



## Australian Racing Board

### AMENDMENT TO AUSTRALIAN RULES OF RACING

#### Summary:

This matter involves two issues:

1. Further restrictions on disqualified persons; and
2. The extension of restrictions in respect of disqualified and suspended persons.

The Board believes that:

- It is essential that restrictions placed on disqualified and suspended persons are clearly and comprehensively addressed in the Rules of Racing.
- The issue of disqualified persons attending horse sales and related events needs to be directly addressed in the Rules.

#### Amendment to Rule 182:

**Please delete AR.182 and insert the following:**

“

- (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. “

**Date of Effect: 1 February 2015**

***Extension of Restrictions on Disqualified and Suspended Persons***

The ARB Board holds concerns over the potential active participation of disqualified or suspended individuals in certain public aspects of racing, which has the potential to reflect negatively on the industry.

The ARB Board considered that the Rules ought to be flexible enough to provide restrictions on disqualified or suspended persons so that they do not act to undermine or negatively impact upon the image of racing during their disqualification/suspension. It was considered preferable for there to be an express power to place certain restrictions on suspended or disqualified persons in respect of entering racecourses or other places, participating in media, and other matters.

**Addition of Rule 183F**

**Please insert AR.183F as follows:**

“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.”

**Date of Effect: 1 February 2015**