madam

THOROUGHBRED Racing Northern Territory (TRNT) has been requested to make its views known to the Australian Competition and Consumer Commission (ACCC) in writing regarding the proposed merger of wagering companies TABCORP and Tatts.

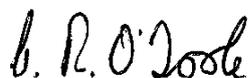
TRNT is supportive of the proposed merger for the following reasons:

- We believe that the proposed merger will provide a wide range of benefits for stakeholders and will enhance the long-term sustainability of the Australian racing industry, including job protection and funding certainty.
- A national pari-mutuel tote will deliver increased returns to both punters and stakeholders alike, while also allowing for further investment in improved customer experience, innovation and marketing initiatives.
- A merged entity will provide for a more efficient funding model for the entire industry, and in a small jurisdiction like the Northern Territory, will no doubt improve the returns to clubs through on-course betting commission receivables, therefore the flow-on effects to all stakeholders will be enhanced.
- The proposed merger will bring together two Australian betting icons, with a broad national footprint, to operate as one with a more efficient tote operation to support investment and innovation.
- The proposed merger will provide a significant opponent for the Corporate Wagering Service Providers that have taken over market share of digital and telephone wagering in recent times due to their diverse products and aggressive marketing. This in turn has led to reduced direct returns to the racing industry throughout Australia.
- The proposed merger will allow for further investment in new products, bet types and vastly superior digital technology, as well as improvements to retail outlets to encourage customers to participate.
- The proposed merger will allow for continued expansion of international pooling activities which will in turn give customers better returns on their wagering into the pari-mutuel market.

- The racing industry in the Northern Territory would no doubt benefit from various cost synergies with the proposed merger, i.e. procurement economies of scale, standardised development and maintenance teams, united marketing and promotional approach, etc., as well as additional new products that would be introduced from the merged entity.

We trust the above points will be of use to you when assessing the validity of the proposed combination of TABCORP and Tatts in so far as the Northern Territory racing industry is concerned.

Yours sincerely



Andrew O'Toole  
Chief Executive

30 January 2017

Australian Competition and Consumer  
Commission  
Level 35/360 Elizabeth Street  
MELBOURNE VIC 3000



**Submission re: TABCORP/Tatts**  
**Attention: Allana Burrone/Rebecca Burns**

**Email: [mergers@accc.gov.au](mailto:mergers@accc.gov.au)**

Dear Sir/Madam

THOROUGHBRED Racing Northern Territory (TRNT) has been requested to make its views known to the Australian Competition and Consumer Commission (ACCC) in writing regarding any competition issues arising from the proposed merger of TABCORP and Tatts Group in relation to the market for broadcasting of racing vision.

As you know, Tatts Group does not, and never has, been involved with the televising of racing vision.

TRNT, while its wagering partner is Tatts Group (NT Government contract), has its racing vision shown on Sky Channel, which obviously assists with the promotion of the local product and therefore the returns from wagering through not only Tatts, but other wagering service providers who pay a product fee for the privilege of betting on NT racing, including TABCORP.

Should the merger be successful, it follows that the new entity will have a direct interest in retail wagering in current Tatts Group states and territories, and the new entity will obviously need to ensure that customers can view the local and interstate racing, to enhance the media rights position in those states.

Also, if Sky Channel does not have the media rights for any state/club, the proposed merged entity with TABCORP as a partner will be keen to deal with any alternative broadcaster. TABCORP will have nothing to gain by preventing an alternative vision provider, as it is fully aware that racing clubs are funded principally through turnover and hence vision of the product is paramount.

To conclude, we don't believe that combining TABCORP's vision arm with Tatts Group's totalisator/retail networks will have any negative impact on competition in related wagering or racing media markets.

We trust the above points will be of use to you when assessing the validity of the proposed combination of TABCORP and Tatts in so far as the Northern Territory racing industry is concerned.

Yours sincerely

Andrew O'Toole  
Chief Executive