



Australian Racing Board Limited

NOTICE

To: Chief Executives, Principal Racing Authorities

From: Andrew Harding, Chief Executive ARB

Date: 10th July 2009

Subject: Amendments to the Australian Rules of Racing

Please note the amendments to the Australian Rules of Racing made by the Australian Racing Board at its meeting on Thursday, 18th June 2009, and by a circular resolution authorised by section 284A of the Corporations Act. The Racing Calendars are being informed accordingly.

Paragraph (t) added to AR.7, as follows –

- “(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.”

AR.138 deleted and replaced by the following rule, effective 1st September ,2009:

“**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.63, as follows, added to the Australian Rules, effective 1st September ,2009:

“**AR.63.** The nominator of a horse for a Group or Listed Race which is to be run within the next 30 days who decides that his horse will not start in such race shall immediately after making that decision withdraw the horse from the race concerned.”

AR.175(hh) amended by inserting after the word “race” the words “, official trial, jump-out, or training gallop, effective 1st September ,2009:”.

Paragraph (hh) then to read:

“(hh) Any person who uses, or 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. ”

AR.92A deleted and replaced with the following provision, effective 1st August ,2009:

“**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) An 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 in their opinion any aspect of his race riding technique, method or practice may be a hazard to himself or other riders, or may be contrary to the interests of horse welfare or may involve a breach of the Rules.”

AR137A amended by adding subrule (9), as follows, effective 1st August, 2009:

“(9) No right of objection or protest against the placing of a horse shall exist as a result of any breach of this rule.

AR.83 amended by deleting paragraph (b) and replacing it with the following paragraph (b), effective 1st September, 2009:

“(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”

AR.178A deleted and replaced by the following rule, effective 1st September, 2009:

“**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 being 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 being 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 –

- (c) to administer a prohibited substance to a horse; or
- (d) to produce a prohibited substance in a horse.

The Stewards may impose terms or conditions on a permission granted under this subrule.

(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, and any substances or items concerned may be confiscated.

AR68A (2) deleted and replaced by the following subrule (2), effective 1st September, 2009:

“(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.”

AR68A amended by adding subrule (4), as follows, effective 1st September, 2009:

“(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.”

AR.64K amended by deleting subrule (1) and replacing it with the following subrule (1), effective 1st September, 2009:

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

- African horse sickness
- Borna disease
- Contagious equine metritis
- Dourine
- Epizootic lymphangitis

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

Subrule (7A) of AR64K amended, effective 1st September 2009, by -

- (a) deleting in (7A) the words “Where a declaration has been made under subrule (1)”;
- (b) deleting in (7A) the word “in” and replacing it with the words “any person”.
- (c) Renumbering subrule (7A) subrule (8)
- (d) Renumbering subrule (8) subrule (9)

New subrule (8) then to read:

“(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.”

AR.87A amended by adding subrule (3), as follows, effective 1st September, 2009:

“(3) Every person leading or attending a horse shall wear fully enclosed and substantial footwear of a standard approved by the Stewards.”

AR.175 amended by adding the following subparagraph (iv) to paragraph (o), effective 1st September, 2009:

“(iv) to provide proper and sufficient nutrition for a horse.”

Paragraph (n) of AR.175 amended by replacing the words “upon a horse”, twice occurring, with the words “to a horse”, effective 1st September, 2009
Paragraph (n) then to read:

“(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”.

Subparagraph (i) of paragraph (o) of AR.175 amended by deleting the words “the commission of”; and that the word “upon” be replaced by the word “to” effective 1st September, 2009.

Subparagraph (i) of paragraph (o) then to read:

“(o)(i) To exercise reasonable care, control or supervision of a horse to prevent an act of cruelty to the animal; and/or”.

AR.51A, as follows, added to the Australian Rules, effective 1st September, 2009:

“**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.”

AR.161 to AR.174 deleted and replaced by the following Rules, effective 1st September, 2009:

AR.161. Except as provided in Rule 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 Rule 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 A.R. 165 at any time before weight is declared.

AR.165. (1) Any objection by the persons mentioned in Rule 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) 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.

(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.

AR167 [rescinded 1.9.09]

AR.168. 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.

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.

AR150 deleted and be replaced with the following rule, effective 1st September, 2009:

“**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.”

AR.1 (definitions) amended by the addition of the following definition of “Correct Weight”, effective 1st September, 2009:

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

AR.118 amended, effective 1st September, 2009 by omission of the words “In weighing no account shall be taken of fractions of a half kilogram.”; **and that AR.118 so amended be renumbered AR.91. AR.91** then to read:

“**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.”

New rule AR.118 added to the Australian Rules, effective 1st September, 2009, as follows:

“**AR.118.** When calculating a rider’s weight in weighing-out or weighing-in –

- (a) no account shall be taken of fractions of a half kilogram, and,
- (b) the following items shall be included by the rider in the weight:
 - (i) any item of clothing worn by the rider, excluding the helmet, goggles, other face protection and gloves;
 - (ii) the saddle, lead bag and associated packing, excluding the saddle cloth;
 - (iii) any other gear attached or to be attached to the saddle.”

AR.147. & AR. 148 rescinded, effective 1st September, 2009.

AR.124, AR.125, AR.126, AR.129, AR.130, AR.131, AR.132, AR.132A and AR.134 deleted and replaced by the following Rules, effective 1st September, 2009:

“**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.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.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. “

AR128 repealed and replaced by the following rule, effective 1st September, 2009:

“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”.

AR133 deleted and replaced with the following Rule, effective 1st September, 2009:

“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.1. amended by the addition of the following definitions, effective 1st September, 2009:

“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.

“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.”

“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.”

As a consequence of the addition of definitions of “Official Trial”, “Jump-out” and “Trackwork” the following Australian Rules were amended as described hereunder, effective on 1st September, 2009.

AR.8(z) added, to read:

“(z) 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. ~~to their satisfaction.~~”

AR.10A(1) amended to read:

“**AR.10A.** (1) The Stewards may inquire into, and adjudicate upon, any incident or occurrence arising at any ~~organised~~ official trial or training facility.”

AR.10A(2) amended to read:

“(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-out, trackwork, or associated activity;
- (b) inquire into and adjudicate upon any suspected breach of the Rules or of any regulations, by-laws or conditions established by a race club or other responsible body for the conduct of ~~organised~~ official trials, jump-outs or the use of any training facility;
- (c) take any action deemed necessary in respect of any horse involved in any inquiry conducted under this rule.”

AR.54 (1), (2) and (4) amended to read:

“**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.

(2) If a horse trained outside Australia is entered for a race or ~~organised~~ 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.

(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 punished and the entry of such horse for any race or official trial may be rejected or cancelled.”

AR.56A amended to read:

"**AR.56A.** No horse, if in Australia, shall be entered for or run in any race, ~~organised~~ official trial or jump-out unless it is trained by a person with a licence or permit to train. Provided that this rule shall not apply to a horse entered for a race the entries for which close more than 60 days prior to the advertised date for the running of such race. Further provided that this rule shall not apply to any other race excepted under the Rules."

AR.182(1)(e) amended to read:

“(e) Enter or nominate a horse for a race or ~~barrier~~ official trial; or”

AR.183B(a) amended to read

“**AR.183B.** Except with the consent of the Principal Racing Authority or the Stewards who imposed the suspension, a suspended trainer or person holding a permit to train shall not during the period of that suspension:-

(a) As a trainer or permit holder, nominate a horse for a race or a ~~barrier~~ an official trial; or”

Definition of “Rider” in AR.1. amended to read:

"**Rider**" means a jockey, apprentice jockey, amateur rider, approved rider, or any other person who rides a horse in a race, official trial or jump-out or during trackwork."

AR.8(jj) amended to read:

"(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."

AR.49 amended to read:

"**AR.49.** No horse in which a person under the age of 18 years has an interest whether by lease or a share in ownership or outright ownership shall be eligible for any race, ~~or~~ official trial or jump-out."

AR.53C amended to read:

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

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

AR.59B(b) amended to read:

"(b) A trainer wishing to race, 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."

AR.59B(c) amended to read:

"(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."

AR.59B(d) amended to read:

"(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, ~~or~~ official trial or jump-out in their area."

AR.64A amended to read:

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

(2) A horse that has partially impaired vision is ineligible for any race, official trial, jump-out or trackwork unless the Stewards are satisfied on specialist veterinary evidence that the impairment does not constitute a danger to such horse or other participants in a race, official trial, jump-out or trackwork.

(3) In the event of a horse being suspected of being blind or having impaired vision the owner of the horse or his agent shall as soon as practicable notify the Stewards, who shall then ensure that –

- (a) details of the horse’s impaired vision and any related embargo are recorded in the National Stewards Embargo Register; and,
- (b) if applicable, details of the horse’s impaired vision and any related embargo are recorded and are certified by the relevant veterinary surgeon on its Document of Description.

(4) Any person who, in contravention of subrules (1) or (2) of this rule, enters or runs a horse in a race, ~~or~~ official trial or jump-out or permits a horse to engage in trackwork, or fails to notify the Stewards as required by subrule (3), commits a breach of these Rules unless he proves to the satisfaction of the Stewards that he was not aware, and should not reasonably have been aware, that the horse has the blindness or impaired vision specified in this rule.”

AR.64B amended to read:

“AR.64B. (1) A horse that has had a limb neurectomy or any artificial form of permanent limb desensitisation is ineligible ~~to~~ for any race, official trial, jump-out or trackwork.

(2) A horse that has had any artificial form of temporary limb desensitisation is ineligible ~~to~~ for any race, official trial, jump-out or to participate in trackwork for such time as the Stewards may specify.”

AR.64C amended to read:

“AR.64C. A horse which has had a tracheostomy, with or without a tracheotomy tube inserted, is ineligible ~~to~~ for any race, official trials trial, or race jump-out or to participate in trackwork.”

AR.64E(1) be amended to read:

“AR.64E(1). No mare or filly shall race or take part in any ~~trials~~ official trial, jump-out or trackwork after day 120 of its pregnancy.”

AR.64F(1) amended to read:

“AR.64F. (1) A horse that has been subjected to a firing procedure in Australia is ineligible ~~to~~ for any race, official trial, jump-out or trackwork.”

AR.64G amended to read:

“AR.64G. (1) No horse engaged to be run in a race, ~~or~~ official trial or jump-out shall without the permission of the Stewards be stomach-tubed within 24 hours of the appointed starting time for such race, ~~or~~ official trial or jump-out. For the purposes of this rule “stomach-tubed” means any application to a horse of a naso-gastric tube.

(2) Any horse that has been stomach-tubed contrary to the provisions of subrule (1) of this rule may be prohibited from starting in any relevant race, ~~or~~ official trial or jump-out, and the trainer of the horse and any other person involved at any relevant time may be penalised”

AR.80G(8) amended to read:

"(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, ~~or~~ official trial or jump-out until they are satisfied that such horses are being trained in accordance with the Rules."

AR.81(4) be amended to read:

"(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, ~~or~~ 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."

AR.81A(2) amended to read:

"(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. "

AR.81E(c)(iii) amended to read:

“(iii) that the medication would not affect the rider in a race, official trial, jump-out or trackwork to the extent that it could in any way constitute a danger to the rider or other riders;”

AR.81F(1)(a) amended to read:

"(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."

AR.81G subrules (1) & (2) amended to read:

“(1) A pregnant rider shall not ride in races, official trials jump-outs or trackwork after the first trimester of her pregnancy.

(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."

AR.86A amended to read:

"**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."

Subrule (1) of AR.87A amended to read:

"(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 and jump-outs if a rider wears race boots the saddle shall be equipped with race irons."

AR.137A amended as follows. Effective 1st August 2009.:

AR137A. (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, ~~or~~ 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 whips of a design and specifications approved by a panel appointed by the Australian Racing Board may be carried in trackwork.

(3) The Stewards may penalise any rider who in a race, official trial, jump-out or trackwork, or elsewhere uses his whip in an excessive, unnecessary or improper manner.

(3) Without affecting the generality of subrule (3) of this rule, the Stewards may penalise any rider who in a race, official trial or jump-out uses his whip –

- (a) forward of his horse's shoulder or in the vicinity of its head; or
- (b) using an action that raises his arm above shoulder height; or
- (c) when his horse is out of contention; or
- (d) when his horse is showing no response; or
- (e) after passing the winning post; or
- (f) causing injury to his horse; or
- (g) when his horse is clearly winning ; or
- (h) has no reasonable prospect of improving or losing its position, or
- (i) in such manner that the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that this was neither deliberate nor reckless.

(5) In a race a rider using the whip must give his horse time to respond and, other than on one occasion in the last 200 metres when the whip may be used in three consecutive strides, the whip shall not to be used in consecutive strides, other than in a slapping motion down the shoulder, with the whip hand remaining on the reins, or alternatively in a backhand manner.

(6) A rider shall not use the whip more than 5 times prior to the 200 metres other than with a slapping motion down the shoulder, with the whip hand remaining on the reins, or alternatively in a backhand manner

(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.

AR.137B amended to read:

“**AR.137B.** The Stewards may penalise any rider who in a race, ~~or~~ official trial, jump-out or in trackwork, or elsewhere uses his spurs in an unnecessary, excessive or improper manner.”

AR.140A be amended to read:

“**AR.140A.** Any person guilty of carelessness or neglect in the saddling and fitting of gear to a horse when it is presented for a race, official trial, jump-out or trackwork commits a breach of these Rules.

AR.140B(1) be amended to read:

“**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 ~~barrier~~-trial, jump-out or in trackwork. Provided that the Stewards may approve other gear to be used in trackwork.”

AR.175(e) amended to read:

“(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.”

AR.175(m) amended to read:

“(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, ~~or~~ official trial or jump-out.”

AR.182(1)(d) amended to read:

“**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 by the Stewards or a Principal Racing Authority shall not during the period of that disqualification:

(e) Ride any racehorse in any race, official trial, jump-out or test;"

AR.183A(1) amended to read:

“**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.”

AR.183B(a) amended to read:

“(a) As a trainer or permit holder, nominate a horse for a race, ~~or an~~ official barrier trial or jump-out;

AR.64G amended to read:

“**AR.64G** (1) No horse engaged to be run in a race, ~~or~~ official trial or jump-out shall without the permission of the Stewards be stomach-tubed within 24 hours of the appointed starting time for such race, ~~or~~ official trial or jump-out. For the purposes of this rule ”stomach-tubed” means any application to a horse of a nasogastric tube

(2) Any horse that has been stomach-tubed contrary to the provisions of subrule (1) of this rule may be prohibited from starting in any relevant race, ~~or~~ official trial or jump-out, and the trainer of the horse and any other person involved at any relevant time may be punished.”

AR.14 amended to read:

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

AR.1 (definitions) amended by the definition of “Punishment” being deleted and replaced by the following definition, effective 1st September, 2009:

“**Penalty**” includes the suspension or partial suspension of any licence, disqualification and the imposition of a fine, and “penalise” has a corresponding meaning.

As a consequence, **AR.7(f) , 7(h), AR.7(j), AR.8(x), AR.179(a), AR.179(b), AR.179(c), AR.179, AR.197 and AR.199(a) amended, as follows –**

The word “punishment” being replaced by the word “penalty”.

AR.7(g) amended by the word “punishments” being replaced by the word “penalties”.

The heading “PUNISHMENTS” appearing before **AR.179** replaced by the heading:

“**PENALTIES**
(except weight penalties)”

AR.7(d), AR.7(s), AR.8(e), AR.8A, AR.17, AR.59B(f), AR.85B, AR.92A(3), AR.114©, AR.117(2) , AR.137A(1), AR.137A(2), AR.137A(3), AR.137B, AR.175 and AR.196(1) amended, as follows –

The word “punish” being replaced by the word “penalise”.

AR.8D, AR.54(4), AR.56, AR.56B, AR.62©, AR.64G(2), AR.68A(3), AR.69K, AR.80F(2), AR.83, AR.84, AR.85A(5), AR.85B, AR.87C (twice), AR.87D, AR.89, AR.94, AR.95, AR.96, AR.120(b), AR.135(c), AR.137, AR.143(b), AR.144, AR.145, AR.175A,

AR.177B(1), AR.178 and AR.178A amended, as follows –

The word “punished” being replaced by the word “penalised”.

AR.80D be amended by adding the words “Any person breaching this rule or found responsible for a breach of this rule may be penalised.”

The rule then to read:

“**AR.80D.** A trainer must ensure that every horse that is being led or ridden outside his stable premises in a public roadway or thoroughfare prior to sunrise wears a

rug or other gear with reflective strips and that its rider or attendant wears a reflective vest of a design approved by the Stewards. Any person breaching this rule or found responsible for a breach of this rule may be penalised.”

AR.8A amended by replacing the words”AR.8(n)” with words “AR.8(e)”. **AR.8A. then to read:**

“AR.8A. The powers given the Stewards AR.8 (j),(l), (n), (o) and (u) may be exercised by the Chairman of Stewards, or the Steward acting as such, at any meeting, save and except that the power to punish under AR.8(e) be exercised only by the Stewards.”

RULES SUBSEQUENTLY APPROVED BY CIRCULATED RESOLUTION

AR196 deleted and replaced with the following Rule, effective 1st August, 2009.

“AR.196.(1) Subject to subrule (2) of this Rule any person or body authorised by the Rules to punish any person may, unless the contrary is provided, do so by disqualification, suspension, reprimand, or fine not exceeding \$75,000. Provided that a disqualification or suspension may be supplemented by a fine.

(2) In respect of a breach of AR137A 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 \$75,000.

- a.** 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.”

New Rule AR.178F, as follows, added to the Australian Rules, effective 1st September, 2009:

“AR.178F. (1) A trainer must keep, and retain for a period of twelve months, a record of any treatment administered to any

horse in his care. Each record of treatment must, as a minimum requirement, include the following information:

- (a) name of the horse;
- (b) date of administration of the treatment;
- © name of the treatment (brand name or active constituent);
- (d) route of administration;
- (e) amount given;
- (f) name and signature of person or persons administering and/or authorising treatment.

(2) For the purposes of this rule “treatment” includes:

- (a) all Controlled Drugs (Schedule 8) administered by a veterinarian;
- (b) all Prescription Animal Remedies (Schedule 4), including those listed in AR.178C(2);
- (c) all Prescription Only Medicines (Schedule 4), prescribed and/or dispensed by a veterinarian for off-label use;
- (d) all injectable veterinary medicines (intravenous, intramuscular, subcutaneous, intra-articular) not already included above;
- (e) all Pharmacist Only (Schedule 3) and Pharmacy Only (Schedule 2) medicines;
- (f) all veterinary and other medicines containing other scheduled and unscheduled prohibited substances;
- (g) all alkalinising agents;
- (h) all herbal preparations.

b. When requested, the records of treatment kept by trainers in accordance with the provisions of subrule (1) must be made available to the Stewards .”

Paragraph (c) of AR.83 amended, effective 1st September,2009, by inserting the words “or facilitates the making of” after the words “If he bet”: and by inserting the words “or contingency relating to thoroughbred racing” after the

words “bet on any race” and by deleting the word “ have” and substituting the word “has” : paragraph © to read:

“(c) If he bet, or facilitates the making of, or has any interest in a bet on any race or contingency relating to thoroughbred racing, or if he be present in the betting ring during any race meeting.”

AR 127 deleted and replaced with the following, Rule effective 1st September, 2009.

“**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.”

Paragraph (b) of AR.59B(b) amended to read: effective from 1st September, 2009

“(b) A trainer wishing to race, 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 where the horse last raced or the Stewards thereof, a certificate to the effect that such horse is clear to race.”