



Australian Racing Board

AMENDMENT TO AUSTRALIAN RULES OF RACING

Summary:

AR.64G makes it an offence to stomach-tube, attempt to stomach-tube, cause to be stomach-tubed or to be a party to the stomach-tubing of a horse on race day (prior to a race), or during the one clear day prior to the day of the race.

Stewards have raised an issue with AR.64G in that a party to the attempted stomach-tubing of a horse does not appear specifically to commit an offence under the rule.

The ARB Board decided that AR.64G should be amended to include an offence for being a party to an attempted stomach-tubing. Whilst AR.175(l) provides a general offence to attempt to commit a breach of the Rules, it is preferable for there to be an express provision for this offence.

The ARB Board decided that AR.196(5) be amended consequentially.

Amendment to Rule 64G

Please delete AR.64G and insert the following:

“(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.”

Date of Effect: 1 February 2015

Amendment to Rule 196(5)

Please delete AR.196(5) and insert the following:

“Where a person is found guilty of a breach of any of the Rules listed below, a penalty of disqualification for a period of not less than the period specified for that Rule must be imposed unless there is a finding that a special circumstance exists whereupon the penalty may be reduced:

AR.64G(2) (where the stomach-tubing or attempt to stomach-tube occurred on race day or on the one Clear Day prior to race day for a horse engaged to run in a race on that race day) – 12 months

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.”

Date of Effect: 1 February 2015