

AUSTRALIAN HARNESS RACING RULES Rules Amendments - HRA approved 11 December 2015

DICTIONARY

Amend Definition - Driver

“**Driver**” means a person who is on a racetrack or a registered or unregistered training track for the purpose of driving or riding a horse.

Delete Definition - Drug of Abuse

“**Drug of Abuse**” repealed, approved 11.12.2015

3. MEETINGS AND RACES

Nominations and acceptances

- **Add new Rule 23(14)**

23. (14) Once nominated for a race the Rules and policies of the Controlling Body conducting the race shall apply.

Claiming races

- **Add new Rule 75(2)(dd)**

75. (2) (dd) A person shall not lodge more than one claim for a horse in a claiming race;

5. HORSES

Age

- **Amend Rule 92**

92. (1) Save and except for sub-rule (2), provided that the service date of the foal is on or after 1st September the age of a horse shall be reckoned as beginning on 1st September in the next racing year.

(2) If a horse is foaled in New Zealand between 1st August and 31st August inclusive its age shall be reckoned as beginning on 1st September next following.

Eligibility for registration

- **Amend Rule 94A(1)**

94A. (1) This rule applies to all horses which are eligible to be registered under these Rules but have not yet been registered.

deregistration of a horse

- **Add new Rule 96A(3), (4), (5), (6), (7), (8), (9), (10)**
- **Add new Rule 96B**

96A. (3) Where a registered horse has been retired from racing or a decision has been made to not race the horse, the owner or trainer of the horse at the time of its retirement must, within one month of the horse's retirement, notify the Registrar by lodging the relevant form prescribed by the Registrar.

(4) The owner, or trainer of the horse at the time of its death shall:-

- (a) In the case of a horse which dies within 14 days of being entered for or participating in a trial or race notify the Controlling Body of the death within 24 hours of its occurrence.
- (b) In any other case notify the Controlling Body of the death within 28 days of its occurrence.

(5) A notification of death under sub rule (4) shall be in writing or such other form as the Controlling Body may determine.

(6) The person in possession of the dead horse's registration certificate shall within 7 days of such notification return the certificate to the Controlling Body.

(7) The owner or trainer shall comply with any direction given by the Stewards or the Controlling Body to verify the death.

(8) The owner or trainer of a horse whose death has been notified, or which should have been notified, under sub rule (4) shall not dispose of the carcass without the permission of the Stewards or the Controlling Body.

(9) Where notification has been given in accordance with sub-rule (3) the horse will cease to be registered and is ineligible to race unless it is re-registered.

(10) A person who fails to comply with this rule is guilty of an offence.

96B. Notification of deregistration or death shall be given to the Controlling Body on Form R25-A.

Bleeding attacks

- **Add new Rule 101B**

101B. If after inspection by a veterinary surgeon the Stewards determine that a horse has bled from one nostril, the horse shall not be eligible to race until it has trialed to the satisfaction of the Stewards.

Notification of disease or death

- Repeal Rule 105 (Refer to Rule 96A and 96B)
- Repeal Rule 105A (Refer to Rule 96A and 96B)

9. DRIVERS

Offences - relating to dress

- Add new Rule 159A(8)

159A. (8) A driver shall not be in possession of a modified body protector.

Offences - relating to careless driving

- Amend Rule 168(1)

168. (1) A person shall not before, during or after a race drive in a manner which is in the opinion of the Stewards:-

- (a) careless
- (b) reckless
- (c) incompetent
- (d) intimidatory
- (e) improper
- (f) foul or
- (g) likely to endanger person or horse.

Offences - relating to betting

- Renumber existing 173(3) to 173(6)
- Renumber existing Rule 173(4) to 173(3)
- Amend Rule 173(4)
- Add New Rule 173(5)

173. (3) For the purposes of this rule, betting area means those areas of a racecourse where betting with an approved wagering operator is conducted.

(4) A driver shall not authorise, enable, permit or allow another person to place a bet on a betting account of the driver.

(5) A driver shall not place or have an interest in a bet on any betting account other than an account registered in their own name.

(6) A driver who fails to comply with any provision of this rule is guilty of an offence.

12. PROHIBITED SUBSTANCES

Determination of prohibited substances

- **Add new Rule 188A(1)(d)**

188A. (1) (d) An endogenous substance where the concentration of that substance is in the opinion of the Stewards unusual or abnormal.

Out of Competition Testing

- **Amend Rule 190A(2)(a)**
- **Amend Rule 190A(2)(l)**

190A. (2) (a) haematopoiesis – stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycolepoetin beta (*Mircera*);

190A. (2) (l) hypoxia inducible factor (HIF)–1 stabilisers, including but not limited to ITPP (myoinositol trispyrophosphate); and hypoxia inducible factor (HIF) – 1 activators, including but not limited to Xenon and Argon;

Log Book

- **Amend Rule 190B(2)**
- **Renumber existing Rule 190B(3) to 190B(4)**
- **Renumber existing Rule 190B(4) to 190(6)**
- **Add new Rule 190B(3)**
- **Add new Rule 190B(5)**

190B. (2) For the purposes of this rule treatment includes:

- (i) all Controlled Drugs (Schedule 8) administered by a veterinarian
- (ii) all Prescription Animal Remedies (Schedule 4)
- (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
- (ix) shockwave therapy

- (x) acupuncture (including laser treatment)
- (xi) chiropractic treatment
- (xii) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS))
- (xiii) magnetic field therapy
- (xiv) ultrasound
- (xv) any form of oxygen therapy including hyperbaric oxygen therapy.

(3) Details of the treatment administered to any horse must be entered into the log book on the day of the administration.

(4) A trainer shall upon request produce such log book or register for inspection by the Stewards.

(5) A trainer shall retain possession of a log book for a period of two years.

(6) A trainer who fails to comply with the provisions of sub-rule (1), (3), (4) and (5) is guilty of an offence.

Stomach tubing, atomisers and other devices

- **Renumber existing Rule 193(7) to 193(8) and Amend**
- **Add amended Rule 193(7)**

193. (7) A person shall not allow or permit another person to attempt to perform or perform any of the actions prohibited by sub-rules (1), (2) and (3).

193. (8) A person who fails to comply with sub-rules (1), (2), (3) and (7) is guilty of an offence.

Holding of Drugs / Unregistered Substances

- **Delete sub-heading "Holding of Drugs"**
- **Replace with sub-heading "Unregistered Substances"**
- **Add new Rule 194A**

194A. A person who sells, supplies, distributes or attempts to sell, supply or distribute any substance or preparation that has not been registered, labelled, prescribed, or obtained in compliance with relevant State and Commonwealth Legislation is guilty of an offence.

14. GENERAL OFFENCES

Horses

- **Amend Rule 211**

211. A trainer or other licensed person for the time being in charge of a horse shall not leave the horse unattended at a racecourse whether in a stable or elsewhere.

Protective gear

- **Repeal Rule 224**

224. Rule 224 repealed, approved 11.12.2015.

Trainers

- **Amend Rule 226**

226. A trainer shall not permit a person to drive, train or carry out duties in breach of rules 202, 203 or 204.

Alcohol and related matters

- **Amend Rule 250(1)(b), (2), (3)**
- **Repeal 250(5)**
- **Add New Rule 250A**
- **Add New Rule 251A**
- **Amend Rule 252A**
- **Amend Rule 252B(e)(i)**
- **Add New Rule 252BB**
- **Amend Rule 252C**
- **Amend Rule 252D**
- **Repeal Rule 252E**
- **Repeal Rule 252F**

250. (1) A driver commits an offence if:-

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

(2) A driver may be prevented by the Stewards from driving 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 Rule 251 or by any other cause.

(3) In the event of an analysis of a sample taken from a driver indicating the presence of a substance banned by Rule 251, or if a driver refuses or fails to deliver a sample when directed to do so, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample, or attempts to do any of those things, 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 driving.

(5) *Rule 250(5) repealed, approved 11.12.2015.*

250A. (1) A person carrying on or purporting to carry on an activity regulated by licence at any time or carrying on official duties at a meeting commits an offence if:

(a) a sample taken from him or her is found upon analysis to contain a substance banned by Rule 251A, or

(b) he or she 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.

(2) A person carrying on or purporting to carry on a licenced activity at any time or carrying on official duties at a meeting may be prevented by the Stewards from conducting such activity or duties if in their opinion, based on any information, their own observations or on medical or other competent advice, his or her faculties may be impaired by any substance banned by Rule 251A or by any other cause.

(3) In the event of an analysis of a sample taken from a person carrying on or purporting to carry on a licenced activity at any time or carrying on official duties at a meeting indicating the presence of a substance banned by Rule 251A, or if such person refuses or fails to deliver a sample when directed to do so, or tampers with, adulterates, alters, substitutes or in any way hinders the collection of such sample or attempts to do any of those things, 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 conducting licensed activities or official duties.

(4) In the event of a person under this rule incurring a penalty or being prevented from conducting licensed activities or official duties, the person shall not resume such activities or duties until they deliver a sample, as directed by the Stewards, that is free of any substance banned by Rule 251A.

(5) For the purpose of this rule and Rule 251A, a person carrying on official duties includes veterinarians, farriers, track attendants, swabbing assistants, clerks of course, judges, starters and stewards.

251A. The following substances and/or their metabolites, artifacts, and isomers are declared as banned substances when present in a urine sample (unless otherwise stated) at a concentration above the applicable cut-off level in persons carrying on or purporting to carry on at any time official duties at a race meeting:-

- (a) Lysergic acid diethylamide (LSD) (0µg/L).
- (b) 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.
- (c) Alcohol (at a concentration in excess of 0.02% on a breath analyser).
- (d) All stimulants – substances in this group include, but are not restricted to, Amphetamine (150µg/L): Methylamphetamine (150µg/L): Methylenedioxyamphetamine (MDA) (150µg/L): Methylenedioxyethylamphetamine (MDEA) (150µg/L): Methylenedioxymethylamphetamine (MDMA) (150µg/L): Methylphenidate (0µg/L): Modafinil (0µg/L): Cocaine (100µg/L): Ephedrine (10,000µg/L).
Substances in this group excluded are: Levo-amphetamine: Levo-methylamphetamine: Phenylpropanolamine: Pseudoephedrine.
- (e) All opiates and opioids – substances in this group include, but are not restricted to, Morphine (0µg/L, save as specified by Rule 252: Codeine (0µg/L, save as specified in Rule 252): 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.

- (f) 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).
- (g) 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 (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).

252A. 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 Rule 250 or 250A. 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.

252B. Notwithstanding the provisions of Rule 250, the Stewards may permit a driver to receive a specified banned substance, subject to the following conditions:-

- (e) The driver must:-
 - (i) Before driving make application to the Controlling Body for permission to drive with a specifically prescribed banned substance in his system.

252BB. Notwithstanding the provisions of Rule 250A, the Stewards may permit a person referred to in Rule 250A 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 that person.
- (b) The medication must be prescribed by a medical practitioner.
- (c) The medical practitioner must certify:-
 - (i) The nature of the illness, condition or ailment being suffered by such person.
 - (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 person carrying on or purporting to carry on licensed activities or official duties to the extent that it could in any way constitute a danger to that person or others.
- (d) The person carrying on or purporting to carry on licensed activities or official duties must if requested submit to medical examination by a medical practitioner appointed by a Controlling Body to advise it on the matters raised in sub-paragraphs (i), (ii), and (iii) of paragraph (c) of this Rule.

- (e) The person carrying on or purporting to carry on licensed activities or official duties must:-
- (i) Before engaging in the relevant activity make application to the Controlling Body for permission to conduct the activity 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 conduct the activity effectively and/or safely.
 - (iv) Renew his application for exemption on each occasion on which he applies for the renewal of his license.
- (f) Under no circumstances shall a person be granted retrospective exemption under this rule.

252C. A licensed person or official, when carrying on or purporting to carry on a licensed activity or duties related to the care and control of horses or the conduct of a race shall not be, in the opinion of the Stewards, under the influence of alcohol or other drugs.

252D. For the purposes of Rules 250, 250A and 252C:

(a) the Stewards may administer any test or use any equipment as they consider appropriate;

(b) A urine sample provided by a person to whom those rules apply shall only be declared free of any banned substance if the sample contains a creatinine concentration of 200mg/L or greater. In the event that the urine sample does not contain this concentration, the person shall be required to deliver a further urine sample or samples as directed by the Stewards.

Rule 252E. *repealed, approved 11.12.2015*

Rule 252F. *repealed, approved 11.12.2015*

15. PENALTIES

Penalties

- **Amend Rule 256(5)(a)**

256. (5) (a) Penalties other than a period of disqualification or a warning off under this or any other rule may be suspended for a period not exceeding two years upon such terms and conditions as the Controlling Body or Stewards see fit;

16. DISQUALIFIED PERSONS

Restrictions

- **Add new Rule 259(1)(j)**

259. (1) A disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority or a person warned off cannot do any of the following -

(j) place, or have placed on their behalf, or have any other interest in, a bet on any Australian harness racing race;

- **Amend Rule 259(7)**

(7) A disqualified person who fails to comply with this Rule is guilty of an offence and is liable to a penalty.

- **Add new Rule 259A**

259.A In addition to any penalty imposed pursuant to Rule 259(7) the original period of disqualification shall unless otherwise ordered by the Stewards automatically recommence in full.

Disqualification by conviction

- **Amend Rule 267(1), (2)**
- **Add new Rule 267(3)**

267. (1) Subject to sub-rule (2) the Stewards may for such period and on such conditions as they think fit, disqualify a person who is found guilty of a crime or an offence in any State or Territory of Australia or in any country.

(2) Where a person is convicted of a crime or offence in any State or Territory of Australia or in any country and sentenced to a period of imprisonment the Stewards shall disqualify that person for a period that is at least equivalent to the period of imprisonment.

(3) Sub-rule (2) shall apply where either part or whole of the period of imprisonment is suspended.

22. MONTÉ RACING

Horses

- **Amend Rule 331**

331. A horse that in the opinion of the Stewards breaks gait clear of interference in the final 200 metres of a race shall be disqualified from the race.

Licences

- **Amend Rule 334(2)**

334. (2) An unlicensed person or a person who holds a stable hand licence pursuant to Part 4 of these Rules and who is not younger than 16 years must complete at least three (3) Monte trials to the satisfaction of the Stewards.

AUSTRALIAN HANDICAPPING REGULATIONS

Handicapping Regulations 16(b) and 16(c) were approved 11 December 2015, effective 1 January 2016.

16. PENALTIES FOR DISQUALIFIED AND PROMOTED HORSES

If a horse wins a race (“the subject race”) and is subsequently disqualified as the winner of the subject race, other than as a result of a protest on the day of the race, then:

- (b) The disqualified horse shall not incur any penalty in respect of the subject race.
- (c) If the disqualified horse has won a race or races following the subject race and prior to its disqualification it shall incur the penalties provided by these rules applicable to the other race or races which it has won, and:-
 - (i) The horse shall then be reclassified in accordance with Rule 16(b).
 - (ii) For the obviation of doubt, the horse shall be deemed eligible for such other race or races which it has won.

Summary of Amendments – HRA approved 11 December 2015

RULES AMENDED

92, 94A(1), 168(1), 173(4), 190A(2)(a), (l), 190B(2), 193(7), (8), 211, 226, 250(1)(b), (2), (3), (5), 252A, 252B(e)(i), 252C, 252D, 256(5)(a), 259(7), 267(1), (2), 331, 334(2)

NEW RULES / SUB-RULES

23(14), 75(2)(dd), 96A(3), (4), (5), (6), (7), (8), (9), (10), 96B, 101B, 159A(8), 173(5), 188A(1)(d), 190B(3), (5), 194A, 250A, 251A, 252BB, 259(1)(j), 259A, 267(3)

RULES REPEALED

105, 105A, 224, 250(5), 252E, 252F

RULES RENUMBERED

173(3) to 173(6), 173(4) to 173(3), 190B(3) to 190B(4), 190B(4) to 190B(6), 193(7) to 193(8)

AMEND DICTIONARY DEFINITION

Amend "Driver" definition

Delete "Drug of Abuse" definition

AUSTRALIAN HANDICAPPING REGULATIONS AMENDED

16(b), (c)