The Rules of Racing

of

Racing Victoria

Constituted by:

Australian Rules of Racing made by the
Australian Racing Board

and the

Local Rules and Rules of Race Betting of Racing Victoria

as at 1 February 2021

This rule book contains:

The Australian Rules of Racing
- preceded by the letters AR and appearing in plain black type

The Local Rules of Racing
- preceded by the letters LR and appearing in shaded type

The Rules of Race Betting

Racing Victoria Directors

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The Rules printed in plain black type are the Australian Rules of Racing which have been made by the Australian Racing Board.

The Rules printed in shaded type are the Local Rules of Racing of Racing Victoria Limited.

PART 1 – INTERPRETATION, DICTIONARY & APPLICATION OF THESE AUSTRALIAN RULES

Division 1 – Interpretation

AR 1 Interpretation principles

(1) If there is any conflict or inconsistency between a rule contained in these Australian Rules and a Local Rule, to the extent of the conflict or inconsistency the provision in these Australian Rules will prevail.

(2) References in these Australian Rules to Racing Australia should be read as a reference to the ARB or RISA (as applicable) up until 13 April 2015, and to Racing Australia thereafter.

(3) Where they appear, headings are for reference purposes only and are not to be regarded as operative parts of these Australian Rules.

(4) Words importing the singular include the plural and vice versa, unless the context requires otherwise.

(5) Words importing the male sex include the female sex and vice versa, unless the context requires otherwise.

LR 1 Interpretation

(1) A reference in the Australian Rules to **"the Board"** of a Principal Racing Authority means the Directors.
(2) A reference in the Rules to Racing Victoria is a reference that includes the Directors, its executives, managers and employees as the context requires.
(3) If there is any inconsistency between an Australian Rule and a Local Rule, the Australian Rule prevails to the extent of such inconsistency.
(4) A general power conferred on the Directors, the Committee of any Club or the Stewards by any of the Rules is not (unless the contrary is expressly provided) limited, qualified or affected by the mere fact that:
  (a) a specific penalty is prescribed for a particular offence; or
  (b) a specific power is conferred on the Directors or such Committee or Stewards.
(5) The Directors and/or the Stewards may impose a penalty in respect of any breach of the Rules, notwithstanding that a rule may not specifically refer to or prescribe a penalty.

Division 2 – Dictionary

AR 2 Dictionary

In the interpretation of these Australian Rules (and any race meeting held under them), unless the context requires otherwise, the words and phrases below have the meanings set out in this rule.

In the interpretation of these Local Rules (and of any program of a race meeting held hereunder), the following words unless the context otherwise requires, shall have or include meanings as follows:

(a) the Local Rules adopt the definitions in the Australian Rules;
(b) in the Australian Rules of Racing, such meanings as are herein printed in black; and
(c) in the Local Rules, such meanings as are herein printed in shaded type.

advertised or **advertisement** includes the publication of information in any newspaper, journal, magazine, circular, racing calendar or poster, whether in print or electronic format.

Anabolic Androgenic Steroid Clearing Certificate means a certificate from an Official Racing Laboratory stating that a sample (taken under the supervision of the Stewards or another official employed or engaged by a PRA to do so) is free of anabolic androgenic steroids or that any anabolic androgenic steroids that are present are at or below the relevant thresholds set out in Schedule 1, Part 1, Division 3 and Schedule 1, Part 2, Division 3 to these Australian Rules.

Approved Hurdles means the hurdles of a design and type approved by Racing Victoria for trials and races.

apprentice jockey means a person who is bound to a trainer in accordance with the Local Rules of the PRA with jurisdiction over the State or Territory in which that trainer resides.

approved rider means a rider that has been given that status by a PRA or the Stewards, including for the purposes of riding at picnic race meetings.

Approved Steeplechase Obstacles means steeplechase obstacles of a design and type approved by Racing Victoria for trials and races.

AR means an Australian Rule of Racing.

ARB means the Australian Racing Board, which up until 13 April 2015 was the peak regulatory body for thoroughbred racing in Australia.

arrears includes:

(a) any sum due and payable including subscriptions, fines, fees, stakes or forfeits in respect of any race or race meeting conducted under the Rules; and

(b) any sum in respect of which a person has been declared a defaulter or placed on the Forfeit List.

ASIC means the Australian Securities and Investment Commission.

Australian Stud Book means both the officially published records of thoroughbred bloodlines in Australia, and the division of Racing Australia which is responsible for the maintenance, accuracy, quality and integrity of those records.

Australian Lawyer has the same meaning as in the *Legal Profession Uniform Law Application Act 2014 (*Vic).

Australian Stud Book Rules means the official rules published by the Australian Stud Book.

authorised agent means a person who has produced to a PRA or the Stewards or to an official authorised by either of them a satisfactory written authority signed by the person's principal.

banned substance means a substance specified in Part 7 of these Australian Rules as a substance banned for use by a rider or horse handler.

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 may be in another's name, or any individual or group of individuals that either directly or indirectly has the power to vote or participate in business decisions in respect of the horse.

Betting Supervisor means a person appointed in that role by Racing Victoria

bullying means repeatedly acting unreasonably towards a person, which behaviour creates a risk to health and safety. (Acting unreasonably includes victimising, humiliating, intimidating or threatening. Reasonable management action that is carried out in a reasonable way is not bullying.)

business day means a day that is not a Saturday, Sunday or public holiday in the place concerned.

Certificate of Analysis means a certificate or formal written record issued by an Official Racing Laboratory setting out the results of its analysis of a sample taken from a horse.

Certificate of Registration means the official registration document of that name in relation to the ownership or leasing of a horse.

Chairmen of Stewards means the Chairmen of Stewards Committee to Racing Australia.

clear day means a 24 hour period from 12.00am to 11.59pm.

Clerk of the Course means the person employed or engaged by a PRA or the Stewards to perform that role under the Rules.

Clerk of the Scales means the person employed or engaged by a PRA or the Stewards to perform that role under the Rules.

Club includes any body approved to hold a race meeting under these Australian Rules.

Code of Practice means any code of practice published by Racing Australia which sets out standards of conduct for persons associated with Australian thoroughbred racing.

company means:

(a) a company incorporated or registered under the Corporations Act or any statute or ordinance of any State and/or Territory of the Commonwealth of Australia;

(b) a 'foreign company' within the meaning of the Corporations Act.

co-owner means a person who owns a horse together with at least one other person and is registered or is intended to be registered with Racing Australia as an owner.

Corporations Act means the *Corporations Act 2001* (Cth), as amended from time to time.

correct weight means a declaration by the Stewards officiating at a race meeting that the result of a race is official.

Country Course means a Course other than a Metropolitan Course.

Country Race Meeting means a race meeting other than a Metropolitan Race Meeting.

Course includes any racecourse, training ground or land over which Racing Victoria or any Club has the control or management for racing or training purposes.

cruelty includes any act or omission as a consequence of which a horse is mistreated.

Deputy Registrar of Racehorses or **Deputy Registrar** means any person employed or engaged to act in that position by and under the direction of a PRA, whose role includes performing State or Territory based registration functions.

Designated Race Meeting means a race meeting which has been designated by Racing Victoria pursuant to LR 43 as a race meeting where winning rides by an apprentice jockey are not considered winners for the purpose of AR 143(5).

Directors means the directors of Racing Victoria acting as a board.

direct payment disbursements means costs or expenses in relation to the training and/or care of a horse which are to be directly invoiced to an owner of a horse by service providers other than the trainer (including veterinary fees, breaking in fees, agistment fees and transport costs).

Dispute Notice means the Racing Australia form of that name referred to in the TOR Rules, and in the STA, both as amended from time to time.

disqualification includes the adoption or confirmation in accordance with these Australian Rules of any disqualification. (**disqualify** has a corresponding meaning.)

eligible horse means a horse which is eligible to be registered, but has not yet been registered, under these Australian Rules.

Enforcement Action Application (EAA) means the Racing Australia form of that name referred to in the TOR Rules and in the STA, both as amended from time to time, which a trainer is entitled to submit to Racing Australia under TOR Rule 6 once the presumption of a training debt arises.

exempt owner means an owner who is not required to comply with the STA, being an owner:

(a) who themselves trains a horse pursuant to an owner/trainer licence and does not also train the horse for any other owner; or

(b) who employs (as an employee pursuant to a written contract of employment), or otherwise engages (pursuant to a written contract for services) a trainer to train a horse/s exclusively for that owner so that the trainer does not train a horse for anyone else.

exempt trainer means a trainer who is not required to comply with the STA, being a trainer:

(a) with an owner/trainer licence who does not also train the horse for any other owner; and/or

(b) who is contracted in writing to provide training services exclusively to an exempt owner.

external proceedings means legal proceedings in a court or tribunal (not including a TDT) outside the TOR Rules.

filing fee means the fee set and charged by Racing Australia to cover administrative costs of the TDT process, and which is to be remitted by Racing Australia to the relevant PRA which is allocated a TDT proceeding by Racing Australia.

Final Scratching Time means 7.30am on the day of the relevant scheduled race.

Fees Notice means the written fee disclosure notice a trainer must provide to an owner of a horse under TOR Rule 3, and pursuant to the STA.

Foal Identification Card means the card of that name issued by the Australian Stud Book (and from 13 April 2015 by Racing Australia) or an Overseas Racing Authority in relation to the identity of the horse described on that card.

Foal Ownership Declaration means the form required to be lodged by the manager of a horse or his or her authorised agent with Racing Australia in accordance with AR 34. The Foal Ownership 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.

forfeits means all overdue and unpaid nomination, acceptance or qualification fees, moneys, stakes, fines, arrears, subscriptions, course, track, and other fees (excluding entrance fees), and prize money recoverable and unpaid which are:

(a) due from or imposed upon any person;

(b) due in respect of or imposed upon any horse; or

(c) published by a PRA as so due or imposed.

Forfeit List means the list published from time to time by Racing Australia and/or PRAs which records forfeits and the persons to whom they relate. Forfeits incurred at any meeting in any other territory or country may be included in the list on the authority of the relevant PRA.

freeze means, in relation to prize money to which an owner would otherwise be entitled, a direction by a PRA that that prize money be withheld or not allowed for a period of time that is fixed by the PRA.

Group Races, Listed Races and **Restricted Listed Races** means, in relation to races run in Australia, races which are published as such by Racing Australia.

Group and Listed Races means, in relation to races run outside Australia, races which are published as such by the International Cataloguing Standards Committee.

Handicap means a race in which the weights the horses are to carry are allocated according to the judgment of the person appointed to frame the handicap upon the merits of the horses for the purpose of equalising their chances of winning.

Horse includes stallion, rig, mare, gelding, colt or filly.

horse handler means any licensed person who handles any horse at any race meeting, trial, jump-out or in training. A horse handler includes but is not limited to stablehands, trainers, veterinarians, farriers and barrier attendants.

horse ownership venture means a venture conducted by co-owners of a horse, and can include racing a horse together, selling all or part of a horse, and/or breeding of a horse.

Horse Registration Form means a registration form of that name that an owner must lodge with Racing Australia to register a horse (or an interest in a horse) for racing.

Impaired mental functioning means:

(a) a mental illness within the meaning of the *Mental Health Act 1986*; or

(b) an intellectual disability within the meaning of the *Disability Act 2006*; or
(c) an acquired brain injury; or
(d) autism spectrum disorder; or
(e) a neurological impairment, including but not limited to dementia.

Inside Racing means the official publication of Racing Victoria as specified by it from time to time as Inside Racing.

interest in respect of a horse includes:

(a) the ownership or leasing interest of a natural person in relation to a horse;

(b) membership of a Syndicate which owns or leases a horse;

(c) where relevant, membership of a company, unincorporated organisation or Syndicate which owns or leases a horse, or has any direct or indirect interest in a horse, or has any direct or indirect interest in a company, unincorporated organisation or Syndicate which owns or leases a horse.

Investigators means the persons appointed by Racing Victoria or the Stewards under AR 15 or LR 10(4) to conduct investigations.

jockey is a person licensed by a PRA to ride for hire.

Judge means the person employed or engaged by a PRA or the Stewards to perform that role, and includes any assistant judge and any substitute employed or engaged by a PRA or the Stewards, under the Rules.

jump-out means a trial, other than an official trial, which is organised, supervised and controlled by a PRA or a Club or the management of a racecourse or recognised training track, which is started from barrier stalls, and which is conducted in accordance with requirements set by a PRA.

Jump-out has the meaning given under the Australian Rules, and, for the purpose of the Local Rules, may take place at privately owned and controlled premises which have been approved by Racing Victoria, at its discretion, to conduct jump-outs for the purpose of obtaining an approval under LR 16(1).

Jumps Review Panel means the body of that name established and maintained in accordance with LR 90. [added 5/2/09]

Jumps Riders Skills Panel means the body of that name established and maintained in accordance with LR 44B.

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) to not be placed in a race in accordance with the provisions of AR 214(3).

lease includes any agreement by which the owner of a horse permits another person to race the horse.

licence includes any approval or permit.

licensed person means a person who has a licence required by or issued pursuant to the Rules.

licensed wagering operator means a wagering operator that holds a licence or authority pursuant to Commonwealth, State, or Territory legislation to carry out wagering operations in Australia.

Licensing Panel means the Racing Victoria Licensing Panel as established on 22 October 2013, and effective from 1 November 2013.

List of Disqualifications means a list of horses or persons who have been disqualified or warned off.

Local Rules are rules of racing made from time to time by a PRA which are in force within its State or Territory.

Local Rules means the Rules of Racing made by the Directors and herein printed and numbered in shading, and all modifications thereof and all new Rules of Racing made by such Directors as therein provided.

LR means a Local Rule.

Maiden means a horse which:

(a) at the time of starting a flat race has never won a race on the flat at a registered meeting or an advertised race in any country; or

(b) at the time of starting a steeplechase or hurdle race has never won a steeplechase or hurdle race at a registered meeting or an advertised race in any country.

manager means a person registered with Racing Australia as the manager of a horse owned or leased by a natural person, a group of natural persons, or a Syndicate. Unless established otherwise:

(a) the first named person appearing in the Certificate of Registration or other official ownership or leasing record held by Racing Australia will be deemed to be the manager (subject to AR 63(1)); and

(b) if a horse is owned or leased by more than one Syndicate, the first named person appearing in the Certificate of Registration or other official ownership or leasing record held by Racing Australia will be deemed to be the manager.

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.

medication means any drugs or other substances.

member includes any person who has an interest of any kind in a structure through which horses can be owned pursuant to these Australian Rules, including in any Syndicate.

metropolitan area means any area designated in that way by the Rules.

Metropolitan Area means an area where a Metropolitan Race Meeting is held.

Metropolitan Course means Flemington Racecourse, Caulfield Racecourse, Sandown Racecourse and Moonee Valley Racecourse.

Metropolitan Race Meeting means:

(a) a race meeting conducted in Victoria by the Victoria Racing Club, Melbourne Racing Club or Moonee Valley Racing Club; and

(b) a race meeting conducted elsewhere in Australia or outside Australia designated as the equivalent of a Victorian Metropolitan Race Meeting by Racing Victoria.

microchip means an electronic identifier transponder encoded with a unique unalterable number approved by Racing Australia for implantation in a horse.

month means a calendar month.

named horse means a horse which was an eligible horse but which has subsequently been registered to race under these Australian Rules.

National Equipment Register means the register of all gear, and the conditions for the use of that gear, approved by the Chairmen of Stewards.

nominator means a person authorised to nominate a horse for a race. It includes:

(a) any owner;

(b) if a horse is leased, any lessee by or on whose behalf the horse is entered;

(c) any registered manager for a company;

(d) any Syndicate manager for a Syndicate; and

(e) 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.

non-approved wagering operator means any wagering operator, including a totalizator operator, bookmaker, corporate bookmaker, betting exchange or other wagering service provider, that does not hold a current licence, approval or authority to use or publish the thoroughbred racefields of a State or Territory in accordance with the relevant State or Territory legislation and/or regulations.

Non-TAB Race Meeting means a race meeting designated as such by Racing Victoria.

Notice of Election of Hearing means the Racing Australia form of that name referred to in the TOR Rules and in the STA, both as amended from time to time, which Racing Australia makes available for the purpose of parties electing to take a dispute in relation to training fees and/or training disbursements to a TDT.

notifiable disease or condition means one of the animal diseases or conditions set out in AR 89(1).

official means any:

(a) director, board member or committee member of a PRA or a Club;

(b) person employed, engaged or appointed by a PRA, a Club or a government body in relation to the management and/or control of racing, including but not limited to the conduct of race meetings or any other matter regarding its business and affairs.

Official Racing Laboratory means an analytical racing laboratory which is approved by Racing Australia.

Note: *The following have been approved by Racing Australia* as *Official Racing Laboratories:*

Australian Racing Forensic Laboratory, Sydney

Queensland Racing Integrity Commission – 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

Laboratory of Racing Chemistry, Tochigi, Japan (reserve portion/B sample analysis). [added 1/6/19]

official trial means a trial:

(a) that is approved and advertised by a PRA;

(b) that is conducted in accordance with the conditions set by a PRA;

(c) that is supervised by the Stewards; and

(d) for which official entries are taken and results are officially recorded.

Overseas Racing Authority means a body, statutory or otherwise, that has the control or general supervision of racing within a country, state or territory or province other than Australia.

owner means a person with an actual interest, beneficial interest or share in a horse.

participant in racing includes:

(a) a trainer;

(b) a person employed or contracted by a trainer in connection with the training or care of a horse;

(c) an owner;

(d) a nominator;

(e) a rider;

(f) a rider's agent; and

(g) any person who provides a service/s connected with the keeping, training or racing of a horse.

penalty includes the suspension or partial suspension of any licence, disqualification, reprimand and the imposition of a fine. (**penalise** has a corresponding meaning.)

person includes any Syndicate, company, combination of persons, or other organisational structure recognised by these Australian Rules which owns or races a horse/s.

Picnic Race Club means a Club which conducts a Picnic Race Meeting.

Picnic Race Meeting means a race meeting designated as such by Racing Victoria.

possession means:

(a) an article, substance or thing is in the custody or control of a person;

(b) the person has and exercises access to the article, substance or thing; or

(c) the article, substance 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 paragraph (c) does not apply if the person proves that he or she did not know of the existence or the identity of the article, substance or thing.

premises includes land, buildings or any fixed or moveable structure, including any vehicle.

Prescribed Fee Schedule means the schedule of fees prescribed by Racing Victoria Limited, Racing Australia, or other authority in respect of amounts payable pursuant to the Rules.

presumption of a training debt means the presumption that training fees and/or training disbursements are due and payable from an owner to a trainer which arises in the circumstances identified in TOR Rule 4(4).

previous Australian Rules means the Australian Rules of Racing in effect immediately before 1 March 2019.

Principal Racing Authority (PRA) means a body (statutory or otherwise) recognised as a principal racing authority under Racing Australia's Constitution, that has the control and general supervision of racing within a State or Territory, and comprises:

(a) Racing New South Wales in New South Wales;

(b) Racing Victoria Limited in Victoria;

(c) Racing Queensland Board in Queensland;

(d) Thoroughbred Racing S.A. Limited in South Australia;

(e) Racing and Wagering Western Australia in Western Australia;

(f) Tasracing Pty Ltd in Tasmania;

(g) Thoroughbred Racing NT in the Northern Territory; and

(h) Canberra Racing Club Incorporated in the Australian Capital Territory.

prize includes any moneys, cups, trophies or any material gain, award or benefit capable of being valued in money (but not including the value of any stallion services) from whatever source awarded to the nominator, trainer or jockey of a horse or to any other person pursuant to the conditions of a race as a result of the horse winning or being placed in any other position in a race as determined by a PRA or by the conditions of a race.

prize money to which an owner would otherwise be entitled means, for the purpose of the TOR Rules, any prize money which, but for the TOR Rules, an owner would be entitled to receive from Racing Australia or a PRA in relation to the results in a race of a horse/s owned or part owned by the owner which is trained by the trainer (or that received the training services). Such prize money may therefore include prize money earned through the

results of a horse/s other than the horse/s that received the relevant training services the subject of action under the TOR Rules and prize money of the horse/s that received the relevant training services (even if the trainer no longer provides training services in respect of such horse/s).

Prohibited List A means the list of prohibited substances set out in Schedule 1, Part 1, Division 1 to these Australian Rules.

Prohibited List B means the list of prohibited substances set out in Schedule 1, Part 2, Division 1 to these Australian Rules.

prohibited method means a method or process identified in AR 254 or AR 255 as being prohibited.

prohibited substance means a substance specified in these Australian Rules to be a prohibited substance, or which falls within any of the groups or categories of substances specified in these Australian Rules to be prohibited substances, unless it is specifically exempted.

Promoter means any person or company who for valuable consideration offers or invites any other person or company to subscribe for shares or to participate in any scheme with objects that include the breeding and/or racing of a horse/s.

Promoter Syndicate means a Syndicate where the co-owners own their interest in a horse as a result of acquiring shares in the horse offered by a Promoter approved by a PRA and licensed under the Corporations Act and/or offered pursuant to *ASIC Corporations (Horse Schemes) Instrument 2016/790* or a successor or predecessor instrument to it.

protest means any protest, objection or complaint lodged by a person with a PRA or the Stewards.

provincial area means any area designated in that way by the Rules.

Provincial Area means an area where a Country Race Meeting is held.

qualified veterinary surgeon means a veterinarian who is:

(a) registered with the Veterinary Practitioners Board (or equivalent regulatory body) in a State or Territory of Australia; and
(b) approved by the relevant PRA (including by way of permit, approval or licence) if required by a Local Rule of that PRA. [added 1/1/20]

race includes each division of a divided race.

Raceday Official means an official officiating at a race meeting.

Racing Appeals and Disciplinary Board and **RAD Board** means the body of that name established and maintained in accordance with LR 8A.

Racing Australia means Racing Australia Limited (formerly RISA) and any successor entity substantially carrying out Racing Australia's functions. Racing Australia took over the functions and role of RISA and the ARB from 13 April 2015.

Racing Australia Co-owner Agreement (COA) means the agreement of that name, as amended by Racing Australia from time to time, which is part of the TOR and published on the Racing Australia website.

Racing Australia Standard Training Agreement (STA) means the agreement of that name, as amended by Racing Australia from time to time, which is part of the TOR and is published on the Racing Australia website.

racing calendar means the publication published under that name or any similar name by or under the authority of a PRA.

Racing Club means:

(a) a Registered Club; and
(b) a Club which conducts any race meetings registered by Racing Victoria.

Racing Integrity Commissioner means the Racing Integrity Commissioner appointed by the Minister for Racing under the *Racing Act 1958* (Vic).

Racing Victoria and RVL means Racing Victoria Limited ACN 096 917 930 and recognised as Racing Victoria in the *Racing Act 1958*.

Racing Victoria Member means a member of Racing Victoria as defined by the Racing Victoria Constitution.

RAD Board Registrar means the Boards Registrar referred to in the *Racing Act 1958* (Vic).

Registered Club means a Club registered pursuant to 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 PRA by which the company has been registered as a Syndicate.

registered meeting includes any race meeting held or overseen by a PRA.

Registrar of Racehorses or **Registrar** means any person employed or engaged to act in that position by and under the direction of Racing Australia, whose role includes recording information regarding the ownership, leasing and identity of thoroughbred horses for racing in Australia. Prior to 13 April 2015, the Registrar was a nominated position within RISA.

restricted race conditions means those conditions for restricted races as prescribed by Schedule 4 to these Australian Rules.

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

rider's agent means a person licensed by a PRA who by a contract or any other arrangement assists a jockey or the master of an apprentice jockey in relation to the organisation and/or obtaining of riding engagements.

RISA means Racing Information Services Australia Pty Ltd, which up until 13 April 2015 conducted registration functions in relation to the ownership and identity of horses for racing in Australia.

Rules of Betting means the authorised rules of betting made from time to time by a PRA which are in force within its State or Territory.

sample means a specimen of saliva, urine, perspiration, breath, blood, tissue, hide, hair, or any other excretion, product or bodily fluid from a horse or person.

scratching means the withdrawal of a horse from a race, official trial or jump-out, whether by order of the Stewards or by a decision of the connections of the horse, and includes all communications which convey such withdrawal.

screening limit means the concentration of a therapeutic substance or its specified metabolite present in a sample during a screening test or analysis as set out in AR 257(2), above which the therapeutic substance will be specified as a prohibited substance.

Serious Offence means an offence under, or breach of, one of the following rules:

(a) AR 255(1) [amended 23/4/19]
(b) AR 115(c) and (e);
(c) AR 116;
(d) 236;
(e) AR 129(1), (2), (3) and (5);
(f) AR 227(b)
(g) AR 228(a) and (b)
(h) AR 229(1)(a), (b), (c), (d), (h);
(i) AR 231(1)(a) and (b), (2)(a) and (b), (3)
(j) AR 232(h), (i)
(k) AR 233(a) and (b);
(l) AR 237(1)-(7)
(m) AR 240(1) and (2);
(n) AR 241;
(o) AR 242;

(p) AR 244;
(q) AR 245(1);
(r) AR 246
(s) AR 247;
(t) AR 249;
(u) AR 251; and
(v) LR 99.

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,

where the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so:

(i) with the intention of offending, humiliating or intimidating the other person; or

(ii) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

The conduct described in paragraphs (b), (c) and (d) includes, without limitation, conduct involving the internet, social media, a mobile phone, or any other mode of electronic communication.

special circumstance means a circumstance stipulated to be a "special circumstance" under the Rules.

Special circumstance means as set out in LR 105.

Stablehand means:

(a) any person employed by a trainer in connection with the training, management or care of racehorses; and/or
(b) a Stable Employee referred to in LR 45B(1).

Stable Return means a notification submitted by a trainer to Racing Australia or a PRA, which contains information required by the Rules in respect of each horse under that trainer's care or control. A Stable Return can be amended or supplemented from time to time in the event of any changes to the information previously submitted.

Starter means the person employed or engaged by a PRA or the Stewards to perform that role under the Rules.

Steward means a person appointed in that role in accordance with the Local Rules of a PRA or by a State or Territory government (or government body) (as applicable).

stomach-tubing (and variations of that term) means the application to a horse of a naso-gastric tube.

Stud means a person, company or unincorporated organisation which breeds horses for racing and which during the period of 12 months immediately prior to any relevant point of time, has returned to and had accepted 5 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, registration, permit, permission, right or privilege granted under the Rules. (**suspend** has a corresponding meaning.)

Syndicate refers to any one of the following structures or entities by which a horse can be owned or leased which is accepted as a Syndicate for registration under these Australian Rules:

(a) a combination of more than one but no more than 20 persons (or a combination of more than one but no more than 50 in the case of a Promoter 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);

(b) a company;

(c) an unincorporated organisation (including a partnership or other form of unincorporated organisation, such as an unincorporated sole trader with a business name or a Stud which has been registered as a syndicate in the name of the Stud); or

(d) a Promoter Syndicate.

Syndicate Rules means the rules in relation to Syndicates set out in Schedule 3 to these Australian Rules.

TAB Race means a race on which Tabcorp Ltd conducts off-course totalisator wagering.

the Rules means these Australian Rules together with the Local Rules of a PRA.

therapeutic substance means a prohibited substance to which a screening limit applies, and which is promulgated and published as such from time to time by Racing Australia.

these Australian Rules means the Australian Rules of Racing (including the Schedules to it).

Thoroughbred Identification Card means the card of that name issued by Racing Australia or an Overseas Racing Authority in relation to the identity of the horse described on it.

TOR means the trainer and owner reforms in relation to arrangements between trainers and owners, and between co-owners

TOR Commencement Date means 1 August 2017.

TOR Rules means the rules in relation to the TOR set out in Schedule 2 to these Australian Rules, as amended from time to time.

trackwork means any training activity, excluding an official trial or jump-out or race, undertaken by a horse in the care of a trainer on a racecourse, recognised training track, private training establishment, or other place.

trainer means a person licensed or granted a permit by a PRA to train horses, and includes any persons licensed to train as a training partnership.

training disbursements means the amounts paid or payable by a trainer to third parties in relation to the provision of training services which are not included in the training fees and for which a trainer invoices an owner (including veterinary fees, farrier fees, dentist fees, race acceptance and nomination fees, interstate racing costs, and race-day expenses such as strapper attendance fees).

Training Disputes Tribunal (TDT) means the decision-making body set up by each PRA to determine disputes in relation to training fees and/or training disbursements, as provided for in the TOR Rules and in the STA.

Training Disputes Trust Account means the trust account held and operated by Racing Australia for the purposes of the TOR.

training fees means the amounts charged by a trainer to an owner in relation to the provision of training services, which includes the main daily training fee plus any additional daily charges for other items such as track usage fees and administration fees, together with all other costs charged by a trainer to train and/or care for a horse which are not charged as training disbursements.

training services means all the services provided by a trainer (or qualified and authorised employees or persons engaged or approved by a trainer) in relation to the care, training and/or racing of a horse including training, pre-training, rehabilitation, maintenance, stabling, feeding, exercising, freighting, agisting, rental of gear, and the provision of veterinary, chiropractic, acupuncture, dental, and farrier services and treatments.

unincorporated organisation means an organisation that has not been incorporated under the Corporations Act, and which is not a separate legal entity from its members.

unnamed horse means an eligible horse that has not been registered to race under these Australian Rules.

walk-over occurs where a rider has weighed out, mounted his or her horse and ridden past the Judge's box, and that horse is the only runner in the race.

warned off means a person is not permitted to enter a racecourse under the jurisdiction of the PRA that warned him or her off and, pursuant to AR 265, is subject to the same restrictions or consequences applicable to a disqualified person. (**warning off** has a corresponding meaning.)

Weight for Age Race means a race in which weights are apportioned to horses according to their age or sex or both, and remains a Weight for Age race even if:
(a) there are penalties and allowances; or
(b) the race is confined to horses of the same age.

workplace harassment means behaviour of one person towards another person with whom the person 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.

(Reasonable management action taken in a reasonable way by the person's employer in connection with the person's employment is not workplace harassment).

Division 3 – Application of these Australian Rules

AR 3 Application of these Australian Rules

Any person who takes part in any matter or race meeting coming within these Australian Rules agrees with Racing Australia and each PRA to be bound by and comply with them.

AR 4 Races and race meetings subject to these Australian Rules

(1) These Australian Rules:
   (a) apply to all races held under the management or control of a PRA (subject to AR 150); and
   (b) together with any Local Rules made by a PRA from time to time (provided they are not repugnant to or inconsistent with these Australian Rules) shall be read and construed as the rules of the PRA and apply to all races held under the management or control of the PRA.

(2) Unless a PRA otherwise determines, if any race or race meeting is not held under these Australian Rules:
   (a) any horse taking part shall be disqualified;
   (b) any person taking part in that race or race meeting will be ineligible to enter a horse for any race, or to hold or continue to hold any licence or registration under these Australian Rules; and
   (c) any person who acts in connection with that race or race meeting as promoter, organiser, president, chairperson, secretary, treasurer, committee member, or in any advisory or official capacity, shall be prohibited from acting in any official capacity at any race meeting, and any horse in which the person has an interest shall be ineligible to race at any registered meeting.

(3) Subrules 2(b) and (c) do not apply to any race or race meeting in which thoroughbreds do not take part and which is 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.

(4) Any question not provided for by these Australian Rules will be determined by the PRA of the State or Territory concerned.

AR 5 Breaches of these Australian Rules and their consequences

(1) A person breaches these Australian Rules if:
   (a) a rule expressly provides as such;
   (b) the person is required to do something under a rule but does not do it; or

(c) the person is prohibited from doing something under a rule but does it.

(2) If a person breaches any of these Australian Rules the person may be penalised, regardless of whether or not the rule expressly provides that the person may be penalised.

AR 6 Exercise of rights, powers or authorities to be final and conclusive

Any act done or decision made by a PRA or by the Stewards in the exercise or intended exercise of any right, power, function or authority conferred by or under the Rules is, except where otherwise provided in the Rules, final and conclusive.

AR 7 Calculation of time periods

Subject to the conditions of any race, when the last day for doing an act under the Rules falls on a Sunday or public holiday, such act may be done on the next day not being a Sunday or public holiday, unless a race to which an act relates is scheduled for that day.

AR 8 Commencement of these Australian Rules

(1) These Australian Rules come into operation and effect on 1 March 2019 and replace the previous Australian Rules.

(2) Everything arising, done or suffered under the previous Australian Rules is deemed to have arisen, been done or suffered under these Australian Rules and, without limiting the generality of the foregoing:

(a) **Appointments**: all appointments of officials and any other persons (including but not limited to the Stewards) made under or pursuant to the previous Australian Rules are deemed to have been made, and to continue in effect, under or pursuant to these Australian Rules.

(b) **Decisions made, action taken, etc**: all decisions made, action taken, and discretions and powers exercised under or pursuant to the previous Australian Rules are deemed to continue in force and effect and upon the same terms and conditions as if properly and validly made or taken under or pursuant to these Australian Rules.

(c) **Licences, permits, etc**: all licences, permits, registrations, authorisations and any other rights or privileges granted under or pursuant to the previous Australian Rules are deemed to continue in full force and effect and upon the same terms and conditions as if properly and validly made under or pursuant to these Australian Rules.

(d) **Obligations and liabilities**: all obligations and liabilities of any kind (including but not limited to pecuniary obligations and liabilities) incurred or arising under or pursuant to the previous Australian Rules are deemed to have been incurred or to have arisen under or pursuant to these Australian Rules.

(e) **Offences**: any offence committed under or breach of the previous Australian Rules is deemed to be an offence committed under or breach of these Australian Rules.

(f) **Penalties, restrictions, etc**: all penalties, restrictions, disabilities, warnings-off, disqualifications, suspensions and obligations of any kind (including fines and other pecuniary obligations) imposed, incurred or arising under or pursuant to the previous Australian Rules are deemed to have been imposed, incurred or to have arisen under or pursuant to these Australian Rules.

(g) **Inquiries, investigations and proceedings**: all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the previous Australian Rules are deemed to have been initiated or conducted under or pursuant to these Australian Rules.

Division 3A – Application of these Local Rules

LR 2A Commencement and transition

(1) **Definitions**: In this LR 2A:

"Appointed Day" means 1 March 2019.

"Previous Rules" means the Local Rules of Racing of Racing Victoria immediately before the Appointed Day.

"these Local Rules" means the Local Rules of Racing of Racing Victoria (including the Schedules to it).

(2) **Commencement**: These Local Rules come into operation and effect on and from the beginning of the Appointed Day.

(3) **Preservation of effect, decisions, rights and obligations of Previous Rules**:

Everything arising, done or suffered under the Previous Rules is deemed to have arisen, been done or suffered under these Local Rules and, without limiting the generality of the foregoing:

(a) **Appointments**: all appointments of Officials and any other persons (including but not limited to the Stewards and members of the Racing Appeals and Disciplinary Board) made under or pursuant to the Previous Rules are deemed to have been made, and to continue in effect, under or pursuant to these Local Rules.

(b) **Decisions made, and action taken under Previous Rules**: all decisions made, action taken, and discretions and powers exercised under or pursuant to the Previous Rules are deemed to continue in force and effect and upon the same terms and conditions as if properly and validly made or taken under or pursuant to these Local Rules.

(c) **Licences, permits, etc**: all licences, permits, registrations, authorisations and any other rights or privileges granted under or pursuant to the Previous Rules are deemed to continue in full force and effect and upon the same terms and conditions as if properly and validly made under or pursuant to these Local Rules.

(d) **Obligations and liabilities**: all obligations and liabilities of any kind (including but not limited to pecuniary obligations and liabilities) incurred or arising under or pursuant to the Previous Rules are deemed to have been incurred or to have arisen under or pursuant to these Local Rules.

(e) **Offences**: any offence committed under or breach of the Previous Rules is deemed to be an offence committed under or breach of these Local Rules.

(f) **Penalties and disabilities**: all penalties, disabilities, warnings-off, disqualifications, suspensions and obligations of any kind (including fines and other pecuniary obligations) imposed, incurred or arising under or pursuant to the Previous Rules are deemed to have been imposed, incurred or to have arisen under or pursuant to these Local Rules.

(g) **Inquiries, investigations and proceedings**: all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the Previous Rules are deemed to have been initiated or conducted under or pursuant to these Local Rules.

LR 2 Application and enforcement of the Rules against certain persons

(1) Without limiting AR 3, the Rules apply to and may be enforced against—
- (a) a person who expressly agrees to be bound by the Rules, including a person who is the holder of a licence, registration, permit or other authority issued by Racing Victoria;
- (b) a person who impliedly agrees to be bound by the Rules; and
- (c) subject to LR 2(2), a relevant person.

(2) If there is to be an investigation or inquiry in relation to horse racing or wagering or both under the Rules in which the Rules may be applied to and/or enforced against a relevant person (as defined in LR 2(3)):
- (a) the investigation or inquiry must be initiated by a Steward; and
- (b) in conducting the investigation or inquiry, the Steward must have reasonable grounds to suspect the relevant person:
  - (i) may have contravened the Rules; or
  - (ii) may be involved in a contravention of the Rules; or
  - (iii) may have knowledge or possession of information as to a contravention of the Rules—because of—
  - (iv) the person's attendance at a race-meeting of horse racing in Victoria; or
  - (v) the person's participation in an activity in connection with or involving horse racing in Victoria or wagering on horse racing in Victoria.

(3) For the purpose of LR 2, a "relevant person" means:

(a) a person who attends a race-meeting for the purpose of horse racing in Victoria; or
(b) a person who participates, whether at a racecourse or any other place, in an activity connected with, or involving, horse racing in Victoria or wagering on horse racing in Victoria.

LR 3 Race meetings subject to the Rules

All race meetings in Victoria are held under, and are subject to, the Rules.

LR 4 Application of Goods and Services Tax

(1) In this LR 4 words and terms set out in italics have the same meaning as those words and terms in the *A New Tax System (Goods and Services Tax) Act 1999*.

(2) Subject to LR 4(3), an amount payable by any person pursuant to or in accordance with the Rules in respect of a taxable supply represents the consideration and the value of the taxable supply for which the payment is to be made.

(3) Except where expressly stated to the contrary, an amount specified in the Rules as being payable to Racing Victoria or to any racing club, whether as an entry fee, declaration fee, scratching fee, registration fee, appeal deposit, fine or otherwise, and which is payable in respect of a taxable supply, is exclusive of GST.

(4) Subject to Rule LR 4(5), if an entity makes a taxable supply pursuant to or in accordance with the Rules, then the person liable to pay the consideration for the taxable supply must also pay, at the same time and in the same manner as the consideration is payable, the amount of GST payable in accordance with the GST law in respect of the taxable supply.

(5) The obligation of the person under Rule LR 4(4) to pay GST is subject to the entity providing a tax invoice if required by the GST law to do so.

(6) References in the Rules to any prize money amount do not include any amount of GST.

Division 4 – New rules

AR 9 Only Racing Australia to make new rules

(1) Racing Australia and only Racing Australia may make new rules forming part of these Australian Rules, or rescind, vary or amend any provision of these Australian Rules.

(2) Without limiting subrule (1), Racing Australia may, at any time, rescind, vary or amend any list of prohibited substances (or exemptions or thresholds) set out in these Australian Rules.

(3) A PRA may not make new rules (other than Local Rules) or rescind or alter these Australian Rules, and a PRA which does not comply with this requirement shall *ipso facto* cease to be a PRA.

LR 5 Adoption of new rules

Australian Rules rescinded, altered, or made by Racing Australia in accordance with AR 9 are adopted by Racing Victoria on and from their date of operation by Racing Australia.

Division 5 – Notices and communications

AR 10 Service of notices

(1) Any notice to be given under these Australian Rules in writing (including an entry, scratching, or other notice required) may be provided to a person in any of the following ways:
   (a) personal service;
   (b) by post in a prepaid envelope addressed to the recipient at the person's last known address or residence, in which case it is deemed to have been received on the fourth business day after the document was posted;

(c) by email sent to the recipient at the person's last known email address, in which case it is deemed to have been received on the day and at the time it appears from the record of email communication that the sending of the email concluded;

(d) by facsimile, in which case it is deemed to have been received when the facsimile is received by the addressee; or

(e) if appropriate with reference to the nature of the notice, by advertising in one daily newspaper published in the capital city of the State or Territory in which the PRA or the Club giving the notice is located, in which case it is deemed to have been served on the day the advertisement appears.

(2) In proving service it is sufficient to prove that a letter containing the notice was properly addressed, stamped, and posted.

(3) A signature on any notice may be written, printed or typed.

(4) Where a given number of days' notice, or notice extending over any period, is required to be given, the day of service must be included, but the day upon which the notice will expire is not to be included in the calculation of the number of days or other period.

Division 6 – Racing Australia

AR 11 Role of Racing Australia

(1) Racing Australia is a limited liability company incorporated under the Corporations Act established to:

(a) make and amend these Australian Rules;

(b) together with the PRAs, administer these Australian Rules;

(c) employ or engage a person to act in the position of the Registrar of Racehorses;

(d) operate the Australian Stud Book;

(e) make, amend and administer the Australian Stud Book Rules; and

(f) otherwise do all things that it considers to be conducive to developing, encouraging, promoting or managing the Australian thoroughbred racing industry.

(2) Racing Australia may, from time to time, publish Codes of Practice.

PART 2 – POWERS OF PRAS & REGISTRATION OF CLUBS

Division 1 – Powers of PRAs

AR 12 General powers

PRAs have the following powers:

(a) to control and supervise racing within its State or Territory;

(b) at any time to exercise any power conferred on Stewards or another person employed, contracted or approved by a PRA, under the Rules;

(c) to prescribe the forms to be used under the Rules;

(d) to make Local Rules; and

(e) to appoint subcommittees and to delegate to any such subcommittee any of the PRA's powers under these Australian Rules.

AR 13 Licensing and registration

Without limiting any other PRA powers, a PRA has the following powers in respect of licensing and registration:

(a) to license riders, trainers and other persons on terms and conditions as it thinks fit;

(b) to register Clubs, race meetings, owners, companies, bookmakers, horses, riders, trainers and their employees or contractors and other persons on terms and conditions as it thinks fit; and

(c) at any time to suspend, vary or revoke any licence or registration (or the terms of any licence or registration) without giving any reason.

AR 14 Functioning of race meetings and Clubs

Without limiting any other PRA powers, a PRA has the following powers to facilitate the proper functioning of race meetings:

(a) to appoint or approve the appointment by any Club of any official, deputy, or assistant official;

(b) to decide on the dates on which race meetings may be held within the State or Territory of the PRA and to make directions in respect of the order and number of races at a race meeting;

(c) to cancel or abandon any race or race meeting, or postpone any race or race meeting to a day approved by the PRA, either before or after the race meeting has commenced; and

(d) to recognise any registered Club or race meeting, or other racing body approved by it, and approve its rules, articles or constitution.

AR 15 Investigations, inquiries and hearings

Without limiting any other PRA powers, a PRA has the following powers in relation to the facilitation of investigations and inquiries and the determination of matters arising under the Rules:

(a) to investigate, inquire into and deal with any matter relating to racing or the running of any horse on any course, and to refer and/or delegate any such matter to the Stewards or others for investigation, inquiry, report and/or for hearing and determination;

(b) to investigate alleged breaches of any Code of Practice;

(c) to appoint persons to undertake investigations at the direction of the PRA and those investigators will have and may exercise the powers, perform the functions and carry out the duties conferred on Stewards by AR 20(f), AR 22(1)(d), (h), (i), (k) and (l) and AR 22(2);

(d) to appoint persons as the PRA thinks fit to hear and adjudicate upon any matter or charge brought by a PRA or the Stewards relating to a breach of the Rules, and to delegate to any appointee so much of its powers as would enable the appointee to discharge the responsibilities of the appointment;

(e) to hear and decide appeals as provided for in the Rules or by law; and

(f) to appoint persons as the PRA thinks fit to hear and adjudicate upon any matter, charge, application or appeal arising under the Rules, and to delegate to any appointee so much of its powers as would enable the appointee to discharge the responsibilities of the appointment.

AR 16 Disciplinary action

Without limiting any other PRA powers, a PRA has the following powers in relation to disciplining and/or penalising a person:

(a) to warn off any person whose presence on a racecourse or involvement in racing is, in the opinion of the PRA, not desirable;

(b) to penalise:

  (i) any person who breaches the Rules;

  (ii) any person who disobeys any reasonable direction of any official;

  (iii) any licensed person or official whose conduct or negligence in the performance of his or her duties has led, or could have led, to a breach of the Rules;

  (iv) any person who breaches a Code of Practice.

(c) in respect of any person who has been:

  (i) warned off;

  (ii) subject to any suspension, disqualification, or restriction imposed by a PRA, the Stewards or a Club; or

(iii) subject to any suspension, disqualification, or restriction imposed by any harness racing or greyhound racing club, authority, stewards or appeals tribunal (or authorised delegate of any of them) in Australia or in any other country,

to:

(A) refuse to grant any licence or permit to, or to register that person under these Australian Rules; or

(B) warn off, suspend or disqualify, or place a restriction on that person under these Australian Rules.

(d) to confirm, adopt or enforce in accordance with AR 261 any penalty or restriction imposed upon any person by the Stewards of any PRA, or any Overseas Racing Authority;

(e) to annul or alter any penalty incurred within its State or Territory; and

(f) to publish any penalty or restriction imposed or any decision made by it or the Stewards within its State or Territory.

AR 17 Taking samples at horse sales

Without limiting any other PRA powers, a PRA has the following powers in respect of taking samples at horse sales:

(a) if, in the opinion of a PRA, 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 "PRA-approved vet" (which approval can be withdrawn at the discretion of a PRA) a veterinary surgeon employed, engaged or authorised by the selling agent or organisation, to take a sample from a horse for that purpose; and

(b) to declare either before or after a sample is taken by a PRA-approved vet under subrule (a) that the sample is to be treated as a sample for the purpose of these Australian Rules.

Division 2 – Applications to hold race meetings

AR 18 Applications to hold race meetings

(1) A Club may apply to a PRA to hold a race meeting in the State or Territory in which the Club is located.

(2) An application for a Club to conduct a race meeting must contain information required by a PRA and be provided in a form required by a PRA.

(3) A PRA can make whatever decision and orders it thinks fit in relation to an application by a Club to conduct a race meeting, including to accept or refuse it, or having granted it at any time revoke it or make it subject to specified terms.

Division 2A – Betting and Bookmakers

LR 6A Rules of Race Betting

(1) **Application:** The Racing Victoria Rules of Race Betting for the time being apply to all bets, and disputes relating to bets, made at a race meeting conducted by a Racing Club.

(2) **Resolution of disputes:** Disputes or claims in respect of bets subject to the Rules of Race Betting may with the consent of parties involved be mediated by the Betting Supervisor and any agreement that may be reached at such mediation will be made binding on the parties.

(3) **Bookmakers making or offering totalisator odds:** For the purposes of the Ministerial Order made under section 4.7.2(2)(c) of the *Gambling Regulation Act 2003* (Vic), a Steward may make an order for bets to be paid at totalisator odds in the circumstances outlined in Rule 12.3 of the Rules of Race Betting.

LR 6B Bookmaker may not be Licensed

A person who is licensed or registered as or otherwise carries on the vocation of a bookmaker is ineligible to be, and must not be:

(a) granted or hold any licence or permit to train unless the person was both a registered and licensed bookmaker and the holder of a permit to train as at 15 October 2000;
(b) granted or hold any licence or permit as a rider; or
(c) registered or continue to be registered as a stablehand.

PART 2A – VICTORIAN RACING TRIBUNAL, RACING APPEALS AND DISCIPLINARY BOARD AND TRAINING DISPUTES TRIBUNAL

Division 1 – Victorian Racing Tribunal

LR 7 – Victorian Racing Tribunal & RAD Board Transitional Provisions

(1) In this LR 7:

2018 Act means the Racing Amendment (Integrity and Disciplinary Structures) Act 2018 (Vic);

Commencement Day means the day on which Part 3 of the 2018 Act comes into operation; and

Victorian Racing Tribunal has the same meaning as in the 2018 Act.

(2) If immediately before the Commencement Day:

(a) a person is charged with a Serious Offence under the Rules and that charge:

i) has been part heard by the RAD Board and has not been determined by the RAD Board; or

ii) has not been heard or determined by the RAD Board; or

(b) a person has lodged an appeal against a Steward's decision with the RAD Board and the appeal has not been heard or determined by the RAD Board; or

(c) any other proceeding has commenced with the RAD Board and the proceeding has not been determined by the RAD Board

(each a '**RAD Board Proceeding**'),

the RAD Board will continue to have jurisdiction over any such RAD Board Proceeding.

(3) Subject to LR 7(2), from the Commencement Day, all matters, hearings and appeals are to be heard and determined by the Victorian Racing Tribunal in accordance with the 2018 Act.

(4) To the extent of any inconsistency between the Rules and the 2018 Act, the 2018 Act shall prevail.

[Division 1 – Victorian Racing Tribunal LR 7 added 1/8/19]

[Division 1 –Racing Victoria Integrity Council - LR 7A deleted 1/8/19]

Division 2 - The Racing Appeals and Disciplinary Board

LR 8A Appointment and Functions

(1) **Appointment:** The Directors may:

(a) appoint not less than five persons and not more than fifteen persons, to constitute the Racing Appeals and Disciplinary Board (the **"RAD Board"**);

(b) appoint from amongst the persons appointed under LR 8A(1)(a):

(i) a Chair of the RAD Board; and

(ii) two Deputy Chairs of the RAD Board to discharge the duties of the Chair in his or her absence,

who must be qualified lawyers of not less than seven years standing and who, whilst holding office, must not own or have an interest in any racehorse nor hold office in any Racing Club;

(c) appoint from amongst the persons appointed under LR 8A(1)(a) an Executive RAD Board Member who may be appointed to act in the position, and exercise all functions and powers, of the Chair or Deputy Chair of the RAD Board for the purpose of hearing and determining a proceeding under LR 8A(3), as required, and who must have previously been appointed as a Chair or Deputy Chair; and

(d) define the term of office and remuneration of persons appointed to constitute the RAD Board.

(1A) **Transitional Appointment**: Where:

(a) the term of a person who has been appointed as a Chair or Deputy Chair under LR 8A(1)(b) is due to expire; and

(b) at the time of the expiry of the term, that person is or will be acting as Chair or Deputy Chair in a proceeding which has commenced but not yet been heard and/or determined,

that person will be appointed as an Executive RAD Board Member in accordance with LR 8A(1)(c) and will exercise all functions and powers of the Chair or Deputy Chair of the RAD Board under these Rules for the purpose of the completion of the hearing and/or determination of the relevant proceeding.

(2) **Function:** The function of the RAD Board is to hear and determine:

(a) appeals from the decisions of the Committee of any Racing Club made under the Rules;

(b) appeals from the decisions of the Stewards made under the Rules;

(c) appeals from the decisions of the RVL Directors in exercising any power conferred on Stewards by the Rules;

(d) appeals from the decisions of the RVL Directors to refuse an approval of an off-course premises for remote betting usage under section 4C of the Racing Act 1958 or to cancel or suspend an approval or to vary or refuse to vary an approval condition under section 4D of the Racing Act 1958; and

(e) charges laid by the Stewards pursuant to LR 8C(2) and other charges in accordance with LR 8C(6) and (7);

(f) notwithstanding LR 8C(1) or any other rule, any matter referred to it by the RVL Directors, either of the Directors' own motion or upon a recommendation from the Stewards; and

(g) appeals by any Trainer from any decision of any Racing Club arising from, or relating to, a Trainer User Agreement and pursuant to which decision the Trainer's access to the racecourse managed by the Racing Club is suspended for a period in excess 48 hours or the Trainer is fined an amount equal to or greater than $500.

For the purposes of LR 8A(2)(g), a "Trainer User Agreement" means an agreement between a Racing Club and a Trainer which provides for the terms and conditions upon which the Trainer may access and use the racecourse managed by the Racing Club for the purposes of training racehorses under the care and control of the Trainer. For the avoidance of doubt, any agreement, licence or lease which confers a proprietary interest on any party is not a Trainer User Agreement.

(3) **Constitution for hearing proceedings:** To hear and determine any of the matters referred to in LR 8A(2), the RAD Board must be constituted as follows:

(a) for any proceeding in respect of a charge for a Serious Offence where a charged person has not indicated prior to the hearing that he or she will plead guilty to the charge (or all charges if there is more than one charge): by a panel of three or five members of the RAD Board (as determined by the Chair) selected by the Chair, and which must include the Chair (or the Executive RAD Board Member appointed to act in the position of the Chair), or either of the Deputy Chairs (or the Executive RAD Board Member appointed to act in the position of Deputy Chair), or all of them;

(b) for any proceeding:

i. in respect of a charge for a Serious Offence where the charged person(s) has (or have) indicated prior to the hearing that he or she (or they) will plead guilty to the charge (or all charges if there is more than one charge); or

ii. which arises pursuant to a decision referred to in LR 8A(2)(a)-(d), or pursuant to any matter referred in accordance with LR 8A(2)(f):

by the Chair (or the Executive RAD Board Member appointed to act in the position of the Chair) or a Deputy Chair (or the Executive RAD Board Member appointed to act in the position of the Deputy Chair) sitting alone or, if so directed by the Chair in his or her discretion in respect of a particular proceeding, a panel of three members of the RAD Board selected by the Chair which must include the Chair (or the Executive RAD Board Member appointed to act in the position of the Chair) or either of the Deputy Chairs (or the Executive RAD Board Member appointed to act in the position of Deputy Chair) or all of them;

(c) in the event of the Chair, the Deputy Chairs and the Executive RAD Board Member being not available for a particular proceeding, another member of the RAD Board who is a qualified lawyer of not less than

seven years standing may be selected by the Chair or either of the Deputy Chairs to act as Chair for that proceeding.

LR 8B Initiating an appeal

(1) **Right of appeal by giving notice:** Subject to LR 8B(1A) and LR 8B(2), any person aggrieved by the decision of:

(a) the Committee of any Racing Club made under the Rules;

(b) the Stewards made under the Rules; or

(c) the RVL Directors in exercising any power conferred on the Stewards by the Rules,

may appeal to the RAD Board by lodging a written notice in the form prescribed under the *Racing Act 1958* (Vic) with the RAD Board Registrar not later than 5.00pm on the third day after the person receives notice of the decision.

(1A) **Right of appeal by giving notice – Designated Spring Racing Carnival Period**: Any rider aggrieved by a decision of the Stewards made under AR 129 and/or AR 131 in respect of a race run during the Designated Spring Racing Carnival Period may appeal to the RAD Board by lodging a written notice in the form prescribed under the Racing Act 1958 (Vic) with the RAD Board Registrar not later than 5.00pm on the second day after the person receives notice of the decision.

For the avoidance of doubt, for the purpose of LR 8B(1A):

(a) the Designated Spring Racing Carnival Period is defined as the time period from the commencement of the first race on Caulfield Guineas Day at the Caulfield Racecourse to the conclusion of the last race on Stakes Day at the Flemington Racecourse; and

(b) by way of example, if a rider is suspended on Derby Day (being the first Saturday of the Melbourne Cup Carnival) he or she has until 5.00pm on the next Monday to lodge a notice of appeal.

(2) **No right of appeal:** Except as provided by LR 8B(2A), an appeal cannot be made against the decision of the Stewards, Committee of a Racing Club or RVL Directors where the penalty is a fine of equal to or less than $250 or in respect of the matters identified in AR 280(2).

(2A) **Appeal directed by Racing Integrity Commissioner:** Where the Racing Integrity Commissioner so directs, the RAD Board must hear and determine an appeal made by a person against a penalty imposed on the person notwithstanding that the penalty imposed was a fine of not more than $250.

(2AB) **Application to the Racing Integrity Commissioner**

(a) A person in respect to whom a decision has been made under the rules to impose a penalty that is a fine of not more than $250 may apply, in writing, to the Racing Integrity Commissioner requesting that the Racing Integrity Commissioner consider directing the RAD Board to hear an appeal made by the person against that decision.

(b) The application to the Racing Integrity Commissioner made by a person under LR 8B(2AB)(a) must be made by 5.00pm on the third day after the day the person receives notice of the decision that the person would like to appeal.

(c) As soon as is reasonably practicable after the Racing Integrity Commissioner makes a direction under LR 8B(2A), the RAD Board must advise, in writing, the appellant and the person or body that made the decision in respect of which the appeal is being made, or:

(i) the date and time of the hearing of the appeal; and

(ii) the venue at which the hearing will be held.

(3) **RAD Board to notify Committee, Stewards or RVL Directors of the appeal:** The RAD Board must, as soon as is reasonably practicable, notify the Committee of the Club, Stewards or RVL Directors (as is relevant) that the appeal has been lodged.

(4) **Stay of proceedings:** The RAD Board may in its absolute discretion and subject to such conditions as it thinks fit suspend in whole or in part the operation of the decision which is the subject matter of the appeal to the RAD Board pending the determination of the appeal by the RAD Board.

(5) **Appeal may not be abandoned without RAD Board approval:** An appeal to the RAD Board may not be withdrawn or otherwise not proceeded with by the appellant:
(a) unless by leave of the RAD Board; and
(b) except upon such terms and conditions as the RAD Board may impose.

(6) **Leave to appeal:** An appeal sought to be commenced after the end of the period referred to in LR 8B(1) is deemed to be an application for leave to appeal under LR 8B(1). The RAD Board may grant leave to appeal if the RAD Board is of the opinion that the appellant has given an adequate explanation for his or her failure to institute the appeal within the period referred to in LR 8B(1) and it would be unjust to refuse leave.

LR 8C Charges for hearing and determination under LR 8A(2)(e)

(1) **RAD Board's original jurisdiction:** Except as provided by LR 8C(2A) and notwithstanding anything else to the contrary in the Rules, the Committee of any Racing Club or the Stewards or the Directors in exercising any power conferred on the Stewards must not hear or determine any matter or penalise any person relating to a Serious Offence.

(2) **Charges:** The Stewards may charge persons with a Serious Offence (or Serious Offences) referred to in LR 8C(1).

(2A) **Minor Offences:** Notwithstanding the provisions of LR 8C(1), where a person charged by the Stewards with a breach of AR 227(b), AR 228(a), AR 228(b), AR 229(1)(h), AR 232(h), AR 232(i), AR 241, AR 247, or AR 251 has indicated in writing that he or she will plead guilty before the RAD Board, the Stewards may penalise the person by imposing a fine not exceeding $5000. [amended 23/4/19, replaced 21/5/19]

(3) **Details of charge:**
(a) In any case where the Stewards have decided to lay a charge pursuant to LR 8C(2), the Stewards must provide to the person a notice of charge specifying:
(i) the offence; and
(ii) the particulars of the facts and circumstances relating to the alleged commission of the offence.
(b) In conjunction with the notice of charge referred to in LR 8C(3)(a), the Stewards must provide to the person charged by the Stewards copies of any complaint, report, videotape evidence, witness statements and other evidence which will be relied upon to support the charge.
(c) The Stewards must provide the Registrar of the RAD Board with a copy of the notice of charge and any material that accompanied the notice referred to in LR 8C(3)(b) no later than 2 days after the notice of charge has been provided to the person charged by the Stewards.

(4) **Notice of hearing:**
Upon receipt of the materials referred to in LR 8C(3)(c), the RAD Board must as soon as is reasonably practicable notify the Stewards and the person charged by the Stewards of the date of the hearing.

(5) **Withdrawal of charge:** If in relation to a charge pursuant to LR 8C(2), the Stewards are of the opinion that there is no reasonable prospect of a conviction being secured, then the Stewards must:
(a) publish short written reasons for their opinion;
(b) provide a copy of those reasons to the person charged by the Stewards and the media; and
(c) provide a notice of withdrawal of the charge to the Chair of the RAD Board accompanied with the material referred to in paragraphs (a) and (b) above, and the charge shall be deemed to be withdrawn and the proceedings in relation to that charge will be deemed to be concluded.

(6) **Hearing and determination of mixed charges involving one person:** If more than one charge has been laid against a person arising out of the same set of circumstances and any of those charges have been laid pursuant to LR 8C(2), all of the matters the subject of the charges must be heard and determined by the RAD Board.

(7) **Hearing and determination of mixed charges involving more than one person:** If a charge has been laid against more than one person arising out of the same set of circumstances and any of those persons has been

charged pursuant to LR 8C(2), all of the matters the subject of the charges must be heard and determined by the RAD Board.

(8) **Application of Rules to mixed charges:** Where LR 8C(6) or (7) applies, the requirements of LR 8C(3), (4) and (5) will apply with respect to all charges to be heard and determined by the RAD Board.

LR 8D Conduct of proceedings

(1) **Rules of natural justice apply**: The RAD Board is bound by the rules of natural justice.

(2) **Hearings before the RAD Board and evidence:** Subject to the requirements of procedural fairness, the RAD Board may:
   (a) if the parties to a proceeding have been advised of the date, time and venue of a hearing, conduct the hearing in the presence of the parties or representatives of the parties, or with only some of the parties or representatives of the parties or without any of the parties or representatives of the parties;
   (b) hear evidence by telephone, closed circuit television or video links;
   (c) allow the evidence of a Steward or an investigator to be given on the notes of evidence taken by the Steward or investigator;
   (d) conduct a proceeding on the case stated by the parties to the proceeding;
   (e) conduct the re-hearing of a matter by affidavit, statutory declaration or oral evidence.

(3) **No requirement to conduct hearings de novo**: The RAD Board is not required to conduct a hearing as a de novo hearing.

(4) **Right to legal or other representation**: A party to a proceeding before the RAD Board is entitled to be represented at the hearing of the matter by an Australian Lawyer or any other person.

(5) **Proceedings to be held in public unless otherwise ordered**
   (a) All proceedings of the RAD Board must be held in public unless the RAD Board considers that it is in the interests of justice that part or all of the hearing be held in private; and
   (b) The RAD Board may order that any evidence given at a proceeding, the content of any document produced to the RAD Board or any information that might enable a party or another person to be identified must not be published or published only in the manner and to persons specified by the RAD Board.

(6) **Dismissal of certain proceedings:** The RAD Board may dismiss a proceeding without a hearing if it is satisfied that the proceeding is frivolous, vexatious, misconceived or lacking substance.

(7) **To provide reasons**: The RAD Board must give reasons for any decision made in relation to a matter before it, and whether oral or written, such reasons form part of the record of the proceeding in which the decision is made.

(8) **To provide written reasons upon request:** If the RAD Board gives oral reasons, a party may, within 28 days of the decision, request the RAD Board to give written reasons in which case, the RAD Board must comply with the request within 28 days after the request was made.

(9) **RAD Board may otherwise regulate its own procedure:** Except as otherwise required by these Rules, the RAD Board may regulate its own procedure in respect of any proceeding before it.

LR 8E Powers of the RAD Board

(1) **Decisions of RAD Board in relation to a proceeding:** The RAD Board may in the hearing or determination of any matter:
   (a) draw inferences of fact;
   (b) penalise any person, and for that purpose a reference in the Rules to any penalty by the Directors, the Stewards or Committee of a Racing Club includes a penalty by the RAD Board; and
   (c) give any judgement or decision or make such order as in the RAD Board's opinion the justice of the case requires.

(2) **Decisions of the RAD Board in relation to an appeal:** Without limiting LR 8E(1), the RAD Board may in hearing an appeal:

(a) confirm, set aside or vary the decision appealed against;

(b) quash, set aside, mitigate, reduce, alter, vary, increase or add to the penalty imposed by the Stewards or Committee of a Racing Club under the Rules or by the RVL Directors in exercising any power conferred on Stewards by the Rules;

(c) refer the matter on appeal for rehearing or reconsideration of the decision, and/or;

(d) review in full a decision being appealed, including in circumstances where only part of the decision has been objected to, sought to be reviewed or appealed.

(3) **Exercise of powers against other persons:** The powers of the RAD Board may be exercised against all or any other person or persons considered by the RAD Board to be in breach of the Rules notwithstanding that he or she or they may not be a party to any proceedings or may not have been dealt with by such Stewards, Committee of a Racing Club or RVL Directors provided that due notice is given to him or her by the RAD Board of its intention to investigate and deal with the matter in relation to him or her.

(4) **Interim orders:** The RAD Board may make any interim orders it thinks fit in any proceedings before the RAD Board.

(5) **Directions:**

(a) The Chair or Deputy Chair of the RAD Board may give directions in relation to the operation or procedure of the Board.

(b) Any direction made by the Chair or Deputy Chair of the RAD Board pursuant to LR 8E(5)(a) must not be inconsistent with the *Racing Act 1958* (Vic) or these Rules.

(6) **Improper or insulting behaviour:** Any person guilty of improper or insulting behaviour at any time towards the RAD Board or any member thereof or person in attendance at a hearing of the RAD Board may be penalised by the RAD Board as it thinks fit.

LR 8F Decision final

All decisions of the RAD Board are final subject only to any further rights of appeal provided by law.

Division 3 – Training Disputes Tribunal

LR 9A Appointments and Functions

(1) **Appointments**

Racing Victoria may:

(a) appoint not more than five persons to constitute the Training Disputes Tribunal (the **"TDT"**);

(b) appoint from amongst the persons appointed under LR 9A(1)(a):

(i) a Chair of the TDT; and

(ii) two members of the TDT to discharge the duties of the Chair in his or her absence, who must be qualified lawyers of not less than five years standing; and

(c) define the term of office and remuneration of persons appointed to constitute the TDT.

(2) **Function of the TDT:**

(a) The function of the TDT is to:

(i) hear and determine disputes between a Trainer (as defined in the TOR Rules) and an Owner (or Owners) (as defined in the TOR Rules) in relation to the payment of Training Fees and/or Training Disbursements (as defined by the TOR Rules); and

(ii) enforce and exercise any policies or procedures in respect of the role, powers and functions of the TDT, including any powers referred to in TOR Rule 8.

(3) **Jurisdiction**:

(a) The TDT has jurisdiction to hear and determine all issues or questions relevant to the determination of disputes between a Trainer (as defined in the TOR Rules) and an Owner (or Owners) (as defined in the

TOR Rules) in relation to the payment of Training Fees and/or Training Disbursements (as defined by the TOR Rules).

(b) The TDT has no jurisdiction to hear or determine any disputes between co-owners of horses.

(4) **Constitution for hearings:** To hear and determine any dispute in relation to Training Fees and/or Training Disbursements (as defined by the TOR Rules) the TDT must be constituted by one member, who must either be the Chair, a Deputy Chair, or another member delegated by the Chair to do so.

LR 9B Allocation of disputes to the TDT

(1) **Allocation of a dispute to the TDT:** A TDT dispute is deemed to have been allocated to the TDT once:

(a) the TDT has received formal notice from Racing Australia that Racing Australia has allocated a matter to the TDT under the TOR Rules (and specifically, TOR Rule 5(4)); and

(b) Racing Victoria has received the Filing Fee (as defined in the TOR Rules and referred to in [*TOR 8(1)*]) from Racing Australia.

(2) **Notice to parties of allocation of matter:** Upon receipt of the allocation of a matter to the TDT under LR 9B(1), the TDT must as soon as is reasonably practicable notify the parties to confirm that the matter has been allocated to the TDT.

LR 9C Conduct of TDT Proceedings

(1) **Rules of procedural fairness apply**: The TDT is bound by the rules of procedural fairness.

(2) **Directions and orders**:

(a) Subject to (b), the TDT may, at any time and as it sees fit, make any direction or order (including any interim direction or order) in respect of:

(i) the conduct of a proceeding (including in respect of the mediation of a dispute the subject of the proceeding); and

(ii) the hearing and determination of a dispute the subject of the proceeding.

(b) The TDT must not direct or order that a hearing take place on the papers without the express agreement of each party to the proceeding.

(3) **No right to legal representation**:

(a) A party to a proceeding (including any hearing conducted orally or on the papers) is not automatically entitled to legal representation before the TDT.

(b) The TDT may grant leave to a party to a proceeding (including any hearing conducted orally or on the papers) to be legally represented if, in the opinion of the TDT, that is warranted having regard to one or more of the following matters:

(i) the complexity of the issues arising in the proceeding;

(ii) the amount disputed;

(iii) whether or not the case is of general importance to the racing industry; and/or

(iv) the interests of justice in the circumstances of the case.

(4) **Hearings and evidence:** In respect a hearing before the TDT:

(a) the TDT must make all reasonable efforts to hear and determine a dispute in an efficient and timely manner, having regard to the complexity and nature of the issues in dispute, and the circumstances of the case;

(b) the TDT is entitled to determine any matter relevant to the dispute, and may:

(i) determine whether Training Fees and/or Training Disbursements (as defined in the TOR Rules) must be paid and in what amount, including in relation to any payments paid into the Training Disputes Trust Account (as defined in the TOR Rules);

(ii) make any order or direction to give effect to any determination referred to in LR 9C(3)(b)(i);

(iii) recommend to Racing Victoria that Racing Victoria (or the Stewards) apply the Rules against a trainer or owner in a manner recommended by the TDT (in which case it will then be a matter for Racing Victoria (or the Stewards) as to whether it implements such a recommendation). A recommendation

made under this rule may relate to the subject matter of the dispute (and related conduct), or to the conduct of a party during the proceeding;

(c) subject to LR9C(2)(b), the TDT may, subject to the requirements of procedural fairness, hear matters in any manner which the TDT sees fit, including:

(i) if the parties to a hearing have been advised of the date, time and venue of a hearing, by conducting the hearing in the presence of the parties or representatives of the parties, or with only some of the parties or representatives of the parties or without any of the parties or representatives of the parties;

(ii) by hearing evidence by telephone, closed circuit television or video links;

(iii) by conducting a hearing on the case stated by the parties to the hearing;

(iv) by conducting the hearing of a matter by affidavit, statutory declaration or oral evidence;

(d) the TDT is not bound by the rules of evidence.

(5) **Decisions and reasons:**

(a) The TDT may in the determining any matter:

(i) draw inferences of fact; and

(ii) give any judgement or decision or make such order as in the TDT's opinion the justice of the case requires.

(b) A decision of the TDT is binding on the parties to the proceeding as a decision under these Rules.

(c) The TDT must give reasons for any decision made in relation to a matter before it, and whether oral or written, such reasons form part of the record of the proceeding in which the decision is made.

(d) The TDT must, other than in exceptional circumstances, make all reasonable efforts to determine a dispute within 10 business days of the conclusion of the hearing of the dispute.

(e) If the TDT gives oral reasons, a party may, within 28 days of the decision, request the TDT to give written reasons in which case, the TDT must comply with the request within 28 days after the request was made.

(6) **Costs**

(a) An unsuccessful party to an application before the TDT must bear the cost of the relevant Filing Fee (as defined in the TOR Rules) in respect of that application.

(b) Further to LR9C(6)(a), if the Trainer (as defined in the TOR Rules) succeeds before the TDT and the proceeding was commenced by the Trainer, the unsuccessful Owner (as defined in the TOR Rules) must pay the successful Trainer an amount equivalent to the Filing Fee within 7 days of the TDT's decision.

(c) Further to LR9C(6)(a), if the Owner (as defined in the TOR Rules) succeeds before the TDT and the proceeding was commenced by the Owner, the unsuccessful Trainer (as defined in the TOR Rules) must pay the successful Owner an amount equivalent to the Filing Fee within 7 days of the TDT's decision.

(d) Other than as provided in this sub-rule LR 9C(6), the parties to a dispute before the TDT must bear their own costs (including any legal costs) in connection with that dispute, except that the TDT retains a discretion to order that a party (the first party) pay some of all of the costs of the other party if the TDT is satisfied that:

(i) the first party commenced or responded to the TDT proceedings vexatiously;

(ii) the first party unreasonably hindered the TDT in its management or conduct of the proceedings; or

(iii) the first party's commencement of, or response to, the TDT proceedings had no reasonable prospect of success.

(e) The TDT may make any order or direction to give effect to the matters set out in this sub-rule LR 9C(6).

(7) TDT may determine whether hearings are conducted in private or in public:

(a) The TDT may determine whether a hearing is to be held in private or in public.

(b) The TDT may order that any evidence given at a hearing, the content of any document produced to the TDT, or any information that might enable a party or another person to be identified must not be published or published only in the manner and to persons specified by the TDT.

(8) Cessation or withdrawal of proceedings prior to hearing:

(a) The parties to a proceeding before the TDT may, by consent, apply to the TDT for the cessation or withdrawal of a proceeding.

(b) The TDT may in its discretion grant leave to a party who initiated the Notice of Election of Hearing (as defined in the TOR Rules) to withdraw the proceeding from the TDT.

(9) Dismissal of certain proceedings: The TDT may make any order to dismiss any proceeding without a hearing if, following the allocation of dispute to it under LR 9B(1), if it is satisfied that the dispute is frivolous, vexatious, misconceived or lacking substance.

(10) Multiple hearings involving one trainer: If more than one proceeding before the TDT relates to the same trainer, but involves multiple owners, and arises out of the same or a similar set of circumstances, all of the proceedings may, subject to the discretion of the TDT, be heard and determined together by the TDT.

(11) TDT may otherwise regulate its own procedure: Except as otherwise required by these Rules, the TDT may regulate its own procedure in respect of any proceeding before it.

PART 3 – ROLE & POWERS OF STEWARDS

Division 1 – Source of Stewards' powers

AR 19 Source of Stewards' powers

Wherever it is stated in these Australian Rules that a Steward has a power or a function, the source of that power or function is to be taken and read as being conferred on the Steward in each of the racing jurisdictions in Australia as follows:

(a) in New South Wales: Stewards' powers and functions are conferred on them solely through delegation by the PRA in New South Wales;

(b) in Victoria: Stewards' powers and functions are conferred on them by the Rules and/or through the Racing Act 1958 (Vic);

(c) in Queensland: Stewards' powers and functions are conferred on them by the Rules read with the Queensland Racing Integrity Commission (QRIC) "Standard – Powers under the Rules of Racing" dated 1 July 2017, made pursuant to section 58(1)(b) of the Racing Integrity Act 2016 (Qld);

(d) in Western Australia: Stewards' powers and functions are conferred on them by the Rules and/or through any valid government statute or legislative instrument which confers powers or functions on Stewards;

(e) in South Australia: Stewards' powers and functions are conferred on them by the Rules and through delegation by the PRA in South Australia;

(f) in Tasmania: Stewards' powers and functions are conferred on them solely by the Rules;

(g) in the Australian Capital Territory: Stewards' powers and functions are conferred on them solely through delegation by the PRA in New South Wales; and

(h) in the Northern Territory: Stewards' powers and functions are conferred on them through delegation by the PRA in the Northern Territory, and/or through any valid government statute or legislative instrument which confers powers or functions on Stewards.

LR 10 Appointment of Stewards and Investigators

(1) **Appointment of Stewards and Deputy Stewards:** The Directors may from time to time:

(a) appoint any number of persons to act as Stewards or Deputy Stewards for the purposes of the Rules; and
(b) define the period of appointment and remuneration of such Stewards and Deputy Stewards.

(2) **Appointment of Chairman and Deputy Chairman:** The Directors may appoint:
(a) a Chairman of Stewards; and
(b) a Deputy Chairman of Stewards to discharge the duties of the Chairman in his or her absence.

(3) **Secondment of other Principal Racing Authorities' Stewards:** The Directors may from time to time:

(a) second one or more Stewards employed by another Principal Racing Authority and appoint them to act as Stewards for the purposes of the Rules;

(b) define the period of the secondment and remuneration of such Stewards; and

(c) notwithstanding the provisions of sub-rule (2) of this rule and of LR 11(4), appoint such Stewards to discharge the duties of the Chairman of Stewards and/or the Deputy Chairman of Stewards. [amended 21/5/19]

(3A) **Independence of Stewards:** In carrying out their functions, the Stewards are independent to, and act independently of, the Board of Racing Victoria.

(4) **Appointment of Investigators:** the Stewards may from time to time appoint one or more persons as Investigators. The Investigators shall have and may exercise all the powers, duties and authorities conferred on Stewards by AR 20(a) and (f), AR 22(1)(d), (h), (i), (k) and (l) and AR 22(2).

(5) **Obstruction of Investigators:** A licensed person may be penalised for refusing to obey any reasonable direction of an Investigator; or obstructing, hindering or delaying an Investigator; or inciting any other person to obstruct, hinder or delay an Investigator; or not acting to prevent any other person from doing so.

Division 2 – Stewards' powers

AR 20 General powers

The Stewards have the following powers:

(a) to regulate and control, investigate, inquire into, hear and determine matters relating to the conduct of all officials, licensed persons or registered persons, persons connected with a horse, persons attending a racecourse, and any other person connected with racing;

(b) to make or vary any of the arrangements for the conduct of a race meeting under their control;

(c) to take (or cause the taking of) a sample from a horse and to make (or cause to be made) any testing or analysis to determine whether any prohibited substance is present in the system of the horse;

(d) to prohibit any horse from starting in a race;

(e) to refuse or reject the nomination of any horse at any time for any period and/or until that horse has satisfactorily participated in an official trial or a jump-out, or passed any required veterinary examination;

(f) to enter upon and control all lands, buildings and other structures or places used for the purposes of a race meeting, and to expel or exclude any person from the same;

(g) to order the removal of any shoes, racing plates, equipment or gear from a horse which are not approved or are in their opinion unsuitable, unsafe or ineffective;

(h) to inquire at any time into the running of any horse within the jurisdiction of the same PRA;

(i) to hear and determine any claim by a rider that a nominator or trainer of a horse refused to honour a riding engagement, and to make an order regarding that, including in relation to any compensation they think fit in the circumstances; and

(j) to exercise any powers or perform any functions conferred on them by the relevant PRA and/or through any valid government statute or legislative instrument which confers powers or functions on them (as applicable).

AR 21 Race days, official trials and jump-outs

Without limiting any other Stewards' powers, the Stewards have the following powers in relation to race days, official trials and jump-outs:

(a) to determine all questions and/or protests in relation to racing;

(b) to disqualify any horse entered for a race which, contrary to the orders of the Stewards, is removed from the course at the race meeting, or not produced on request;

(c) to require any nominator to satisfy the Stewards that the nominator and/or any horse nominated by that person is not subject to any penalty or restriction under the Rules;

(d) to order down from riding any rider without giving any reason, and to order the substitution of one rider with another if they think fit;

(e) to order any rider to alter the length of the rider's stirrups;

(f) for any reason related to conditions on a race day, including with reference to safety:

  (i) to postpone any race/s, whether before or after the commencement of the race meeting, either to later that day or another day (subject to the approval of the relevant PRA); and/or

  (ii) to alter the distance of any race;

(g) in exceptional circumstances, to extend the time allowed for weighing-out, declaring weight, starting, or for any other thing required by the Rules or related to the conditions of a race;

(h) at any time during the hours of racing, to remove and/or replace the Judge, Starter, Clerk of the Scales, Clerk of the Course, timekeeper, or other official;

(i) to engage any official or assistant necessary for the conduct of a race meeting; and

(j) to order the scratching of a horse from a race at any time before the start of a race if, in the opinion of the Stewards, it is either unfit to run or unable to start without unreasonable delay.

LR 11 Stewards at race meetings

(1) **Three or more to act:** There must be at least three Stewards acting at every race meeting conducted by a Racing Club other than a Non-TAB Race Meeting or a Picnic Race Meeting.

(2) **If less than three present:** If there are less than three Stewards present and competent and willing to act at any race meeting of a Racing Club (other than a Non-TAB Race Meeting or a Picnic Race Meeting), the Directors, the Chairman of Stewards or the Committee of the Racing Club holding the race meeting must nominate a person or persons as Deputy Stewards to bring the number of Stewards up to three.

(3) **Non-TAB and Picnic Race Meetings:** The Stewards may from time to time determine the number of Stewards to act at a Non-TAB Race Meeting or a Picnic Race Meeting.

(4) **Acting Chairman:** In the absence of both the Chairman and the Deputy Chairman at a race meeting the Stewards present may appoint an Acting Chairman from their number.

(5) **Reconstitution of panels**: Where an inquiry commenced by the Stewards at a race meeting is adjourned for any reason, the Stewards will use their best endeavours to reconstitute the same Panel, subject to the discretion of the Chairman to substitute panel members as required.

LR 11A Race meetings with less than three Stewards

(1) Subject to LR 11A(3), if there are less than three Stewards present and competent and willing to act at a race meeting, and there are no available appropriate persons at the race meeting able or willing to be nominated pursuant to LR 11(2), then the requirement in LR 11(1) does not need to be adhered to.

(2) For the purposes of this rule, "appropriate persons" cannot be:

(a) licensed / registered as a Trainer, Jockey or Stable Employee under these Rules (or the Rules of another PRA); or

(b) otherwise conflicted from acting as a Deputy Steward (as determined in the opinion of the Stewards).

(3) Application of LR 11A(1) requires the prior approval of either the Executive General Manager – Integrity Services or the Chairman of Stewards.

[LR 11A added 25/3/2020]

LR 12 Stewards may refer riders to the Jumps Riders Skills Panel

The Stewards may, in their discretion, refer any rider to the Jumps Riders Skills Panel.

AR 22 Investigations and inquiries

(1) Without limiting any other Stewards' powers, the Stewards have the following powers in relation to investigations and inquiries:

(a) to investigate and/or inquire into any matter in connection with racing, including without limitation:

(i) any matter in connection with any race meeting; and

(ii) any incident or occurrence in connection with any official trial, jump-out, trackwork, or training facility.

(b) to hear and make a determination in relation to any matter in connection with racing, including without limitation:

(i) any matter in connection with any race meeting; and

(ii) any incident or occurrence in connection with any official trial, jump-out, trackwork, or training facility;

(c) to take any action the Stewards deem necessary in respect of any horse involved in any investigation or inquiry conducted under subrule (1)(a) or (b);

(d) to require production and take possession of and examine (by any means) any mobile phones, computers, tablets, other electronic devices, books, documents and records (including telephone or financial records) in relation to any race meeting and/or any investigation, inquiry, hearing or proceeding;

(e) to order the examination of any horse, including to determine its age or identity;

(f) to take possession of any horse, whether dead or alive, in order to conduct whatever tests and/or examinations the Stewards consider necessary;

(g) to take (or cause to be taken) any sample from any horse and perform (or require to be performed) any testing or analysis of that sample to determine whether any prohibited substance is in the system of the horse;

(h) to take (or cause to be taken) any sample from any rider before or after any race, official trial, jump-out or trackwork;

(i) to take (or cause to be taken) any sample from any horse handler before or after handling any horse at any race meeting, official trial, jump-out or trackwork, where a Steward reasonably suspects that the horse handler is affected by a banned substance under AR 137(1).

(j) to arrange or facilitate any test to determine whether any prohibited substance or banned substance is in a sample;

(k) to search any licensed person or any gear or equipment and to take possession of anything the Stewards believe could provide evidence of a breach of the Rules;

(l) at any time to enter the premises occupied by or under the control of a licensed person and used in any manner relating to any licence to:

(i) inspect and search the premises;

(ii) search any licensed person or registered person on the premises;

(iii) examine any horse, take possession of it and cause that horse to be:

(A) removed from the premises and be detained; or

(B) detained at or within the premises,

for a period and on terms the Stewards consider necessary; and

(iv) examine and/or take possession of anything located on or in the premises and retain it for a period the Stewards consider necessary.

(2) Stewards who enter premises under powers in these Australian Rules may bring with them persons or items they consider necessary to assist in the exercise of their powers, performance of their functions or carrying out of their duties.

(3) In relation to the powers of entry of premises under these Australian Rules, the onus of proving that the premises are not being used in any manner relating to any licence is on the licensed person who has the occupation or control of the premises, and the use of them.

LR 13 Stewards' inquiry

(1) **Authority:** A panel of any number of Stewards as specified by the Chairman of Stewards may take any action the Stewards consider to be necessary:

(a) against any person or persons who have breached the Rules; and

(b) in respect of any horse in accordance with the Rules.

(2) **Stewards may permit representation:** Notwithstanding AR 281 the Stewards may in their discretion permit any person who is the subject of, or required to attend at, any Stewards' inquiry or adjudication to be represented upon such conditions as the Stewards think fit.

(3) **To be held in public:** Protest hearings and Stewards' inquiries of matters where the Stewards may impose a penalty for a breach of the Rules are to be held in public subject to the discretion of the Chairman to close all or part of an inquiry.

AR 23 Suspension pending the hearing and determination of a charge

Without limiting any other rules or Stewards' powers, if a person has been charged with a breach of the Rules or with the commission of an indictable criminal offence, and if the Stewards are of the opinion that the continued participation of that person in racing might pose an unacceptable risk of prejudicing the image, interests, integrity or welfare of racing, the Stewards may pending the hearing and determination of the charge:

(a) suspend any licence, registration, right or privilege, granted to that person under these Australian Rules;

(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 be prevented or suspended;

(d) make any other direction or order the Stewards think fit in the interests of racing.

AR 24 Disciplinary action

Without limiting any other Stewards' powers, the Stewards have the following powers in relation to disciplining and/or penalising:

(a) to penalise any person who breaches the Rules; and

(b) to publish any penalty or restriction imposed or any decision made in the exercise of their powers, performance of their functions or carrying out of their duties.

AR 25 Panel decisions

Any decision made by a panel of Stewards must be done so with a majority vote. If voting is equal, the Chairman of that panel shall have a casting vote.

PART 4 – HORSE REGISTRATION, OWNERSHIP, LEASING & TRACEABILITY

Division 1 – Horse registration

AR 26 Registration of a horse

A horse entered to run in a race or official trial must be registered with Racing Australia, except where a PRA or the Stewards exercise a discretion, after conferring with the Registrar, to permit the entry of a horse registered abroad or an unregistered yearling on terms they think fit.

AR 27 Stud Book requirement for horse registration

A horse cannot be registered unless it has been:

(a) accepted for inclusion as a foal in the Australian Stud Book or the stud book of an Overseas Racing Authority; or

(b) accepted for inclusion in the Australian Non-Thoroughbred Register or non-thoroughbred register of an Overseas Racing Authority.

AR 28 Biological constitution requirement for horse registration

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.

AR 29 Branding and microchip requirement for horse registration

Unless otherwise permitted by Racing Australia, a horse cannot be registered unless:

(a) it is branded with an identifying brand and, subject to any State or Territory legislation, that brand consists of a distinguishing foaling numeral over the last figure of the foaling year in accordance with the provisions of AR 161; and

(b) it has been implanted with a microchip in accordance with the requirements of Racing Australia and the Australian Stud Book Rules.

AR 30 Information to be provided with horse registration application

(1) Every application to register a horse (which has complied with AR 34) must contain information required by Racing Australia, which may include:

  (a) in respect of the horse:

    (i) its age,

    (ii) its sex;

    (iii) its colour;

    (iv) its pedigree;

    (v) any brands and markings;

    (vi) its microchip number (if applicable);

    (vii) its Foal Identification Card;

    (viii) any disqualifications incurred; and

    (ix) any other information that Racing Australia considers necessary.

  (b) in respect of the horse's ownership:

    (i) the name, date of birth, address and signature of each owner; or

    (ii) if the horse is owned by a Syndicate, the name of the Syndicate and the name and address of the manager of the Syndicate;

    (iii) further to subrule (1)(b)(ii), if the Syndicate is a company, the name of the company and its registered address; and

    (iv) any other information that Racing Australia considers necessary.

(2) Racing Australia may require that any of the information identified in subrule (1) be verified by statutory declaration.

(3) Racing Australia may in its discretion accept or reject any application for registration of any horse.

(4) The fees payable for registration of a horse will be determined from time to time by Racing Australia.

AR 31 Provision of incorrect information

(1) A person must not provide incorrect information in an application to register a horse with Racing Australia.

(2) If a person breaches subrule (1), the Stewards may suspend the horse from racing pending a decision by Racing Australia as to whether or not the registration of the horse should be cancelled.

AR 32 Endorsement of certificates of registration for overseas horses

Racing Australia may endorse the Certificate of Registration or other official registration documentation of a horse registered in a country other than Australia for a 12 month period if the following conditions are met:

(a) payment of a prescribed fee as required by Racing Australia; and

(b) receipt of written confirmation from an approved body functioning in the capacity of a principal racing authority of the country where the horse is based, stating that none of the owners is a jockey, and that none is under any penalty or restriction pursuant to the rules of racing of that country.

AR 33 Registration of a horse foaled outside of Australia

A horse foaled in a country other than Australia cannot be registered with Racing Australia unless the following documents have been provided to Racing Australia:

(a) a certificate of pedigree recording the following information about the horse:

  (i) where it was foaled;

  (ii) its name (if any);

  (iii) its age, sex, colour, pedigree, and microchip number (if any);

  (iv) any brands and markings by which it may be distinguished, as certified by the official stud book authority of the country in which it was foaled; and

  (v) any other evidence required by Racing Australia; and

(b) a certificate of identification stating the horse's age, sex, colour, microchip number (if any) and any brands and markings by which the horse may be identified, as certified by a veterinary surgeon approved by a PRA or the Stewards.

<u>Division 2 – Horse ownership</u>

AR 34 Registration as an owner

(1) This rule applies to all eligible horses.

(2) Except where Racing Australia, in its sole and absolute discretion, permits otherwise, an eligible horse cannot be registered under these Australian Rules unless:

  (a) a Mare Return has been lodged with the Australian Stud Book in accordance with the Australian Stud Book Rules; and

  (b) a Foal Ownership Declaration has been lodged by the manager, or his or her authorised agent, with the Registrar within 60 days of foaling.

  The discretion in this subrule may be exercised by Racing Australia in respect of matters occurring at any time, including prior to the amendment of this subrule.

(3) Notwithstanding subrule (2)(b), in its sole and absolute discretion Racing Australia may extend the time specified in that subrule to no greater than 120 days, including but not limited to in a case where a qualified veterinary surgeon certifies in writing that the extension is in the best interests of the health of the eligible horse.

(4) Between the time specified in subrule (2)(b) (or any extension of that time under subrule (3)) and the time an eligible horse is first registered under these Australian Rules, all transfers of ownership of the relevant eligible horse must be submitted by the transferee, within 4 weeks of each such transfer taking place, by lodging the prescribed form and paying the prescribed fee.

(5) Any transfer of ownership application by a Syndicate under subrule (4) shall be sufficient if signed by a majority of the members or by the Syndicate manager.

(6) It is a condition precedent to any application or lodgment 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 by a Syndicate as applicable), the eligible horse and its owners become subject to, and agree to be bound by, the Rules for the following purposes only as a consequence of, and relating to, the lodgment of the Foal Ownership Declaration:

  (a) the testing of a named horse which has not been retired from racing under AR 51 for the presence of substances that are prohibited at any time by the Rules;

(b) the testing of an unnamed horse for the presence of anabolic androgenic steroids;

(c) the observation of other horses for health and welfare reasons only where there is concern for their health and welfare based on reasonable grounds; and

(d) the rules that relate to traceability (AR 50, AR 51, AR 52 and any relevant Local Rules).

(7) Nothing in this rule affects, or releases any person from, any requirement to be bound by the Rules that arises other than by the lodgment of the Foal Ownership Declaration, including but not limited to any requirement to be bound by the Rules that arises as a result of the lodgment of any other form, the making of any other declaration, or the operation of any of the Rules.

AR 35 Limitation on the number of persons who can own or race a horse

A horse can only be entered or raced by:

(a) a natural person or a combination of up to 20 natural persons;

(b) a Syndicate; and

(c) a combination of one or more registered Syndicates and/or natural persons totaling not more than 20,

provided that any Syndicate has been registered in accordance with these Australian Rules and complies with the Syndicate Rules.

AR 36 Age restriction on persons who can own or race a horse

(1) A person must be at least 18 years old to hold an ownership or lease interest in a horse.

(2) A person must not enter or cause to be entered a horse in a race, official trial or jump-out where a person under the age of 18 years purports to have an ownership or lease interest in the horse.

(3) If a horse starts in a race or official trial in breach of subrule (2), then it may be disqualified from that race or official trial.

AR 37 Applications for transfer of ownership of a horse

(1) Racing Australia or a PRA may, in its discretion, accept or reject an application for the transfer of ownership of a horse.

(2) If a transfer application is accepted, Racing Australia or the relevant PRA must as soon as practicable (following the payment of any prescribed fee) amend the official ownership records.

(3) Fees payable for the transfer of an ownership interest in a horse will be as determined and published by Racing Australia.

AR 38 Registration of a new owner of a transferred horse

(1) If a registered horse is transferred to a new owner, that new owner must apply for registration of the transfer to Racing Australia or a PRA using a form prescribed for that purpose.

(2) An application for the registration of a horse purchased by or transferred to a Syndicate must be signed by the Syndicate manager or authorised representative of the Syndicate.

(3) Racing Australia, a PRA or the Stewards may conduct inquiries into the circumstances of the transfer of a horse as they see fit, whether or not the transfer has been effected.

(4) On proper cause, including but not limited to lack of bona fides of the transaction or the identity of the persons or horses concerned, or a determination that they or any of them are subject to any penalty or restriction under the Rules, Racing Australia, a PRA or the Stewards may:

(a) reject an application for the registration of a transfer of an interest in a horse;

(b) if a transfer has been effected, set aside the transfer.

(5) Until a transfer of a horse or ownership interest in a horse is registered, a horse cannot start in a race without the permission of a PRA or the Stewards. A PRA or the Stewards may impose conditions as they see fit on any permission granted.

AR 39 Replacement of horse identification documents

Racing Australia may, upon payment of a prescribed fee to it, issue a person with a replacement copy of a Thoroughbred Identification Card or other official registration or identification document as it sees fit, including if satisfied it has been lost or destroyed.

AR 40 Use by owners of intellectual property associated with a horse

(1) As a condition of, and in consideration for, the registration of a horse or an interest in a horse, each owner (including future owners):

  (a) acknowledges that Racing Australia, the PRAs and Clubs use the names, images, jockey silks and other indicia of horses for the purposes of administering, promoting and reporting on thoroughbred racing;

  (b) agrees that Racing Australia 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 a horse, whether existing before or after the horse is registered;

  (c) assigns to Racing Australia – to the extent the owner owns, by force of law, any 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 – any and all such intellectual property rights;

  (d) undertakes not to apply, or authorise any other person to apply, to register the name, image, jockey silks or any other indicia associated with the horse as a trademark; 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 any other indicia associated with the horse.

(2) In consideration for the assignment and undertakings in subrule (1), Racing Australia grants to all registered owners of the horse a non-exclusive, royalty-free and non-transferable licence to:

  (a) use the name, image, jockey silks and other indicia associated with the horse for any purpose related to racing, training, promoting, merchandising, and otherwise in connection with the horse; and

  (b) sub-license that licence to any other person.

AR 41 Refusal to register certain horse names

(1) Racing Australia may refuse to register any horse name it deems undesirable, for any reason.

(2) Racing Australia may cancel any horse's registered name for any reason it thinks fit.

(3) Without limiting subrules (1) and (2), Racing Australia may refuse to register any name, or cancel any horse's registered name, if an owner of the horse breaches AR 40.

AR 42 Use of names previously used by horses

(1) Unless approved by Racing Australia, a horse cannot be registered with the same name as any other horse previously registered in Australia until the latter of:

  (a) 17 years after the year of birth of the horse with the same name; or

  (b) 20 years after the year of birth of the youngest produce of the horse with the same name.

(2) At the discretion of Racing Australia, a horse imported to Australia from another country may be registered using its existing name together with a number or letters indicating the name of the country in which it was bred (and if that is done the number or letters are deemed to form part of its name).

AR 43 Applications to change horse names

(1) An owner may apply in writing to Racing Australia for permission to change the name of a registered horse.

(2) If permission under subrule (1) is granted, the horse must not be run under the new name until a Thoroughbred Identification Card or other official identification document in the new name has been issued.

(3) Each application for a change in name of a horse is required to be accompanied by a fee determined by and paid to Racing Australia (except that no fee is required to be paid if a change is made pursuant to a direction of Racing Australia).

(4) If there is a change to the name of a horse, the old name as well as the new name must be provided in every entry of the horse in a race until the horse has run in 6 races in the State or Territory of one PRA, or 2 races within its metropolitan area.

AR 44 Naming of hacks/ponies

A PRA may make rules in relation to the registration or naming of hacks and/or ponies in its own State or Territory. This may include exempting them from registration.

Division 3 – Leasing of horses

AR 45 Formal documentation required for racing leased horses

(1) A person who leases a horse must, as soon as practicable after agreeing to a lease and before entering the horse for any race, lodge a copy (or an original if required by the PRA) of the relevant lease or other documents recording the lease arrangement with the PRA of the State or Territory in which the horse is to race.

(2) A lease must either be:

(a) signed by a natural person if that person is the lessee;

(b) lawfully executed on behalf of a company; or

(c) signed by the Syndicate manager or person authorised by the Syndicate manager in the case of a Syndicate.

AR 46 Obligation to inform a PRA of the termination of a lease

If a lease in relation to a horse is terminated before the end of its term, the PRA holding a copy of the lease must be given written notice of that termination before the horse is next nominated for a race.

AR 47 PRA may impose conditions in respect of leases

In respect of a lease for a horse or an interest in a horse, a PRA may in its discretion:

(a) refuse to accept a lease for the purposes of registration;

(b) insist a lease contains certain terms;

(c) prohibit the inclusion of terms that it considers inappropriate; and

(d) prescribe a general form of lease, which may be adopted with or without modification.

LR 14 Lease to be accompanied by fee

Every lease lodged with Racing Victoria for registration must be accompanied by such fee payable by the lessee as is prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

Division 4 – Sale or gifting of a horse

AR 48 Prohibition on secret commissions in connection with the sale of a horse

(1) This rule applies to:

(a) any person bound by these Australian Rules ("person"); and

(b) any named horse or unnamed horse (for the purposes 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 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 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/s of a relevant horse in connection with the sale of a relevant horse; and

(b) a purchaser/s of a relevant horse in connection with the purchase of the same relevant horse,

that person must comply with the provisions of both subrules (2) and (3).

(5) For the purposes of the consent required by subrule (2)(ii) and (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 under subrule (2)(i) or (3)(i).

(6) For the purposes 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 PRA, 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 PRA (or in the case of Tasracing, the 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.

AR 49 Horses sold, leased or gifted to retain engagements

(1) In the absence of any agreement to the contrary, and subject to any Local Rules, when a horse is sold its existing engagements are transferred with the horse.

(2) The sale of a horse must be registered in accordance with the Rules and the transfer of the horse's engagements must be submitted to a PRA or the Stewards for approval.

(3) If the approval of a PRA or the Stewards for the transfer of a horse's engagements:

(a) is obtained, the new owner is liable for all payments in respect of those engagements;

(b) is not obtained within 14 days of a request for approval being submitted, the former owner may upon payment of all forfeits then due and payable, strike the horse out of any existing engagements.

(4) For the purposes of this rule, a reference to:

(a) "sale" includes a gift or other transfer of ownership or, where the context permits, a lease; and

(b) "owner" includes, where the context permits, a lessee.

Division 5 – Traceability of horses

AR 50 Manager to disclose the location of an unnamed horse

The manager of an unnamed horse or his or her authorised agent, or any other person with the relevant knowledge, must disclose:

(a) the location of the unnamed horse upon request by Racing Australia and/or the relevant PRA, including as required by 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 PRA, within 7 days of that change occurring.

AR 51 Manager to notify Racing Australia of the retirement of a horse

(1) Within 1 month of a decision to retire a named horse, or not commence racing an eligible horse, the manager of the horse or his or her authorised agent must notify Racing Australia of that, by lodging the relevant form (including a Stable Return or relevant retirement form) prescribed by Racing Australia.

(2) Once a form has been lodged in accordance with subrule (1), the horse will be ineligible to race or be trained unless it is reinstated to race or be trained.

(3) If a horse ceases to be eligible to race or be trained under this rule, a person must not reinstate the horse to race or be trained without the express permission of a PRA or the Stewards.

(4) Within 1 month of a horse turning 13 years of age (upon which it is immediately ineligible to race, trial or be trained), the manager of the horse or his or her authorised agent must notify Racing Australia of the horse's retirement by lodging the relevant form (including a Stable Return or relevant retirement form) prescribed by Racing Australia. [added 01/04/20]

AR 52 Deaths of named and unnamed horses to be reported

(1) Upon the death of a named horse which has not been retired from racing under AR 51:

(a) the manager or his or her authorised agent must, within 24 hours of the horse being deceased, notify Racing Australia of that by lodging the relevant death notification form prescribed by Racing Australia; and

(b) the manager must not dispose of the horse without the written approval of the relevant PRA unless a veterinary certificate as to cause of death is provided to the relevant PRA.

(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 of that fact by lodging the relevant death notification form prescribed by Racing Australia.

(3) Any person who fails to comply with subrules (1) or (2) is not guilty of a breach of the relevant subrule if 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.

LR 15 Death of racehorses to be reported

The death of a registered racehorse and the cause of death (if known) must be reported promptly in writing to Racing Victoria:

(a) in the case of a horse in training, by the trainer responsible for the horse; and

(b) in any other case, by the person who has care, custody and control of the horse at the time of the horse's death.

PART 5 – ELIGIBILITY OF HORSES TO RACE

Division 1 – Entry and participation of horses in races

AR 53 Horses can only run in races they are qualified to run in

(1) A:

(a) horse is not permitted to be nominated or run; and

(b) person must not nominate or run a horse,

in a race unless the horse is eligible to run in the race under these Australian Rules.

(2) A horse will only be eligible for a race if it meets any entry qualifications or conditions for the race.

(3) If a horse runs in a race:

(a) it is ineligible for, it may be disqualified;

(b) in which it carries less than the weight prescribed by the conditions of the race or that it is allotted to carry in the race, it will be disqualified from the race, provided that a rider is to be allowed 0.5kg by the Clerk of the Scales.

LR 16 Approval for horses to start in a race

(1) **Unraced horse must have approval:** An unraced horse is not permitted to start in a race unless it has obtained the approval of the Stewards to start in a race following its satisfactory performance in a jump-out or an official trial, over at least 600 metres and with at least two other horses.

(2) **Guidelines for horses obtaining an approval to race:** A horse taking part in a jump-out or official trial for the purpose of obtaining approval from the Stewards pursuant to LR16(1) must obtain such approval in accordance with the Racing Victoria "Approval to Race: Loading Process" Guidelines.

[LR16(2) replaced 01/02/21]

(3) **Jump-Outs:** Where a horse is entered in a jump-out for the purpose of obtaining an approval under LR 16(1), the trainer or other person in charge of the horse must:

(a) have officially named the horse prior to entering into the jump-out; and

(b) ensure the horse is wearing racing colours in the jump-out.

(4) **Prohibited substance**: Where a horse is presented to engage in a jump-out for the purpose of obtaining an approval under LR 16(1) 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.

AR 54 Process of nominating a horse for a race

(1) A PRA is required to publish the days on which nominations for races may be lodged with it.

(2) All nominations for races must comply with the provisions of the Rules and/or any regulations of a PRA.

(3) Nominations for all races must be in the name of either the owner, trainer or lessee (if the horse is leased) of the horse, or an authorised representative of any of those persons.

(4) A lessor may enter a leased horse for a race to be run after the expiration of the lease.

(5) If a lessee enters a horse to be run after the expiration of the lease, the lessee must not scratch the horse without the written consent of the lessor unless otherwise directed by a PRA, provided that if consent is refused, the lessor will be liable for all future payments of fees or forfeits in connection with the relevant entry.

(6) In order for a horse to be eligible for a race, all entries must be made as prescribed and all nomination fees required to be paid must be paid.

(7) The list of entries for a race closes at the time provided for by a PRA (or 4.00 pm if no time is provided).

AR 55 Nominations for races subject to approval

(1) All nominations are subject to the approval of a PRA or the Stewards. Either may decline to receive or after receiving reject any nomination in their absolute discretion and without giving reasons for so doing.

(2) If any nomination is rejected under this rule, the fees paid in relation to it must be refunded to the nominator.

AR 56 Timing for making declarations in relation to races

(1) All declarations of forfeit, acceptance, non-acceptance, or scratchings must be made prior to the time identified as the deadline for when they are required to be done.

(2) Unless varied by these Australian Rules or any Local Rule, any such declaration is required to be accompanied by the required fee or payment.

(3) Subject to these Australian Rules or any Local Rule, any such declaration may not be withdrawn once made.

AR 57 Entry of horses in multiple races

If a person enters a horse in multiple races where the entries close at the same time, it is sufficient for the nominator to provide the horse's name and description in one of the nominations, and the horse's name only in the others.

AR 58 Emergency acceptors

The Stewards have a discretion to permit the next available emergency acceptor to be included in a field for a race if they give permission to scratch a horse after the scratching deadline time and before the release of the final list of scratchings.

AR 59 PRA's discretion in relation to nominations for races

(1) A PRA may direct that:

   (a) a Club cannot receive nominations from a person, or in relation to a horse that a person has an interest in at the time of nomination;

   (b) a Club cannot receive nominations of a horse/s owned by any person; and

   (c) any nominations already received by a Club be rejected.

(2) A horse which is subject to a direction referred to in subrule (1) is not eligible to run in any race in Australia without the permission of the PRA who made that direction.

(3) A PRA may waive the application of this rule within its jurisdiction in favour of a bona fide lessee of a horse owned by a person under restrictions under this rule, in which case the provisions of AR 263(6) will apply in the same manner as if that owner was a disqualified person.

AR 60 Requirements of nominations, entry forms and Stable Returns

(1) A nominator, trainer or other relevant person must ensure that each nomination or entry form (including any Stable Return forming part of it) states:

   (a) the name of every person who has a share or interest in the ownership or lease of the horse identified in the form;

   (b) the name of the horse;

   (c) the name of the trainer.

(2) In relation to subrule (1):

   (a) in the case of a leased horse, it is sufficient to show the name or names of all the lessees of the horse; and

   (b) in the case of a horse nominated by a Syndicate, it is sufficient to show the name of the Syndicate and the Syndicate manager.

AR 61 Only horses trained by a licensed trainer to race, official trial, or jump-out

(1) To be able to be entered for or run in any race or official trial or jump-out, a horse must be trained by a person with a licence or permit to train.

(2) Subrule (1) does not apply:

(a) to a horse entered for a race where the entries close more than 60 days before the advertised date for the running of a race; and

(b) to any other race excepted under the Rules.

AR 62 Failure to provide information etc in relation to interests in a horse

(1) A person must not, in the opinion of a PRA or the Stewards:

(a) fail to declare any share or interest in a horse;

(b) misrepresent or provide any misleading or inaccurate information about the ownership of a horse; or

(c) be a party to any breach of this rule.

(2) If a person breaches subrule (1), the relevant horse may be disqualified.

AR 63 Removal of manager of a horse

(1) Subject to the TOR Rules (and/or a term of the COA, if relevant), a manager of a horse may be removed or replaced from that position by written notice signed by the owners, lessees or Syndicate members representing more than 50% of the ownership of the horse.

(2) A manager of a horse is of their own right (and without separate express authorisation by the owners, lessees or Syndicate members) entitled to:

(a) enter, nominate, accept or scratch a horse from any race;

(b) engage a jockey to ride a horse in any race;

(c) receive any prize money or trophy won by a horse;

(d) act for and represent the owners, lessees or Syndicate members in relation to the horse for the purpose of these Australian Rules,

except that where a provision of the TOR Rules (and/or a term of the STA or the COA, if relevant) specifies a process, requirement, or course of action, that provision or term binds the manager in the event of any conflict or inconsistency with this subrule.

(3) The entry or nomination of a horse for any race must state the name of the manager.

(4) The trainer of a horse who enters, nominates, accepts or scratches a horse is, absent proof of an agreement between the trainer and owners to the contrary, deemed to have done so with the authority of the manager and all other nominators.

AR 64 Provision of details in relation to changes in ownership interests

If there is a change of ownership or lease interest in respect of a horse, or change of trainer which takes place after the entry of a horse but before a race, the nominator of the horse must immediately provide details of that to the relevant PRA.

AR 65 Production of horse identification documents on request

(1) If the Stewards require the production of the Foal Identification Card and/or Thoroughbred Identification Card of a horse, it will not be permitted to start in a race or official trial unless by 1 hour prior to the start of the event the relevant identification document is produced to them.

(2) Notwithstanding subrule (1), the Stewards have the absolute discretion to permit a horse to start in a race or official trial if satisfied as to the identity of the horse.

AR 66 Requirements on licensed persons in relation to interstate racing

(1) A licensed person who wishes to participate in racing in a new jurisdiction must:

(a) obtain from the PRA or the Stewards in the previous jurisdiction a certificate to the effect that the person is not subject to a disqualification, suspension or other restriction; and

(b) provide that certificate to the Stewards in the new jurisdiction as soon as possible after arriving in that jurisdiction.

(2) If a person fails to comply with subrule (1)(b), the Stewards in the new jurisdiction may prevent the licensed person from participating in racing in that jurisdiction.

(3) A trainer who wishes to run a horse in a race, official trial or jump-out in a new jurisdiction must:

(a) obtain from the PRA or the Stewards in the previous jurisdiction a certificate to the effect that the horse is clear to run; and

(b) provide that certificate to the Stewards in the new jurisdiction at least 1 hour before the horse is to run in its first race, official trial or jump-out in that jurisdiction.

(4) If a person fails to comply with subrule (3)(b), the Stewards in the new jurisdiction may prevent the horse from taking part in any race, official trial or jump-out in that jurisdiction.

(5) The PRA or the Stewards in the new jurisdiction have the absolute discretion to waive the requirements of subrules (2) and/or (4) if satisfied as to the bona fides of a licensed person or horse.

(6) Nothing in this rule restricts a PRA or the Stewards from:

(a) penalising any person who breaches this rule;

(b) preventing a licensed person from participating in racing, or preventing a horse from running in a race, official trial or jump-out, in that jurisdiction for any other reason under the Rules.

(7) For the purposes of this rule:

(a) "previous jurisdiction" means the State or Territory in which a licensed person last participated in racing or in which a horse last raced;

(b) "new jurisdiction" means the State or Territory in which a licensed person wishes to participate in racing or in which a trainer wishes to run a horse in a race, official trial or jump-out, immediately after the previous jurisdiction.

AR 67 Provision of information in relation to overseas racing

(1) If a horse registered overseas which had its last start outside Australia is to race in Australia, the nominator of that horse must by nominations closing time provide the following information to the PRA of the State or Territory in which the horse is entered to race:

(a) the total number of starts the horse has had;

(b) the racecourse and date of each start;

(c) the type of race and the distance;

(d) the finishing position and the weight carried; and

(e) the total of the prize money offered for each race and the amount received for winning or being placed in each race.

(2) Details of performance in overseas countries must be confirmed by an official of the controlling body of racing in the jurisdiction in which the horse last raced.

(3) If a horse registered overseas has never started in a race, the nominator of that horse must provide written confirmation of that to the PRA of the State or Territory in which the horse is entered to race.

AR 68 Alteration and rejection of nominations

(1) Unless otherwise authorised by a PRA or the Stewards, no alteration or addition is permitted to be made to a race nomination after the time fixed for the close of nominations.

(2) Any nomination made contrary to these Australian Rules is invalid, and a PRA or the Stewards can make any order they think fit in respect of any stake or fee paid or payable in relation to that nomination.

(3) A PRA or the Stewards have a discretion to enable any error or omission relating to a nomination to be corrected at any time before a race, provided they are satisfied that the horse intended to be nominated is sufficiently identified.

(4) A discretion exercised under subrule (3) may be ordered to take effect retrospectively.

(5) A person responsible for a nomination must not make any nomination contrary to these Australian Rules.

AR 69 Scratching of horses for Group or Listed races

If a person:

(a) nominates a horse for a Group Race, a Listed Race or a Restricted Listed Race; and
(b) decides within 30 days of that race that the horse will not start in the race,

the person must immediately scratch the horse from that race.

[deleted and replaced 01/02/21]

AR 70 Disqualified horses can be struck from engagements

A horse disqualified by a PRA may be struck out of any engagements by a PRA which has received a nomination in relation to the horse.

LR 17 Horse not to race until interest of disqualified person divested

In relation to AR 263(1)(h) and (i) where a disqualified person holds an interest in a horse, that horse must not race until that interest has been divested by the disqualified person.

AR 71 Limits on ability to withdraw from a stake

A person who has subscribed to a stake is not permitted to withdraw, except as provided by these Australian Rules.

AR 72 A race with only one entry is void

A race is void unless there is more than one entry. If there is not, forfeits and entrance monies must be returned.

AR 73 Name of nominator to be used

A horse can only be nominated for a race in the actual name of a nominator.

AR 74 Entry of horses in races for improper purposes is prohibited

(1) A person must not, in the opinion of the Stewards:
   (a) enter or cause to be entered a horse in a race with the primary purpose of affecting the weight to be allocated to another horse entered in the race; or
   (b) declare or cause to be declared a horse as an acceptor for a race with the primary purpose of affecting either the weight allocated to another horse accepted for the race or the total number of horses accepted for the race.

(2) If a person breaches subrule (1):
   (a) the nomination or acceptance for the horse may be rejected or cancelled; and
   (b) the Stewards may direct the handicapper to reissue a set of revised weights.

<u>Division 2 – Restrictions/exclusions in relation to participation of horses in races etc</u>

AR 75 Stewards may prevent/ban horses from participating in races etc

(1) Without limiting any power contained in these Australian Rules, the Stewards may prevent or suspend a horse from participating in any trackwork, jump-out, official trial or race for any period (including indefinitely) and upon any conditions the Stewards think fit, if, in their opinion:

(a) the horse has a galloping action or races in a manner likely to pose a safety risk to itself, any other horse, or any person; or

(b) the horse has barrier manners, or has exhibited any pre-race behaviour which is, considered to be unruly or intractable and/or which may pose a safety risk to itself, any other horse, or any person; or

(c) the horse is unsuitable to participate in any trackwork, jump-out, official trial or race, including without limitation because of any veterinary diagnosis or history.

(2) Where the Stewards suspend or prevent a horse from participating in any jump-out, official trial or race for a temporary period in accordance with subrule (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.

LR 18A Poorly-performed older horses

A horse must not be entered for any flat race at a race meeting to be held at a Metropolitan Race Meeting if the horse:

(a) is 5 years old or more; and
(b) has started in ten or more races on the flat; and
(c) has not earned $5,000 in advertised prizemoney in flat races (excluding VOBIS bonuses and other breeders' bonuses).

LR 18B Unruly or wayward horses

(1) **Stewards may suspend:** The Stewards may suspend any horse which they consider has been non-competitive, sufficiently unruly or wayward.

(2) **Suspended horse may not start:** Any horse so suspended must not start in any race until such time as it has performed in any test, jump out or official trial to the satisfaction of the Stewards.

LR 18C Elimination of restricted class horses from Black Type races

In Group and Listed races in which horses older than three can compete, entries are accepted on the condition that the nomination of any horse eligible for a Restricted Race (as provided for in Schedule 4 of the Australian Rules) may be rejected by the Racing Victoria Handicapping Panel at the time of the closing of entries.

AR 76 Yearlings

If a horse is a yearling:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race or official trial.

AR 77 2 year old horses

If a horse is a 2 year old:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race before 1 October or any other date determined by a PRA, and thereafter:

(c) the horse is ineligible for; and

(d) a person must not enter or start the horse in,

(i) a race over more than 2,000 metres;

(ii) a handicap for which horses over the age of 2 years are eligible which is run before 1 January, or another date as determined by a PRA.

LR 19 Two-year-olds

A two-year-old horse must not start in any race for which horses over the age of two years are eligible except:

(1) **1 October-31 December:** From 1 October to 31 December, a race of not more than 1,000 metres conducted at a Country Race Meeting.

(2) **1 January-31 July:** From 1 January to 31 July, a race of not more than 2,000 metres.

AR 78 12+ year old horses

(1) Subject to subrule (2), if a horse is aged 12 years or more:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race.

(2) The Stewards may give their express permission for a horse aged 12 years to start in a race/s 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 under subrule (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 ineligible to race, trial or be trained.

(5) If a horse aged 12 years participates in any race without the permission of the Stewards in accordance with this rule, or if a horse over 12 years participates in a race, the horse must be disqualified from the relevant race.

[subrule 4 & 5 amended 01/04/20]

AR 79 Horses with bleeding

(1) The appearance of blood at both nostrils, irrespective of quantity, is deemed to constitute an attack of bleeding unless, in the opinion of the Stewards, that bleeding was caused by external trauma.

(2) If a horse has an attack of bleeding at any time it must be reported by the trainer to the Stewards without delay.

(3) If a PRA advises in writing that a horse has had an attack of bleeding, that advice will be *prima facie* evidence that that horse has had an attack of bleeding.

(4) A horse which, in the opinion of the Stewards, has had an attack of bleeding must not, without permission of the Stewards:

(a) be trained, exercised or galloped on any racecourse for a period of 2 months after the attack of bleeding;

(b) start in any race for a period of 3 months, and then only after a satisfactory gallop of at least 1,000 metres in the presence of a Steward.

(5) Following a horse having an attack of bleeding the Stewards must:

(a) retain a written record of the attack of bleeding and any related restriction imposed on the horse (and if applicable, also record that attack of bleeding and any restriction imposed in the horse's Thoroughbred Identification Card, which must be provided by the trainer to the Stewards as soon as possible after the attack of bleeding); and

(b) record any subsequent permission given for the horse to resume racing (and if applicable, also record that on the horse's Thoroughbred Identification Card, which must be provided by the trainer to the Stewards as soon as possible).

(6) If a horse has more than one attack of bleeding, the horse is ineligible to start in any race.

(7) If a horse displays blood at one nostril, the trainer must report that to the Stewards without delay.

(8) Unless the Stewards are satisfied that the presence of blood referred to in subrule (7) is attributable to external trauma, then before racing again the horse is required to undergo a satisfactory gallop of at least 1,000 metres in the presence of a Steward.

AR 80 Horses with impaired vision

(1) If a horse is totally blind in one eye:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork.

(2) If a horse has partially impaired vision:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork unless the Stewards are satisfied based on specialist veterinary evidence that the impairment does not constitute a danger to the horse or other participants in the race, official trial, jump-out or trackwork.

(3) If a horse is reasonably suspected to be blind or have impaired vision, the owner of the horse or that person's authorised agent must notify the Stewards as soon as practicable. The Stewards will then seek to ensure that:

(a) details of the horse's impaired vision and any related restriction on its participating in racing are recorded in Racing Australia's national online database; and

(b) if applicable, details of the horse's impaired vision and any related restriction is recorded and certified by a veterinary surgeon on its Thoroughbred Identification Card.

(4) A person is not guilty of a breach of subrule (1)(b), (2)(b) or (3) if the person proves to the satisfaction of the Stewards that the person was not aware, and should not reasonably have been aware, that the horse had the relevant blindness or impaired vision the subject of those subrules.

AR 81 Horses with injury to limbs

(1) If a horse has had a limb neurectomy or any artificial form of permanent limb desensitisation:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork.

(2) If a horse has had any artificial form of temporary limb desensitisation:

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork for the period of time that a PRA or the Stewards may specify.

(3) If a horse undergoes neurectomy surgery or an artificial form of permanent limb desensitisation, the owner of the horse or his or her authorised agent must as soon as practicable notify the Stewards of the surgery. The Stewards will then seek to ensure that:

(a) details of the surgery or artificial desensitisation and the horse's ineligibility to race are recorded in Racing Australia's national online database; and

(b) if applicable, the horse's Thoroughbred Identification Card is endorsed with details of the surgery or artificial desensitisation and the horse's ineligibility to race.

AR 82 Horses with a tracheostomy

If a horse has a tracheostomy (with or without a tracheotomy tube inserted):

(a) the horse is ineligible for; and

(b) a person must not enter or start the horse in,

any race, official trial, jump-out or trackwork.

AR 83 Horses with fitness concerns

If the Stewards have reason to doubt the fitness of any horse to race they may declare that horse ineligible to race until its fitness is established by any trial, test, or examination they specify.

AR 84 Pregnant horses

(1) If a mare or filly is pregnant:
   (a) the horse is ineligible for; and
   (b) a person must not enter or start the horse in,
   any race, official trial, jump-out or trackwork after day 120 of its pregnancy.
(2) A trainer must provide written notification to the Stewards as soon as practicable of:
   (a) the pregnancy of a mare or filly in that trainer's charge; and
   (b) the date of the last service of that mare or filly.

AR 85 Horses that have had a firing procedure

(1) If a horse has been subjected to a firing procedure in Australia:
   (a) the horse is ineligible for; and
   (b) a person must not enter or start the horse in,
   any race, official trial, jump-out or trackwork.
(2) If a horse is subject to a firing procedure, the owner of the horse or that owner's authorised agent must provide written notification of that to the Stewards as soon as practicable. The Stewards will then seek to ensure that:
   (a) details of the procedure and the horse's ineligibility to race are recorded in Racing Australia's national online database; and
   (b) if applicable, the Thoroughbred Identification Card of the horse is endorsed with details of the procedure and the horse's ineligibility to race.

AR 86 Horses that have had shockwave therapy

(1) If a horse has undergone any form of shockwave therapy:
   (a) the horse is ineligible for; and
   (b) a trainer must not enter or start the horse in,
   any race, official trial, or jump-out for 7 clear days following midnight on the day of the therapy.
(2) If 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 7 clear days prior to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.
(3) If a horse has been nominated for a race, official trial, or jump-out, a person must not
   (a) administer;
   (b) cause to be administered;
   (c) attempt to administer; or
   (d) be a party to the administration of,
   any form of shockwave therapy to the horse at any time within 7 clear days of the race, official trial, or jump-out.
(4) A person must not perform shockwave therapy on a horse unless he or she is a qualified veterinary surgeon. [subrule 4 added 1/1/20]

***Note**: By way of example, if a horse was subjected to any form of shockwave therapy at any time on a Monday (1st day of the month), the horse would be ineligible to race, trial or jump-out until the Tuesday of the following week (9th day of the month).*

AR 87 Horses that have had an intra-articular injection

(1) If a horse has been subjected to an intra-articular injection:
   (a) the horse is ineligible for; and
   (b) a trainer must not enter or start the horse in,
   any race, official trial, or jump-out for 8 clear days following midnight on the day of the administration.

(2) If a horse has been subjected to, or the Stewards reasonably suspect a horse has been subjected to, an intra-articular injection at any time during the 8 clear days prior to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.

(3) If a horse has been nominated and/or entered for a race, official trial, or jump-out, a person must not:
   (a) administer;
   (b) cause to be administered;
   (c) attempt to administer; or
   (d) be party to the administration of,
   an intra-articular injection to the horse at any time within 8 clear days of the race, official trial, or jump-out.

***Note**: By way of example, if a* horse *was subjected to an intra-articular injection at any time on a Monday (1st day of the month), the horse would be ineligible to race, trial or jump-out until the Wednesday of the following week (10th day of the month).*

[replaced 1/1/20]

AR 88 Horses that have had a vaccination

(1) A trainer must not, without the express permission of a PRA or the Stewards, 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 5 clear days 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 the horse in accordance with AR 104(1).

(3) If a horse has been administered, or the Stewards reasonably suspect that a horse has been administered, a dose of vaccine during the 5 clear days prior to the day of a race, the Stewards may order the scratching of the horse from the relevant race.

***Note**: By way of example, if a horse was subjected to a vaccine administration at any time on a Monday (1st day of month), that horse would be ineligible to race until the Sunday in the following week (7th day of month).*

<u>Division 3 – Notifiable diseases or conditions</u>

AR 89 Diseases or conditions which must be notified to a PRA

(1) The following animal diseases or conditions must be notified to a PRA and dealt with in accordance with subrules (2) to (9):
   (a) African horse sickness;
   (b) borna disease;
   (c) contagious equine metritis;
   (d) dourine;
   (e) epizootic lymphangitis;
   (f) equine encephalomyelitis (Eastern and Western);
   (g) equine encephalomyelitis (Venezuelan);

(h) equine encephalosis;

(i) equine herpes-virus 1 (abortigenic and neurological strains);

(j) equine infectious anaemia;

(k) equine influenza;

(l) equine piroplasmosis (babesiosis);

(m) equine viral arteritis;

(n) getah virus;

(o) glanders;

(p) hendra virus;

(q) Japanese encephalitis;

(r) potomac fever;

(s) screw-worm fly - New World (cochliomyia hominivorax);

(t) screw-worm fly - Old World (chrysomyia bezziana);

(u) strangles;

(v) surra (trypanosoma evansi);

(w) trichinellosis;

(x) warble fly myiasis;

(y) West Nile virus infection.

(2) A person who owns or is in charge of, or has in his or her possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must report that fact to the PRA in the State or Territory in which the person is based immediately and by the quickest means of communication available to the person.

(3) A person who owns or is in charge of, or has in his or her possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must take all steps to keep that horse separate from other horses or animals not infected.

(4) If the Stewards reasonably suspect any premises, place or area to be contaminated with a notifiable disease or condition, they may by written order declare it to be an "infected place". 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 the Stewards reasonably suspect any vehicle to be contaminated with a notifiable disease or condition, they may by written order declare it to be an "infected vehicle". 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) A person must not, without the express authorisation of the Stewards:

(a) bring, move, take or allow any person to bring, move or take any animal, fodder or fitting into, within or out of any declared infected place or infected vehicle; or

(b) cause, permit or assist any vehicle to enter or leave any declared infected place.

(7) The Stewards may attach conditions to an authorisation provided under subrule (6). Without limitation, that authorisation may include conditions that the animal, fodder, fitting or vehicle to which the authorisation relates:

(a) must be disinfected to their satisfaction and/or in a manner specified before leaving or being taken out of the infected place or infected vehicle; and/or

(b) must not go or be brought to any other premises or place where any specified animals, fodder or fittings are located.

(8) A PRA or the Stewards may give any direction or order with respect to bio-security precautions required to be taken by a person on licensed premises or in relation to a person handling or riding horses.

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

LR 20 Compliance with AR 89(8)

During the period in which any direction or order with respect to biosecurity precautions are in place in accordance with AR 89(8):

(1) it will be the responsibility of each nominator or trainer (or the Authorised Agent of either of them) to ensure compliance with any direction or order with respect to biosecurity precautions in respect of each Horse of which they are the nominator or trainer (or the Authorised Agent of either of them);

(2) each nominator or trainer (or the Authorised Agent of either of them) will be deemed to have undertaken their own assessment in light of their personal circumstances as to whether the biosecurity precautions are adequate to prevent infection of each Horse of which they are the nominator or trainer (or the Authorised Agent of either of them); and

(3) each nominator or trainer (or the Authorised Agent of either of them) will, if they present a Horse for a race, be deemed to have accepted the relevant biosecurity precautions as reasonably adequate for the protection of that Horse and, further, they will, upon presentation of a Horse to race, be deemed to have released Racing Victoria, its directors and employees from all claims and liabilities in any way relating to:
   (a) the adequacy of the relevant biosecurity precautions; or
   (b) the compliance or failure to comply with the relevant biosecurity precautions by any licensed person or any other person; or
   (c) the infection of any Horse by any infective agent, organism or disease which is the cause of, reason for or subject of any direction or order for biosecurity precautions made in accordance with AR 89(8).

AR 90 Horses with an infectious disease not to be brought to racecourse etc

A person must not permit a horse suffering from an infectious disease to be brought on to a racecourse or training track.

<u>Division 4 – Death of a nominator</u>

AR 91 Effect of death of a nominator

(1) If the nominator of a horse nominated for a race dies before the race, the nomination does not automatically become void.

(2) If the circumstance referred to in subrule (1) arises, a change in ownership of the horse may be registered with the relevant PRA (within the time required by the PRA) by the representatives of the deceased or the person/s who become entitled to the horse as a result of the death, or any purchaser of the horse from those representatives.

(3) Where a change of ownership is effected (as provided by subrule (2)), then, subject to the approval of the PRA, all rights and obligations of the previous owner will be transferred to the new owner/s.

(4) Unless a change of ownership is registered, every horse in relation to which any forfeit is unpaid after its nominator's death will be placed on the Forfeit List, without mentioning the nominator's name.

(5) If a person runs a horse that was nominated by a nominator who is deceased at the time of a race:
   (a) that person will be deemed to have taken up all of that horse's engagements;
   (b) that person's name is to be substituted for that of the deceased nominator;
   (c) that person will be liable for all forfeits in relation to that horse; and
   (d) that person may be placed on the Forfeit List in relation to that horse.

<u>Division 5 – Stakes and forfeits</u>

AR 92 Liability for stakes or forfeits

A person who nominates a horse for a race becomes liable for the entrance money and stake or forfeit, but no forfeit or sum which falls due for payment after the death of the horse shall be payable.

AR 93 Horses may be scratched by Stewards if monies due and payable

The Stewards may order the scratching of a horse from a race if, as at 45 minutes before the time scheduled for the start of the race (or another time specified by the Local Rules or race conditions of a PRA), any of the following amounts remain unpaid:

(a) any subscription, stake or fee which, in accordance with the race conditions or the Local Rules or any arrangements established by a PRA, is required to be paid before the race;

(b) any arrears due from any person in relation to the horse;

(c) any arrears due in relation to the same or any other horse from any person by whom the horse is wholly or partly owned, or in whose name it is entered.

LR 21 Payment of Arrears

For the purposes of AR 93, all arrears within the meaning of AR 93 must be duly paid within the terms as set out from time to time by Racing Victoria. If arrears remain unpaid Racing Victoria may in its absolute discretion reject nominations and acceptances.

AR 94 Responsibility of a Club for stakes or forfeits

A Club is not responsible to the winner of any race for the stakes or forfeits in relation to the race, unless those stakes or forfeits are payable at the time of closing of the entries for the race.

AR 95 Forfeit List to be kept by PRAs

(1) Each PRA must keep a Forfeit List and from time to time publish it and distribute it to the other PRAs and any other bodies as it sees fit.

(2) A Forfeit List must include all forfeits and state the name of the persons from whom, and the horses (if any) in respect of which, those forfeits are due.

(3) Fines, subscriptions, fees, stakes, forfeits and prize money recoverable and unpaid which have been placed on the Forfeit List must be paid to the appropriate PRA. Until paid they must not be removed from the Forfeit List.

(4) Forfeits and any other liabilities incurred by a person at any race meeting in any other State, Territory or country may be included on the Forfeit List by the relevant PRA.

AR 96 Consequence of being on the Forfeit List

(1) While a person is on the Forfeit List, that person is subject to the same restrictions and penalties that apply to disqualified persons.

(2) While a horse is on the Forfeit List, the horse cannot be nominated for or run in any race, or be trained on any course where these Australian Rules apply.

(3) If a horse or nominator of a horse is on the Forfeit List but the horse is entered for any race, the person entering that horse may be fined.

LR 22 Revocation of licence or permit for unpaid fines

The Directors may cancel or revoke the licence or permit granted to any person who has not paid any fine imposed upon them under the Rules within thirty days after the date on which the fine is due and payable.

Division 6 - Registration of Racing Colours

LR 23A Racing colours must be registered

(1) **Registration essential:** Except with the special consent of the Stewards officiating at the race meeting, a horse may not start in a race unless the rider of the horse is wearing racing colours registered by any of:

(a) Racing Victoria;
(b) another Principal Racing Authority; or
(c) the controlling body of racing in an overseas territory in which the horse commonly or ordinarily races.

(2) In the case of racing colours registered outside Australia, the entry of a horse for a race must include proof of registration of the racing colours in a form that is acceptable to the Stewards.

LR 23B Registration by Racing Victoria

(1) **Colours generally:** Subject to LR 66, Racing Victoria may, subject to payment by the applicant of any applicable registration fee published in the Prescribed Fee Schedule, register:

(a) racing colours not registered in the name of any other person; and
(b) the exclusive right of a person to use such racing colours during the period of registration.

(2) **Certain commercial logos, etc:** Without limiting the generality of LR 23B(1) and notwithstanding LR 66, Racing Victoria may, subject to payment by the applicant of any applicable registration fee published in the Prescribed Fee Schedule, register:

(a) as racing colours any trademark, logo, design or other distinguishing pattern, colour or feature promoting or associated with any racing stable, licensed syndicator or Stud and not with any other business enterprise or undertaking; and
(b) the exclusive right of the relevant racing stable, licensed syndicator or Stud to use such racing colours.

(3) **Registration may be refused or conditional:** Racing Victoria may in its absolute discretion:

(a) refuse to register any racing colours; or
(b) register racing colours subject to such terms and conditions as Racing Victoria thinks fit.

(4) **Expiration and renewal:** Registration by Racing Victoria of racing colours and of the exclusive right of a person to use such racing colours expire on the day that is one year, or such longer period as Racing Victoria may direct from time to time, after the last preceding date of such registration, but such registration may be renewed by Racing Victoria pursuant to LR 23B(1) or LR 23B(2).

(5) **Transfer on death of registered user:** Upon the death of a registered user of registered racing colours, his or her legal representative may, with the consent of Racing Victoria:

(a) become the registered user of those racing colours; and
(b) transfer the registration of such racing colours and the right to use the racing colours to a relative of the deceased.

(6) **Cancellation of registration:** Racing Victoria may at any time and for any reason cancel the registration of any racing colours and/or the right of any person to use any racing colours including, without limiting the generality of the foregoing, if the racing colours have not been used as racing colours in accordance with the Rules and to the satisfaction of Racing Victoria.

LR 23C Same or similar racing colours

(1) **Declared at time of entry:** If two or more persons declare the same or similar racing colours at the time of entry, the Stewards may:

(a) decide who may use the racing colours; and
(b) direct the other person or persons to ensure that the rider of the horse nominated by them use other racing colours or carry some distinguishing mark as ordered by the Stewards.

(2) **Riders presenting to ride:** If two or more riders presenting to ride in any race are wearing the same or similar racing colours, the Stewards concerned may:

(a) decide which rider may wear the racing colours; and
(b) direct that the other rider or riders are to use other racing colours or to carry some distinguishing mark as directed by the Stewards.

LR 23D Offences

(1) **Declaring colours on entry:** A person must not in entering a horse declare:

(a) unregistered racing colours; or
(b) registered racing colours without the permission of the registered user of the racing colours.

(2) **Rider presenting to race:** The trainer or other person in control of a horse at a race meeting may be penalised if the rider presents for a race in racing colours:

(a) that are not registered; or
(b) are other than those declared at the time of entry of the horse for the race.

PART 6 – TRAINERS

Division 1 – Licensing of trainers by PRAs

AR 97 Only licensed trainers to train horses

(1) A person can only train a horse at a registered racecourse, training track or training facility if the person has been issued with a licence or permit to train from the PRA where the horse is being trained.

(2) Any person who is party to a breach of subrule (1) may also be penalised.

LR 24A Licences

(1) **Applications:** An application to the Directors for the grant of a licence to train must:

(a) be in the required form;
(b) provide such information as is required by the Directors; and
(c) be accompanied by any applicable fee as published in the Prescribed Fee Schedule.

(1A) **Categories**: An application for the grant of a licence to train may be made for the following categories of trainer:

(a) Pre-Trainer;
(b) Restricted;
(c) General;
(d) General A;
(e) Training Partnership (being up to 3 persons);
(f) Visiting General A Trainer;
(g) Visiting General Trainer;
(h) Visiting Restricted Trainer:
(i) Visiting Pre-Trainer:
(j) Visiting International Trainer; and
(k) Any other category as Racing Victoria allows from time to time.

(2) **Persons ineligible:** A person may not be granted or hold a licence to train if the person is:

(a) the holder of a licence or approval to ride at race meetings under the Rules, except that the holder of a Jockey, Picnic Jockey, Jumps Jockey A or Jumps Jockey B licence may be granted and hold a Pre-Trainer or Restricted Trainer licence
(b) licensed or registered as, or carries on the vocation of, a bookmaker or riders agent; or
(c) a steward, handicapper, judge, starter or clerk of the scales in respect of any race meeting or race held or run under the Rules.

(3) **Directors may prescribe certain pre-requisites, requirements qualifications and training units:** The Directors may from time to time prepare and cause to be published on the Racing Victoria website the Racing Victoria Trainer Licensing Policy which shall prescribe:

(a) educational qualifications, training units and experience levels which must be attained as a pre-requisite to the grant of a licence to train; or

(b) any other pre-requisite or requirement for the grant of a licence to train as deemed appropriate,

in relation to each of the licence categories referred to in LR 24A(1A).

(4) **Relief from requirements:** The Directors may, in exceptional circumstances and in their discretion, relieve an applicant for a licence to train from any of the requirements made pursuant to LR 24A(3).

(5) **Grant or Refusal to Grant Licence to Train:** Having received an application under LR 24A(1), the Directors may:

(a) refuse to grant a licence to train; or
(b) grant a licence to train subject to such terms and conditions as the Directors think fit.

(6) **Revocation:** The Directors may, at any time, revoke or vary the terms of a licence to train granted by them, including, without limitation, where the holder of the licence:

(a) is not actively using the licence; or
(b) ceases to meet the requirements to be granted a licence in accordance with the Rules and the Racing Victoria Trainer Licensing Policy referred to at LR 24A(3); or
(c) breaches any term or condition on that person's licence to train.

(7) **Term of licence:** All licenses to train expire on the 31 July next after issue unless:

(a) revoked in accordance with LR 24A(6);

(b) cancelled;

(c) suspended;

(d) disqualified; or

(e) otherwise provided for in the terms and conditions of a trainer's licence.

LR 24B Requirements for grant of licence to train

It is a pre-requisite to the grant to a person of a licence to train that the person meets the requirements set out in the Racing Victoria Trainer Licensing Policy referred to in LR 24A(3).

AR 98 Training partnerships

(1) A PRA may license up to a maximum of 3 persons to train as a training partnership.

(2) Persons who train as a training partnership equally share all responsibilities, obligations and rights under the Rules in relation to training horses.

(3) A person licensed to train as a member of a training partnership cannot also train as an individual or in another training partnership, whether in Australia or elsewhere.

(4) Notwithstanding AR 109(1), a training partnership can train horses in more than one State or Territory, but must be licensed to do so by the PRA in each of those States or Territories.

(5) A PRA may prescribe a minimum number of horses that must be trained by a training partnership.

(6) If 1 person in a training partnership commits a breach of the Rules then all persons in the training partnership are deemed to be jointly and severally responsible, and may be penalised accordingly.

(7) A PRA or the Stewards have the discretion to relieve a person from the consequence stated in subrule (6) if the person satisfies the PRA or the Stewards that the breach of the Rules does not relate directly to the training of horses.

(8) A trainer must inform the Stewards in writing before withdrawing from or dissolving a training partnership.

(9) If the Stewards receive notice from a trainer under subrule (8), they may order that horses trained by the training partnership cannot race, or participate in an official trial or jump-out until they are satisfied that the horses are being trained in accordance with the Rules.

LR 25 Training Partnerships

(1) An application for permission to train in a partnership shall:

(a) be in the required form;
(b) provide such information as is required by the Directors; and
(c) be accompanied by any applicable fee as is published in the Prescribed Fee Schedule.

(2) The Directors may in their absolute discretion relieve applicants for permission to train in partnership from the preconditions set out in this Rule.

(3) The Directors may:

(a) without being required to give any reasons refuse permission to train in partnership; or
(b) grant permission subject to such terms and conditions as the Directors think fit, including but not limited to restrictions regarding duration and locality or both.

(4) The Directors may at any time in their absolute discretion:

(a) revoke permission to train in partnership, including without limitation where one or both applicants cease to meet the requirements to be granted permission in accordance with the Rules, or where one or both of the training partners have been suspended or disqualified; or
(b) vary or amend any of the terms or conditions of any permission to train in partnership.

(5) It is a precondition to the grant of permission to train in a training partnership that:

(a) neither applicant holds a licence or permit to train in another racing jurisdiction, other than a license or permit to train in partnership with one another;
(b) the Stewards are satisfied as to the bona fides of the training partnership;
(c) a minimum of 25 horses shall be trained in the partnership.

(6) Where a penalty has been imposed by another Principle Racing Authority upon one or both of the trainers in a training partnership, then both trainers shall be deemed jointly and severally responsible for the purposes of adoption or recognition of that penalty in accordance with these Rules.

(7) Trainers shall not be deemed jointly and severally responsible for the purposes of adoption or recognition of a penalty where the relevant breach involves conduct of a kind that may be subject to a penalty under AR 229(1)(a).

Division 2 – Rights and obligations of trainers

AR 99 Obligation to ensure an identified horse is presented and races

The trainer of a horse and/or the trainer's authorised representative must ensure, including by reference to the horse's Thoroughbred Identification Card, that if a horse is engaged to run in any race or official trial, the correct horse:

(a) is brought to the racecourse;

(b) is presented to start in the relevant race or official trial;

(c) starts in the relevant race or official trial.

AR 100 Notifications in relation to changed riding instructions

(1) A trainer or the trainer's authorised representative:

(a) must notify the Stewards of any instruction or arrangement to the effect that a horse is to be ridden in a manner different to how the horse was ridden at its most recent start or starts;

(b) must make the notification referred to in subrule (1)(a) as soon as practicable and not later than 30 minutes prior to the race.

(2) Upon receipt of the notification referred to in subrule (1), the Stewards may publish or communicate it as they think fit.

AR 101 Stabling of horses at trainer's registered stable address

(1) Unless a trainer has obtained the consent of the Stewards, the trainer must not stable any horse trained by him or her in any location other than that trainer's registered stable address as notified on the trainer's current licence renewal or application form.

(2) If a person breaches this rule, the nomination of the horse concerned may be refused.

LR 26 Pre-training safety inquiries

(1) Before a trainer sends a horse that is recorded on the trainer's stable return to another person for pre-training and/or education (**pre-trainer**), the trainer must make reasonable inquiry of the pre-trainer to

satisfy himself or herself that the pre-trainer will conduct pre-training and/or education of the horse in a safe manner with equipment and gear that is specified in, and in accordance with, the Rules.

(2) For the purposes of LR 26(1), the trainer will have complied with that rule by recording on the form prescribed by the Directors the checklist of equipment and gear required by the Rules to be used by the pre-trainer and that form has been completed with the written acknowledgement and acceptance of the pre-trainer.

(3) Where a trainer regularly sends horses that are recorded on the trainer's stable return to a pre-trainer for pre-training and/or education, the trainer's obligation to make reasonable inquiry under LR 26(1) will have been satisfied where the form referred to in LR 26(2) has been completed in respect of that pre-trainer once in a twelve month period.

LR 27 Stabling prior to race

(1) Where a horse has been entered for any race, unless the permission of the Stewards has been granted, from time of entry to arrival on course prior to racing, the horse in question shall be stabled only at the premises from which the horse's trainer is licensed to train.

(2) Where a horse is entered for a race in which the entries close more than 60 days prior to the advertised date for the running of the race, sub-rule (1) shall not apply from the time of entry, but shall apply from the period commencing 6 days prior to the advertised date for the running of the race.

(3) In this rule, a horse is "stabled" if it is stabled, yarded, or otherwise confined in any manner for any period of time, but does not apply to a horse that is being transported.

(4) The trainer and any other person who was in charge of a horse at a time relevant to sub-rule (1) or (2) and who in the opinion of the Stewards has breached, or was a party to breaching sub-rule (1) or (2) may be penalised, and the horse concerned may be withdrawn from the race or disqualified.

AR 102 Notification to Stewards of gelding or spaying of a horse

If an entire horse is gelded or a female horse is spayed, the owner of the horse or his or her agent must, prior to nominating that horse for a race or official trial or transferring the ownership of that horse:

(a) notify the trainer, who must submit a Stable Return reporting that change if a gelding; and

(b) notify Racing Australia or the Stewards, who must then:

  (i) record that amendment in Racing Australia's records; and

  (ii) if applicable, amend the Thoroughbred Identification Card of the horse.

AR 103 Trainers to lodge Stable Returns

(1) A Stable Return and any amendment thereto lodged with a PRA (or its agent) is part of any entry for a race at any race meeting.

(2) A horse trained in Australia may not be entered for a race or official trial or jump-out unless a Stable Return for the horse is lodged with a PRA (or its agent):

  (a) prior to the closing time for entries for the race, official trial or jump-out; or

  (b) if entries for a race close more than 60 days before the advertised date for the running of the race, prior to the time for the first declaration of acceptances for the race.

(3) If a horse trained outside Australia is entered for a race, official trial or jump-out, a Stable Return for the horse must be lodged with a PRA (or its agent) prior to the time for declaration of final acceptances for the race, official trial or jump-out.

(4) The trainer of a horse must:

  (a) disclose the location of a horse under his or her care upon request by Racing Australia (for retirement purposes only) and/or a PRA;

  (b) lodge a stable return immediately upon a horse joining the trainer's stable;

  (c) lodge an amendment to a Stable Return immediately if:

    (i) any particulars on the Stable Return have changed; or

(ii) a horse leaves or joins the trainer's stable, or moves to another of the trainer's premises (where the trainer's stable is comprised of more than one premises), with the amendment to disclose the precise location of the horse.

(5) For the purposes of subrule (4):

(a) if a trainer's stable is comprised of more than one premises, the trainer must disclose at which premises the horse is located;

(b) when a horse leaves a trainer's stable to spell or otherwise the trainer must disclose the location of the property at which the horse will be located.

(6) Where a horse has been entered for a race, from the time of entry to arrival on course prior to racing:

(a) except with the permission of the Stewards, the horse must be stabled only at the premises from which the horse's trainer is licensed to train;

(b) if the horse is travelling to participate in the race, the horse's trainer must inform the Stewards of the horse's proposed travel plans prior to the horse's departure from the trainer's stable and/or lodge a Stable Return disclosing the location of the horse (as required by the relevant PRA).

(7) If a trainer fails to lodge, in whole or in part, a Stable Return or any amendment thereof, or fails to provide details of the location or movements of a horse, in accordance with the provisions of this rule, the entry of the horse for any race, official trial or jump-out may be rejected or cancelled.

(8) The manager (or his or her authorised agent) of an eligible horse or a named horse must, unless otherwise contained in a Stable Return lodged in accordance with this rule, disclose:

(a) the location of that horse upon request by Racing Australia and/or a PRA, including as required under any registration, ownership transfer or other form;

(b) any change in the previously notified location of that horse, to the satisfaction of a PRA, immediately.

LR 28 Horse must be trained for 28 days before a race or official trial

Unless prior permission has been obtained from the Stewards, a person must not enter or permit a horse to run in any race or official trial if in the period of 28 days immediately before the race or official trial:

(a) the horse has not been trained by a holder of a trainers' licence granted in a category specified under LR 24A(1A) excluding the holder of a Pre-Trainer licence; or

(b) the horse has been stabled overnight at:

(i) premises that are not licensed under the Rules;or

(ii) premises of the holder of a Pre-Trainer licence.

LR 29: Horses must not be led from a motor vehicle

A trainer:

(1) must not, while driving a motor vehicle on a road, lead a horse from the motor vehicle, including by tethering the horse to the motor vehicle; or

(2) who is a passenger in, or on any part of, a motor vehicle must not lead a horse while the motor vehicle is moving on a public road.

For the purposes of this Rule, "motor vehicle" and "road" have the same meaning as defined in the *Road Safety Act 1986* (Vic).

AR 104 Trainers must keep treatment records

(1) A trainer must record any medication or treatment administered to any horse in the trainer's care by midnight on the day on which the administration was given.

(2) For the purpose of subrule (1), each record of administration 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, orally, topical application or inhalation;

(e) the amount of medication given (if applicable);

(f) the duration of treatment (if applicable);

(g) the name and signature of the person/s administering and/or authorising the administration of the treatment or medication.

(h) the reason for administering the treatment or medication.

[subrule amended 01/02/21]

(3) For the purposes of this rule "treatment" includes:

(a) shock wave therapy;

(b) acupuncture (including laser treatment);

(c) chiropractic treatment;

(d) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS));

(e) magnetic field therapy;

(f) ultrasound;

(g) any form of oxygen therapy, including hyperbaric oxygen therapy;

(h) the taking of a blood sample.

(4) For the purposes of this rule "medication" includes:

(a) all Controlled Drugs (Schedule 8) administered by a veterinarian;

(b) all Prescription Animal Remedies (Schedule 4), including those listed in Schedule 1, Part 2, Division 2 to these Australian Rules;

(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 referred to 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.

(5) All records required to be kept in accordance with this rule must be retained by the trainer for at least 2 years.

(6) When requested, a trainer must make available to the Stewards the record of any administration of a treatment and/or medication required under subrule (1).

AR 105 Matters that may affect the running of a horse in a race

(1) The trainer of a horse, or any person that is in control of a horse, that is nominated for a race must:

(a) ensure that the horse is fit and properly conditioned to race;

(b) by nomination time, report to the Stewards any occurrence, condition, surgery or treatment that may affect the horse's performance in the race where the occurrence takes place, condition is present, surgery is performed or treatment is administered before nomination time;

(c) as soon as is practicable after nomination time and before acceptance time, report to the Stewards any occurrence, condition, surgery, or treatment that may affect the horse's performance in the race where the occurrence takes place, condition is present, surgery is performed or treatment is administered after nomination time and before acceptance time;

(d) if the horse is accepted for the race – as soon as is practicable, report to the Stewards any occurrence, condition, surgery or treatment that may affect the horse's performance in a race where the occurrence takes place, condition is present, surgery is performed or treatment is administered after acceptance time.

(2) The owner and/or trainer of a horse must:

(a) as soon as practicable after a race, report to the Stewards anything which might have affected the running of their horse in a race; and

(b) immediately after a race, report to the Stewards:

(i) any loss or breakage of gear which occurred during the race; or

(ii) any unusual happening in connection with the race.

(3) Further to subrule (2), if a trainer becomes aware of any condition or injury which may have affected the horse's performance in the 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.

LR 30 Trainer to keep wages book

(1) **Obligation to keep:** A trainer must keep a 'wages book' in which the following information is regularly entered: the name, class of employment and earnings of each employee, whether rider, stablehand or person otherwise engaged in connection with racehorses.

(2) **Inspection:** Every trainer must make the wages book, together with the financial records underpinning the wages book (including, without limitation, invoices, receipts and working papers), available for inspection on demand by the Stewards or a person authorised by the Directors.

AR 106 Saddling a horse

(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 (including the correct saddlecloth number) presented for a race, official trial, jump-out or trackwork.

(2) Notwithstanding subrule (1), a person must properly saddle or fit or correctly apply required gear to a horse presented for a race, official trial, jump-out or trackwork.

[amended 01/02/21]

AR 107 Plates and tips

(1) The trainer is at all times responsible for ensuring that horses with race engagements comply with the following requirements from the time when they arrive on course, except where the Stewards permit otherwise:

(a) plates and tips must be made of an approved material capable of being forged or moulded into shape;

(b) tips must cover at least one third of the perimeter of the hoof;

(c) except in the case of approved therapeutic plates approved by the Stewards which may weigh up to 170g, plates and tips must not exceed 150g in weight;

(d) plates and tips must be securely and properly fitted and must not protrude beyond the perimeter of the hoof;

(e) plates must be secured by a minimum of 5 nails and tips by a minimum of 3 nails;

(f) heads of nails must not protrude more than 2mm from the surface of a plate or tip;

(g) forged or rolled toe and side clips are permitted provided those clips have blunt, rounded edges and do not exceed 15mm in height and 20mm in width;

(h) steel inserts are permitted provided they are level with the surface of the plate;

(i) bar plates are permitted, provided that the entire plate including the bar is in one piece;

(j) a bar may be welded or riveted to the plate provided that the surface of the bar is level with that of the plate;

(k) heeled plates or caulks are not permitted in flat races;

(l) cutting plates, grippers or any other form of plates or tips which, in the opinion of the Stewards, may be dangerous, are not permitted;

(m) hoof pads must be of a material, design and weight approved by the Stewards.

(2) A horse cannot start in a race unless it is fully shod with plates or tips that meet the requirements of this rule, except that in exceptional circumstances the Stewards may permit a horse to run barefooted or partly shod.

(3) Prior to the acceptance time of any race a horse is entered in, a trainer 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

(b) notify the Stewards of any change from tips to plates, or from plates to tips.

(4) To ensure compliance with the requirements for plating set out in this rule, the Stewards may engage a person (including a farrier's supervisor) to inspect any horses presented for racing.

(5) If a mishap with a plate or tip occurs during a race, that must be reported by the trainer to the Stewards immediately.

AR 108 Horse's clothing before sunrise

If a horse is being led or ridden outside a stable premises on a public road or thoroughfare before sunrise, the trainer of the horse and any person responsible for leading or riding the horse must ensure that the horse 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.

AR 109 Training in non-resident States or Territories

(1) A trainer who temporarily visits a State or Territory of another PRA may be granted permission, for a period of time that that PRA considers fit, to train a horse in that other State or Territory.

(2) If permission of a PRA is granted under subrule (1), the trainer must comply with the conditions of licence applicable in the State or Territory being visited.

(3) A trainer who is granted permission to train in a State or Territory in which the trainer does not ordinarily reside or train and is training within that jurisdiction, will be deemed to be personally in charge of that trainer's horses within that jurisdiction at all times.

(4) If a trainer has horses which are being trained in a State or Territory in which the trainer does not ordinarily reside or train:

(a) the trainer must provide written notification to the PRA in that jurisdiction of a nominated licensed person who that trainer nominates to be left in charge of that trainer's horses for any period during which that trainer is not present within that jurisdiction;

(b) the person nominated in accordance with subrule (4)(a) must be a person licensed by that PRA who has consented in writing to being nominated; and

(c) both the trainer and the person nominated in accordance with subrule (4)(a) are bound by the Local Rules and any regulations of that PRA.

LR 31 Trainers to advise of certain circumstances

(1) **Trainers unable to attend race meeting:** A trainer who is unable to attend a race meeting held in Victoria at which horses trained by him or her are to be racing must, by no later than 2 days prior to the race meeting, lodge in writing with the Stewards attending the meeting the name of a person who is the holder of a licence to train or is registered under these rules as an assistant trainer, who will act on the trainer's behalf at the race meeting in his or her absence.

(2) **Trainer leaving Victoria:** Before leaving Victoria, a trainer holding a licence granted by the Directors must nominate in writing to Racing Victoria:

(a) the period of his or her proposed absence; and
(b) the name of a licensed trainer or assistant trainer who has consented in writing to such nomination who is to be left in charge of the racehorses trained by him or her during such period.

(3) **Change of residence or location of stables:** A trainer must notify Racing Victoria promptly in writing upon changing:

(a) his or her place of residence; or
(b) the location of his or her stables, and the Directors may if they see fit as a result of such notification review his or her licence.

(4) **Material change in circumstances from time of application for licence or renewal or licence:** A trainer must notify Racing Victoria as soon as practicable in the event that:
(a) the trainer ceases to train;
(b) the trainer ceases to meet the requirements set out in the Racing Victoria Trainer Licensing Policy relevant to the category of licence granted to the trainer, including where:
(i) a material or significant change occurs in the trainer's financial affairs which may adversely affect the capacity of the trainer to pay his or her debts when they fall due;
(ii) the trainer (or training partnership) ceases to train the required minimum or maximum number of horses;
(c) the trainer ceases to meet any condition stipulated in the grant or continuation of the licence;
(d) the trainer is charged with an indictable criminal offence; or
(e) the trainer is convicted of an indictable criminal offence.

PART 7 – RIDERS & HORSE HANDLERS

Division 1 – Licensing of riders

AR 110 Only licensed riders to ride in races

(1) In order to ride in a race held under the Rules a person must hold the appropriate licence and/or qualification to ride granted by the PRA of the State or Territory in which the race is run in accordance with the Local Rules of that PRA.

(2) Subject to any Local Rule, the PRA or the Stewards of the State or Territory in which a race meeting is to take place may grant a visiting rider from another State or Territory permission to ride if satisfied that:

(a) the rider holds a licence or permit to ride from the PRA in the State or Territory in which the rider ordinarily is based; and

(b) the rider is not disqualified, suspended, or subject to any other restriction.

(3) A visiting rider licensed to ride by an Overseas Racing Authority may be allowed to ride in Australia on any terms a PRA or the Stewards may in their discretion impose.

(4) In order to be granted permission to ride in Australia, all riders must agree to submit to any testing for any alcohol or drug or their metabolites or artefacts, either prior to, during or after fulfilling a riding engagement in any race, official trial, jump-out or trackwork.

LR 32A Persons permitted to ride in races

A person must not ride in a race at any race meeting (unless such meeting has been exempted from the operation of this Rule) unless that person is:

(a) licensed as a jockey by the Directors;
(b) permitted to ride at specified race meetings by an official empowered by the Directors to permit jockeys to ride at such meetings; or
(c) an apprentice jockey who has obtained a permit from the Directors to ride in races.

LR 32B Licences and permits

(1) **Requirements for grant of a licence to ride:** An application to the Directors for the grant or renewal of a licence or permit to ride must meet the requirements set out in the Racing Victoria Jockey Licensing Policy (as amended from time to time).

(2) **Categories:** An application for the grant of a licence or permit to ride may be made for the following categories of jockey:

(a) Jockey;
(b) Jumps Jockey 'A';
(c) Jumps Jockey 'B';
(d) Picnic Jockey;
(e) Apprentice Jockey;
(f) Visiting Jockey;
(g) Visiting Jumps Jockey 'A';
(h) Visiting Jumps Jockey 'B';
(i) Visiting Picnic Jockey;
(j) Visiting Apprentice Jockey;
(k) Visiting International Jockey; and
(l) any other category as Racing Victoria allows from time to time.

(3) **Fees:** It is a condition of approval pursuant to LR 32B(1) or (2) that the rider pay such fees as prescribed by the Directors and published in the Prescribed Fee Schedule.

LR 32C Grant by the Stewards of special permission to ride

Special permission to ride at Metropolitan Race Meetings: Stewards officiating at a Metropolitan Race Meeting may permit a rider holding a licence or permit to ride only at provincial area race meetings to ride at the Metropolitan Race Meeting.

Division 1A – Apprentice Jockeys

LR 33A Application to take on an apprentice jockey

(1) **Approval for trainer or owner:** A trainer or owner may not take on an apprentice jockey except with the prior written approval of the Directors, which the Directors may refuse to grant without giving reasons or may grant on such terms and conditions as the Directors think fit.

(2) **Application to take on an apprentice:** An application by a trainer or owner for approval of the Directors to take on an apprentice jockey must be:

(a) made in writing on the form prescribed for the purpose by the Directors; and
(b) accompanied by such information as the Directors may prescribe.

LR 33B Employment agreement

(1) **As approved:** A trainer or owner who takes on an apprentice jockey (i.e. the master) must enter into an employment agreement and deed of apprenticeship with the apprentice jockey in such form and containing such terms and conditions as the Directors prescribe from time to time.

(2) **Copy to be lodged:** A certified copy of the employment agreement and deed of apprenticeship must be lodged with Racing Victoria within 7 days of the commencement of the apprenticeship and the original must be produced to Racing Victoria as and when required by Racing Victoria.

(3) **Observance of terms:** The terms and conditions of the employment agreement and deed of apprenticeship:

(a) must be observed by the parties; and
(b) may be enforced as though they formed a part of the Rules.

LR 33C Attendance at Racing Victoria training

(1) **Attendance compulsory:** Attendance at the Apprentice Training Centre is compulsory on the scheduled dates for each apprentice jockey, and the master must allow the apprentice to do so.

(2) **Fulfilment of obligations:** The apprentice jockey must fulfil all requirements of the Apprentice Training Program before the apprenticeship will be recognised by Racing Victoria as being complete, and the master must allow the apprentice to do so.

LR 33D Presence at race meetings

(1) **Requirement:** An apprentice jockey must not ride at a race meeting when his or her master is not present unless the apprentice is in the charge of another person who is:

(a) present at the race meeting; and
(b) either:
(i) a trainer; or
(ii) another person approved by the Stewards for that purpose; and
(c) appointed in writing by the master to have charge of the apprentice at the race meeting.

(2) **Apprentice attendance form:** At all race meetings apprentice jockeys must sign an attendance form before weighing out, correctly identifying (among other things) the person who has charge of the apprentice at the race meeting.

LR 33E Riding fees and prizemoney

(1) Where an apprentice jockey is engaged to ride in a race or trial, the riding fee shall be deemed to be the aggregate consideration and value for the:

(a) taxable supply by the apprentice of the ride; and
(b) taxable supply by the master for making available the Apprentice's riding services. The proportion of the consideration payable to the apprentice and the master for making their taxable supply shall be the percentage specified in the employment agreement and deed of apprenticeship entered into between the apprentice and the master.

(2) Where an apprentice jockey is entitled as a rider to prizemoney under LR 58, the prizemoney shall be deemed to be the aggregate consideration and value for the:

(a) taxable supply by the apprentice of the ride; and
(b) taxable supply by the master for making available the apprentice's riding services. The proportion of the consideration payable to the apprentice and the master for making their taxable supply shall be the percentage specified in the employment agreement and deed of apprenticeship entered into between the apprentice and the master.

<u>Division 2 – Rights and obligations of riders</u>

AR 111 Physical fitness to ride

(1) A rider must not present himself or herself to ride in any race, official trial, jump-out or trackwork unless he or she is physically fit to do so.

(2) A rider must as soon as practicable report to the Stewards any injury, sickness, abnormality or condition that may affect (or may have affected) that rider's performance.

(3) The Stewards may require a rider to present medical evidence or to undergo a medical or physical examination to prove the rider's fitness to the satisfaction of the Stewards.

(4) If a rider fails to fulfill any race riding engagement due to reasons of fitness or health, then unless otherwise permitted by the Stewards, the rider must provide to the Stewards a satisfactory medical clearance prior to arriving on course for the rider's next race riding engagement.

(5) Any rider who breaches subrule (4) may be stood down from riding.

AR 112 Limitations on pregnant riders being able to ride

(1) A pregnant rider must 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 qualified medical practitioner to the effect that:

(a) it is safe for her and the foetus to ride in races, official trials, jump-outs and trackwork; and

(b) her pregnancy creates no impairment to her capacity to control a racehorse.

LR 34 Casualty Room examinations

Any rider involved in a race fall must attend the Casualty Room for examination unless taken to hospital. A report of such examination is to be recorded in duplicate in a book to be kept in the Casualty Room for that purpose.

LR 35 Attendance to trackwork

Jockeys must attend Courses regularly for the purpose of riding trackwork, including during any period that the jockey may be suspended from riding in races.

AR 113 Electronic devices not permitted while riding

Unless permitted by the Stewards, when mounted on a horse a rider must not hold or use any mobile phone, radio or other electronic appliance, apparatus, instrument or equipment capable of receiving, transmitting or playing information.

[amended 01/02/21]

LR 36 Horses must not be led from a motor vehicle

A rider:

(1) must not, while driving a motor vehicle on a road, lead a horse from the motor vehicle, including by tethering the horse to the motor vehicle; or

(2) who is a passenger in, or on any part of, a motor vehicle must not lead a horse while the motor vehicle is moving on a public road.

For the purposes of this Rule, "motor vehicle" and "road" have the same meaning as defined in the *Road Safety Act 1986* (Vic).

LR 37 No smoking

A rider must not smoke while riding a horse in a race, exercising or in work on a racecourse or training track.

AR 114 Reporting occurrences or incidents

(1) The rider of a horse must report any pre-race occurrence or incident involving or affecting the rider's horse which takes place after an order to mount which may affect the running or performance of the horse in the race. That report must be made prior to the start of the race to the Stewards or, in their absence, to the Starter.

(2) The rider of a horse must:

(a) as soon as practicable after a race, report to the Stewards anything which might have affected the running of the rider's horse in the race; and

(b) immediately after a race report to the Stewards:

(i) any loss or breakage of gear which occurred during the race; or

(ii) any unusual happening in connection with the race.

AR 115 Jockey and apprentice jockey misconduct

(1) A jockey or apprentice jockey must not:

(a) engage in misconduct;

(b) other than from his or her nominator, accept or agree to accept any money, gift, or other consideration in connection with a horse in a race without the consent of the Stewards and his or her nominator;

(c) bet, or have any interest in a bet, or facilitate a bet, on any race;

(d) be present in the betting ring during a race meeting;

(e) bet, or have any interest in a bet, on any race or contingency relating to thoroughbred racing involving a race in which he or she is riding.

(2) For the purposes of this rule, "bet" includes a lay bet.

(3) If a jockey or apprentice jockey breaches subrule (1)(e), a disqualification of not less than 2 years must be imposed unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 116 Jockeys and apprentice jockeys not to have an interest in horses

(1) A jockey or apprentice jockey is not permitted to own, take a lease or have any interest in any eligible horse, unnamed horse or named horse.

(2) If a jockey or apprentice jockey breaches subrule (1), any person having any interest with that jockey or apprentice jockey, or the trainer of the relevant horse, may also be penalised.

(3) If a jockey or apprentice jockey breaches subrule (1), a disqualification of not less than 2 years must be imposed unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 117 Ineligibility of horses that a jockey or apprentice jockey has an interest in

If a jockey or apprentice jockey licensed or indentured by a recognised racing authority in any country in the world has an interest in the ownership or lease of a horse, that horse will be ineligible to race in Australia.

AR 118 Jockeys and apprentice jockeys not to have an interest in horse transactions

(1) A jockey or apprentice jockey must not, without the express written permission of the PRA that has licensed that person, have any interest in or be otherwise involved in the buying, selling, trading or leasing of thoroughbred bloodstock.

(2) A jockey or apprentice jockey must not breach any terms or conditions imposed on any permission granted by a PRA under subrule (1).

(3) For the purposes of this rule, "thoroughbred bloodstock" means:

(a) a thoroughbred horse included in the Australian Stud Book or the stud book of an Overseas Racing Authority; or

(b) a thoroughbred horse registered to race by Racing Australia or by an Overseas Racing Authority.

AR 119 Engagements for apprentice jockeys to be approved by master

All engagements for an apprentice jockey to ride in races must be approved by his or her master or that master's authorised representative.

AR 120 Rider's agents

(1) A person must not act in the capacity of rider's agent unless the person has been licensed by a PRA to do so.

(2) A person licensed under the Rules in another capacity cannot also be licensed as a rider's agent, except that:

(a) a licensed or registered stablehand can also be licensed as a rider's agent; or

(b) a PRA in its discretion may permit that to occur.

(3) A jockey, apprentice jockey or the master of an apprentice jockey must not authorise any person to be his or her rider's agent unless that person has been licensed by a PRA as a rider's agent.

(4) A rider's agent:

(a) must not, without the permission of the Stewards, enter any restricted area on a racecourse on race day;

(b) who breaches subrule (a) may be removed from that area by order of the Stewards.

(5) A PRA must publish a list of the persons it has licensed as rider's agents.

LR 38 Riders Agent Licences

(1) An application to the Directors for the grant or renewal of a riders agent licence must:

(a) be in the required form;
(b) provide such information as is required by the Directors; and
(c) be accompanied by any applicable fee as is published in the Prescribed Fee Schedule.

(2) Categories: An application for the grant of a riders agent licence may be made for the following categories of riders agent:

(a) Riders Agent
(b) Visiting Riders Agent; or
(c) Visiting International Riders Agent

(3) Persons Ineligible: A person may not be granted or hold a riders agent licence if the person is licensed or registered under the Rules of Racing, except when that person:

(a) is a registered Stable Employee; or
(b) has otherwise been approved by the Principal Racing Authority to be granted or hold a riders agent licence.

(4) Directors may prescribe certain pre-requisites, requirements, qualifications and training units: In relation to each of the licence categories referred to in LR 38(2), the Directors may from time to time prescribe:

(a) educational qualifications, training units and experience levels which must be attained as a pre-requisite to the grant of a riders agent licence; or
(b) any other pre-requisite or requirement for the grant of a riders agent licence as deemed appropriate.

(5) Relief from requirements: The Directors may in their absolute discretion, relieve an applicant for a riders agent licence from any of the requirements prescribed by LR 38(4).

(6) Grant or Refusal to Grant a Riders Agent Licence: Having received an application under LR 38(1), the Directors may:

(a) refuse to grant a riders agent licence;
(b) request whatever further information the Directors consider reasonable and appropriate; or
(c) grant a riders agent licence subject to such terms and conditions as the Directors consider reasonable and appropriate.

(7) Revocation: The Directors may, at any time, revoke, or vary the terms of a riders agent licence granted by them, including, without limitation, where the holder of the licence:

(a) is not actively using the licence;
(b) ceases to meet the requirements to be granted a licence in accordance with the Rules of Racing; or
(c) breaches any term or condition of that person's riders agent licence.

(8) Term of licence: All rider agent licenses expire on the 31 July next after issue unless:

(a) revoked earlier in accordance to LR 38(7);
(b) cancelled;
(c) suspended;
(d) disqualified; or
(e) otherwise provided for under the terms and conditions of a riders agent licence.

<u>Division 3 – Safety equipment of riders</u>

AR 121 Clothes, footwear and equipment

(1) Riders must wear clothes which are clean and appropriate for riding.

(2) Only clothes, footwear, apparel and equipment approved by Racing Australia, a PRA, or the Stewards may be worn or used by a rider in a race, official trial, jump-out or trackwork.

(3) The Stewards may confiscate any clothes, footwear, apparel and equipment worn or used by a rider that has not been approved in accordance with subrule (2).

[*subrule added 1.6.19*]

LR 39 Names on silks

All riders riding in races in Victoria must wear breeches displaying their first initial and surname on both thighs. The lettering must be black and the letters of the riders names must conform to the following dimensions:

Height: 40 mm
Length: not to exceed 275 mm

AR 122 Helmets

(1) When mounted on a horse, every rider must wear a properly affixed helmet which:

(a) complies with a standard approved by Racing Australia;

(b) is in a satisfactory condition;

(c) has not been modified in any way; and

(d) has attached to it a manufacturer's label that states:

(i) the date of manufacture; and

(ii) that it complies with a standard approved by Racing Australia.

(2) Every rider is responsible for the care and condition of the rider's helmet.

(3) A helmet will be deemed not serviceable and must be immediately replaced by a rider if:

(a) 5 years have expired since its date of purchase or acquisition as a brand-new helmet or 8 years have expired since its date of manufacture, whichever is earlier; or

(b) it sustains a severe impact; or

(c) the wearer suffers from concussion following a fall.

***Note**: By way of example:*

(a) If a helmet was manufactured on 1/1/2016 and purchased on 1/1/2017, the helmet will be deemed not serviceable on 1/1/2022 (i.e. 5 years' use).

(b) If a helmet was manufactured on 1/1/2016 and purchased on 1/1/2020, the helmet will be deemed not serviceable on 1/1/2024 (i.e. 4 years' use).

(4) Further to subrule (3)(a):

(i) a rider is required to maintain evidence (such as a receipt) of the date on which the rider purchased or acquired a helmet in his or her possession; and

(ii) a rider must produce such evidence to Racing Australia, a PRA or the Stewards at any time required by any of them.

(5) The Stewards may at any time seize a helmet for inspection and may in their absolute discretion confiscate any helmet that does not comply with the requirements of this rule, including (without limitation) where the Stewards are of the opinion that a helmet is not in a satisfactory condition as a result of general wear and tear or the manner in which it has been stored or maintained.

(6) Subject to subrule (7), when mounted on a horse during darkness, every rider must affix to his or her helmet a safety warning light of a type approved by Racing Australia, a PRA or the Stewards.

(7) Subrule (6) does not:

(a) apply to any rider who complies with AR 123(4);

(b) apply to any location where the Stewards have ruled that sufficient artificial lighting exists;

(c) affect the requirement that trackwork may only be conducted where Stewards have ruled that sufficient natural or artificial lighting exists.

(8) If an apprentice jockey breaches subrule (1), the apprentice jockey's master and/or any other person who was in charge of the apprentice jockey at any relevant time may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure that the apprentice jockey complied with that subrule.

Note: *Pursuant to this rule Racing Australia has ordered that:*

(a) The following helmet standards are approved:

(i) AS/NZS 3838 2006;

(ii) EN 1384: 2012 or EN 1384: 2017;

(iii) ASTM F1163: 20-04: Rev A 2011, ASTM F1163: 20-13 or ASTM F1163: 20-15;

(iv) BS PAS 015: 2011;

(v) VG1 01.040, *Recommendation for Use, 12/12/2014 (also referred to as VG1 01.040: 2014-12).*

(b) All helmets must be fitted with a nylon interlocking chinstrap clip attachment.

[amended 01/02/21]

AR 123 Safety vests

(1) When mounted on a horse, including but not limited to in a race, official trial, jump-out or trackwork, a rider must wear a properly fastened safety vest which:

(a) complies with a standard prescribed by Racing Australia;

(b) has been approved by Racing Australia;

(c) is in a satisfactory condition;

(d) has not been modified in any way; and

(e) has attached to it a manufacturer's label that states that it complies with a standard prescribed by Racing Australia.

(2) A rider required by these Australian Rules to wear a safety vest must not have in his or her possession a safety vest that does not comply with the requirements in subrule (1).

(3) The Stewards may confiscate or order the satisfactory repair of any safety vest that does not comply with the requirements in subrule (1).

(4) Subject to subrule (5), when mounted on a horse during darkness, a rider must wear:

(a) a safety vest that complies with the requirements in subrule (1); and

(b) over that safety vest, or over clothing worn over that safety vest, a harness or braces that contains safety warning lights of a type approved by Racing Australia, a PRA or the Stewards.

(5) Subrule (4) does not:

(a) apply to any rider who complies with AR 122(6);
(b) apply to any location where the Stewards have ruled that sufficient artificial lighting exists;
(c) affect the requirement that trackwork may only be conducted where Stewards have ruled that sufficient natural or artificial lighting exists.

(6) If an apprentice jockey breaches subrule (1), the apprentice jockey's master and/or any other person who was in charge of the apprentice jockey at any relevant time may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure that the apprentice jockey complied with that subrule.

Note: *Pursuant to this rule, Racing Australia has ordered that:*

(a) the following standards of safety vests are prescribed:

(i) ARB Standard 1.1998; and

(ii) European Standard EN 13158;

(b) the following Level 1 safety vests are approved:

(i) Hows Racesafe;

(ii) Ozvest;

(iii) Racelite Pro;

(iv) Vipa;

(v) Vipa I;

(vi) USG Flexi Race; and

(vii) Airowear Swift;

(c) the following Level 2 safety vests are approved:

(i) Vipa II.

[amended 01/02/21]

AR 124 Proper bridle and saddle for horses

(1) Every horse must be properly bridled and saddled while being ridden, and every saddle used in official trials, jump-outs, tests or trackwork must, subject to subrule (2), be equipped with safety irons of a design approved by Racing Australia, a PRA, or the Stewards.

(2) If a rider wears race boots in official trials or jump-outs, the saddle must be equipped with race irons.

(3) While being led outside of a stable premises, every horse must have a bit in its mouth, and that bit must be attached to a lead or a stallion chain.

(4) Every person leading or attending a horse must wear fully enclosed and substantial footwear of a standard approved by a PRA or the Stewards.

AR 125 Riders permitted to use blunt and approved spurs

Riders may use spurs provided they are blunt and of a type approved by Racing Australia, a PRA, or the Stewards.

<u>Division 4 – Requirements of riders in relation to riding in races</u>

AR 126 Fees for jockeys and riders to be determined by PRAs

In the absence of a special agreement in relation to jockeys' fees which is approved by a PRA, the fees of jockeys and riders will be prescribed by a PRA.

LR 40 Riders Fees

(1) **Rides at race meetings:**

(a) If a horse (other than an emergency acceptor) is withdrawn before Final Scratching Time a rider who has been declared to ride such horse must be paid an engagement fee of an amount equal to the relevant riding fee payable in accordance with the Prescribed Fee Schedule.

(b) If a race is abandoned, no riding fee is payable to any rider engaged to ride in the race unless the rider has been officially weighed out to ride in such race.

(c) To the extent that Racing Victoria has and continues to pay riding fees to riders as described in the Prescribed Fee Schedule, those fees are paid on the behalf of owners to facilitate the engagement of riders.

(2) **Fee for official trials:** The fees payable to jockeys and apprentice jockeys for rides in official trials conducted on any Course are as prescribed by the Directors and published in the Prescribed Fee Schedule.

AR 127 Failing to fulfil a riding engagement

(1) A jockey or apprentice jockey must not fail or refuse to fulfil a race riding engagement.

(2) The Stewards may also penalise any person responsible for an apprentice jockey who, in their opinion, contributed to that apprentice jockey committing a breach of this rule.

AR 128 Rider to be present in jockeys' room at race meetings

(1) A rider who has a riding engagement at a race meeting must be in the jockeys' room at least 45 minutes before the advertised starting time for the first race that the rider has a riding engagement in.

(2) Unless otherwise permitted by the Stewards, on a day a rider has a riding engagement, the rider must remain in the jockeys' room until the rider's riding engagements are complete and permission to leave the jockeys' room has been granted by the Stewards.

LR 41 Permission to leave racecourse

No rider with a riding engagement at a race meeting shall leave the racecourse without first obtaining permission from the Stewards.

AR 129 Running and handling

(1) Every rider must ride his or her horse on its merits.

(2) A rider must take all reasonable and permissible measures throughout the race to ensure that the rider's horse is given full opportunity to win or to obtain the best possible place in the field.

(3) Except where the safety of any horse or rider in a race requires otherwise, every horse must be ridden in such a manner to benefit only its own best interests and not to the advantage of any other horse or rider.

(4) If, in the opinion of the Stewards, this rule has been breached:

(a) any person who was a party to the breach may also be penalised; and

(b) the horse concerned may be disqualified.

(5) Any person who:

(a) in the opinion of the Stewards, has breached, or was party to breaching, subrule (1); and

(b) 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 disqualified for a period of 3 years unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 130 Consequences if a horse and/or jockey causes interference

(1) If a horse:

(a) crosses another horse so as to interfere with that, or any other, horse; or

(b) jostles, or the horse or its rider in any way interferes, with another horse or its rider (except for jostling or interference caused by another horse or rider),

that horse and any other horse in the same nomination may be disqualified from the race.

(2) If a placed horse or its rider causes interference 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 that interference not occurred, the Stewards may place the first mentioned horse immediately after the horse interfered with.

(3) For the purposes of subrule (2), a "placed horse" is a horse placed by the Judge in accordance with AR 214(3).

AR 131 Riding offences

A rider must not, in the opinion of the Stewards:

(a) engage in careless, reckless, improper, incompetent or foul riding;

(b) fail to ride his or her horse out to the end of the race and/or approaching the end of the race;

(c) make any celebratory gesture prior to his or her horse passing the winning post;

(d) excessively slow, reduce or check the speed of the rider's horse and in doing so cause direct or indirect interference to any other horse in the race.

AR 132 Limits on the use of a whip by a rider

(1) A rider may only carry in races, official trials, jump-outs, or trackwork a padded whip of a design and specification approved by Racing Australia ("approved whip") which is in a satisfactory condition and has not been modified in any way.

(2) A person must not have in his or her possession:

(a) a whip which is not an approved whip; or

(b) an approved whip which has been modified in any way.

(3) The Stewards may confiscate any whip which:

(a) is not an approved whip; or

(b) is an approved whip which, in their opinion, is not in a satisfactory condition or has been modified in any way.

(4) If an apprentice jockey breaches subrule (1) or (2), the master and/or other person in charge of the apprentice jockey at the time of the breach may also be penalised unless that person satisfies the Stewards that he or she took all proper care to ensure the apprentice jockey complied with this rule.

(5) In a race, official trial, jump-out or trackwork, or elsewhere, a rider must not use his or her whip in an excessive, unnecessary or improper manner.

(6) Without limiting the generality of subrule (5), in a race, official trial or jump-out a rider must not use his or her whip:

(a) forward of the rider's horse's shoulder or in the vicinity of its head;

(b) using an action that raises the rider's arm above shoulder height;

(c) when the rider's horse is out of contention;

(d) when the rider's horse is showing no response;

(e) after passing the winning post;

(f) causing injury to the rider's horse;

(g) when the rider's horse is clearly winning;

(h) when the rider's horse has no reasonable prospect of improving or losing its position;

(i) in a manner where the seam of the flap is the point of contact with the horse, unless the rider satisfies the Stewards that that was neither deliberate nor reckless.

(7) Subject to the other requirements in this rule:

(a) prior to the 100 metre mark in a race, official trial or jump-out:

(i) the whip must not be used in consecutive strides;

(ii) the whip must not be used on more than 5 occasions except where there have only been minor infractions and the totality of the whip use over the whole race is less than permitted under subrules (7)(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 the rider's horse to improve);

(iii) the rider may at the rider's 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 the whip at the rider's discretion.

(8) A trainer, owner or their 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.

(9) A person must not offer any inducements to a rider to use the whip in a way that, if carried out, might result in a breach of this rule.

(10) An owner or that owner's authorised agent, trainer, rider or a Steward may lodge a protest against the placing of a horse where a rider breaches subrules (5) or (7) during a race.

(11) Notwithstanding the provisions of subrules 7(a) and (b), a PRA that has charge of the conduct of jumps racing may provide separately, at its own discretion, for the regulation of the use of the whip in jumping events under its own Local Rules. If that is done, any provision of that kind will not be limited by subrules 7(a) and (b).

LR 41A – Limits on the use of a whip by a jumps rider

(1) Further to the provisions of AR 132(11), and for the purpose of AR 132(7) (a) and (b) only:

(a) In a jumps race, official jumps trial or jump-out (including a jumps schooling event) 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 10 occasions.

(iii) the rider may at their 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 jumps race, official trial or jump-out (including a jumps schooling event) a rider may only use their whip in non-consecutive strides.

AR 133 Possession of stockwhip

A person must not have in his or her possession a stockwhip:

(a) at a racecourse;

(b) at a thoroughbred racing stable; or

(c) at premises otherwise used for training or pre-training a horse, unless the person satisfies the Stewards that the stockwhip is in his or her possession at those premises for reasons unrelated to the training or pre-training of a horse.

AR 134 Excessive, unnecessary or improper use of spurs

In a race, official trial, jump-out or trackwork, or elsewhere, a rider must not use his or her spurs in an excessive, unnecessary or improper manner.

AR 135 Races around markers

(1) If a PRA approves a race being conducted outside markers, a rider must not, in the opinion of the Stewards:

(a) permit the rider's horse to go inside a marker;

(b) make insufficient effort to prevent the rider's horse from going inside a marker;

(c) either directly or indirectly cause another runner to go inside a marker;

(d) permit the rider's horse to continue in the race after it goes inside a marker.

(2) The markers referred to in subrule (1) must be of a design and placement approved by a PRA.

(3) Any horse that goes inside a marker is to be disqualified from the race unless, in the opinion of the Stewards, that was caused by another horse or rider, in which case the horse 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 from the race.

Division 5 – Substances banned for use by riders and horse handlers

AR 136 Banned substances in relation to riders

(1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in riders when detected in a urine sample at a concentration above the respective threshold level:

(a) lysergic acid diethylamide (LSD) (0µg/L);

(b) all barbiturates (0µg/L);

(c) all Cannabinoids, including but not limited to:

(i) 11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid (15ug/L);

(ii) synthetic cannabinoid analogues and/or their metabolites (such as JWH-018, JWH-073 and HU-210).

(d) all diuretics (0µg/L);

(e) probenecid (0µg/L);

(f) alcohol (at a blood alcohol concentration in excess of 0.02% (that is, 20 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument);

(g) all stimulants, including but not limited to:

(i) amphetamine (150µg/L);

(ii) methylamphetamine (150µg/L);

(iii) methylenedioxyamphetamine (MDA) (150µg/L);

(iv) methylenedioxyethylamphetamine (MDEA) (150µg/L);

(v) methylenedioxymethylamphetamine (MDMA) (150µg/L);

(vi) methylphenidate (0µg/L);

(vii) modafinil (0µg/L);

(viii) cocaine (100µg/L);

(ix) ephedrine (10,000µg/L);

(Stimulants which are specifically excluded are: levo-amphetamine; levo-methylamphetamine; phenylpropanolamine; pseudoephedrine.)

(h) all anorectics, including but not limited to:

(i) phentermine (500µg/L);

(ii) diethylpropion (0µg/L);

(iii) sibutramine (0µg/L).

(i) all opiates and opioids, including, but not limited to:

(i) morphine (0µg/L, save as specified in subrule (2));

(ii) codeine (0µg/L, save as specified in subrule (2));

(iii) oxycodone (0µg/L);

(iv) fentanyl (0µg/L);

(v) alfentanil (0µg/L);

(vi) pethidine (0µg/L);

(vii) methadone (0µg/L);

(viii) heroin (0µg/L);

(ix) monoacetylmorphine (0µg/L);

(x) hydromorphone (0µg/L);

(xi) buprenorphine (0µg/L).

(Opiates and opioids which are specifically excluded are: dihydrocodeine; dextromethorphan; pholcodine; propoxyphene; tramadol.)

(j) all dissociative anaesthetics and related substances, including but not limited to:

(i) ketamine (0µg/L);

(ii) phencyclidine (0µg/L);

(iii) tiletamine (0µg/L).

(k) gamma-hydroxybutyrate (GHB) and pro-drugs of GHB (1,4-butanediol: gammabutyrolactone) (10,000µg/L);

(l) benzylpiperazine (500 µg/L) and phenylpiperazine (0µg/L) and their derivatives (0µg/L);

(m) tryptamine derivatives (0µg/L),(e.g. dimethyltryptamine; alphamethyltryptamine; hydroxydimethyltryptamine and related substances);

(n) all benzodiazepines, including but not limited to:

(i) diazepam (200µg/L);

(ii) nordiazepam (200µg/L);

(iii) oxazepam (200µg/L);

(iv) temazepam (200µg/L);

(v) alprazolam (100µg/L, as alpha-hydroxyalprazolam);

(vi) clonazepam (100µg/L, as 7-aminoclonazepam);

(vii) flunitrazepam (100 µg/L, as 7-aminoflunitrazepam);

(viii) nitrazepam (100µg/L, as 7-aminonitrazepam);

(ix) bromazepam (0µg/L);

(x) clobazam (0µg/L);

(xi) flumazenil (0µg/L);

(xii) lorazepam (0µg/L);

(xiii) midazolam (0µg/L);

(xiv) triazolam (0µg/L); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon; zolpidem; zopiclone).

(2) Notwithstanding subrule (1), when codeine and/or morphine are detected in a sample taken from a rider, the sample is deemed not to constitute a banned substance under these Australian Rules if:

(a) the total codeine and morphine concentration is less than 2,000µg/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 satisfies the Stewards that there has been no illegal use of opiates or opioids by the rider.

AR 137 Banned substances in relation to horse handlers

(1) Unless otherwise stated in these Australian Rules, the following substances and/or their metabolites, artefacts and isomers are specified as banned substances in horse handlers when detected in a urine sample at a concentration above the threshold level in brackets immediately next to the identified banned substance:

(a) lysergic acid diethylamide (LSD) (0µg/L);

(b) all barbiturates (0µg/L);

(c) cannabinoids (11-Nor-delta-9-tetrahydrocannabinol-9-carboxylic acid) (15µg/L));

(d) alcohol (at a blood alcohol concentration in excess of 0.05% (that is, 50 milligrams of alcohol in every 100 millilitres of blood) on a breath analysing instrument);

(e) all stimulants, including but not limited to:

(i) amphetamine (150µg/L);

(ii) methylamphetamine (150µg/L);

(iii) methylenedioxyamphetamine (MDA) (150µg/L);

(iv) methylenedioxyethylamphetamine (MDEA) (150µg/L);

(v) methylenedioxymethylamphetamine (MDMA) (150µg/L);

(vi) methylphenidate (0µg/L);

(vii) modafinil (0µg/L);

(viii) cocaine (100µg/L);

(ix) ephedrine (10,000µg/L);

(Stimulants which are specifically excluded are: levo-amphetamine; levo-methylamphetamine; phenylpropanolamine; pseudoephedrine.)

(f) all opiates and opioids, including, but not limited to:

(i) morphine (0µg/L, save as specified in subrule (2) of this rule);

(ii) codeine (0µg/L, save as specified in subrule (2) of this rule);

(iii) oxycodone (0µg/L);

(iv) fentanyl (0µg/L);

(v) alfentanil (0µg/L);

(vi) pethidine (0µg/L);

(vii) methadone (0µg/L);

(viii) heroin (0µg/L);

(ix) monoacetylmorphine (0µg/L);

(x) hydromorphone (0µg/L);

(xi) buprenorphine (0µg/L).

(Opiates and opioids which are specifically excluded are: dihydrocodeine; dextromethorphan; pholcodine; propoxyphene; tramadol.)

(g) all dissociative anaesthetics and related substances, including but not limited to:

(i) ketamine (0µg/L);

(ii) phencyclidine (0µg/L);

(iii) tiletamine (0µg/L).

(h) all benzodiazepines, including but not limited to:

(i) diazepam (200µg/L);

(ii) nordiazepam (200µg/L);

(iii) oxazepam (200µg/L);

(iv) temazepam (200µg/L);

(v) alprazolam (100µg/L, as alpha-hydroxyalprazolam);

(vi) clonazepam (100µg/L, as 7-aminoclonazepam);

(vii) flunitrazepam (100 µg/L, as 7-aminoflunitrazepam);

(viii) nitrazepam (100µg/L, as 7-aminonitrazepam);

(ix) bromazepam (0µg/L);

(x) clobazam (0µg/L);

(xi) flumazenil (0µg/L);

(xii) lorazepam (0µg/L);

(xiii) midazolam (0µg/L);

(xiv) triazolam (0µg/L); and substances with similar structure or pharmacological activity – benzodiazepine receptor agonists (zalplon; zolpidem; zopiclone).

(2) Notwithstanding subrule (1), when codeine and/or morphine are detected in a sample taken from a horse handler, the sample is deemed not to constitute a banned substance under these Australian Rules if:

(a) the total codeine and morphine concentration is less than 2,000 µg/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 horse handler satisfies the Stewards that there has been no illegal use of opiates or opioids by the horse handler.

Division 6 – Banned substance offences for riders and horse handlers

AR 138 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Division 6 the person may be penalised by a PRA or the Stewards.

AR 139 Offences where riders use banned substances

(1) A rider breaches these Australian Rules if:

(a) a banned substance under AR 136(1) is detected in a sample taken from the rider; or

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

(2) If, in the opinion of the Stewards and based on information available to them, their own observations, or medical or other competent advice, a rider's faculties are considered to be impaired by any banned substance under AR 136(1) or by any other cause, the Stewards may prevent the rider 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.

(3) The Stewards may immediately, or pending the determination of any inquiry or other proceeding or the result of any other analysis, stand down a rider from riding in each of the following circumstances:

(a) if a banned substance under AR 136(1) is detected in a sample taken from the rider;

(b) if the rider refuses or fails to deliver a sample when directed to do so;

(c) if the rider tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample.

(4) If a rider incurs a penalty or is prevented by the Stewards from riding under this rule, the rider cannot resume riding until the period of the penalty has expired and a sample from the rider free of any banned substance under AR 136(1) has been delivered, as directed by the Stewards.

(5) For the purposes of subrule (4):

(a) a urine sample provided by the rider will only be declared free of a banned substance under AR 136(1) if the sample contains a creatinine concentration of 200mg/L or greater; and

(b) if the rider provides a urine sample which does not contain the concentration of creatinine referred to in subrule (5)(a), the rider will be required to deliver a further urine sample/s at the direction of the Stewards.

AR 140 Offences where horse handlers use banned substances

(1) A horse handler breaches these Australian Rules if:

(a) a banned substance under AR 137(1) is detected in a sample taken from the horse handler; or

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

(2) If, in the opinion of the Stewards and based on information available to them, their own observations, or medical or other competent advice, a horse handler's faculties are considered to be impaired by any banned substance under AR 137(1) or by any other cause, the Stewards may prevent the horse handler from handling any horse in training.

(3) The Stewards may immediately, or pending the determination of any inquiry or other proceedings or the result of any other analysis, stand down a horse handler from handling a horse in each of the following circumstances:

(a) if a banned substance under AR 137(1) is detected in a sample taken from the horse handler;

(b) if the horse handler refuses or fails to deliver a sample when directed to do so;

(c) if the horse handler tampers with, adulterates, alters, substitutes, or in any way hinders the collection of, a sample.

(4) If a horse handler incurs a penalty or is stood down by the Stewards from handling horses under this rule, the horse handler cannot resume handling horses until the period of the penalty has expired and a sample from the horse handler free of any banned substance under AR 137(1) has been delivered, as directed by the Stewards.

AR 141 Stewards may impose a stay on a banned substance offence penalty

(1) The Stewards may stay the operation of any penalty imposed for a breach of AR 136(1) or AR 137(1) in whole or in part, and for a period of time and under the terms and conditions they think fit.

(2) If a rider or horse handler does not comply with any of the terms and conditions of a stay imposed under subrule (1), the Stewards may order that the stayed penalty take effect.

AR 142 Banned substances exemption

Notwithstanding the provisions of AR 139 and AR 140, a PRA may permit a rider or horse handler to receive a specified banned substance for medicinal purposes, subject to the following:

(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 substance that is not a banned substance would serve the same medicinal purpose for the illness, condition or ailment concerned; and

(iii) in relation to a rider, 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; or

(iv) in relation to a horse handler, that the medication would not affect the horse handler in carrying out his or her duties to the extent that it could in any way constitute a danger to the horse handler or others;

(d) the rider or horse handler must, if requested, submit to a medical examination by a specialist medical practitioner employed or engaged by a PRA to advise it on the matters the subject of subrule (c);

(e) the rider or horse handler must:

(i) before riding or handling any horse, make application to a PRA for permission to ride or handle a horse with a specifically prescribed banned substance in the person's system;

(ii) adhere strictly to his or her prescribed medication, and report to the Stewards immediately if the person intends to discontinue or vary that medication;

(iii) report to the Stewards immediately if the person believes that either the person's illness, condition or ailment or medication may have some influence on his or her ability to ride or handle a horse effectively and/or safely;

(iv) renew his or her application for exemption on each occasion that the person applies for the renewal of that person's licence, registration, permit or other qualification if the person wishes to continue (on medical grounds) to ride or handle horses with a banned substance in that person's system; and

(f) under no circumstances will a person be granted retrospective exemption under this rule.

Division 7 – Apprentice jockey allowances

AR 143 Weight allowances for apprentice jockeys

(1) An apprentice jockey who is entitled to ride in races may claim, in accordance with the scales in this rule, a weight allowance in flat races as the Local Rules of a PRA permit.

(2) For the purposes of this rule, a winning ride in a Group Race, Listed Race, or Restricted Listed Race will be deemed to be a winning ride in a metropolitan area.

(3) For the purposes of this rule, an apprentice jockey cannot claim a weight allowance in any Group Race, Listed Race, or Restricted Listed Race.

(4) For races run in a metropolitan area, the permitted weight allowances for an apprentice jockey are:

(a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area;

(b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan area;

(c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area.

(5) For races run in a provincial area, the permitted weight allowances for an apprentice jockey are:

(a) 3kg until the apprentice jockey has ridden 20 winners on the flat in a metropolitan area and/or a provincial area;

(b) 2kg until the apprentice jockey has ridden 50 winners on the flat in a metropolitan area and/or a provincial area;

(c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat in a metropolitan area and/or a provincial area.

(6) For races run other than in a metropolitan area or a provincial area, the permitted weight allowances for an apprentice jockey are:

(a) 3kg until the apprentice jockey has ridden 20 winners on the flat;

(b) 2kg until the apprentice jockey has ridden 50 winners on the flat;

(c) 1.5kg until the apprentice jockey has ridden 80 winners on the flat.

(7) Notwithstanding the provisions of subrules (4), (5) and (6), an apprentice jockey may claim a weight allowance of 4kg until the apprentice jockey has ridden 5 winners on the flat except that a PRA may except its State or Territory from the application of this subrule.

(8) An apprentice jockey cannot claim a weight allowance outside a metropolitan area which is greater than the allowance the apprentice jockey is entitled to claim within a metropolitan area.

(9) The time for determining the allowance that an apprentice jockey can claim for a race meeting is the point at which acceptances for the race meeting officially close.

(10) The lowest the weight a horse can carry may be reduced on account of an allowance is 43.5kg.

(11) For the purposes of calculating the weight allowance for an apprentice jockey:

(a) all dead-heats for first place will count as winning rides; and

(b) all winning horses ridden by an apprentice jockey on the flat before his or her apprenticeship must be included as winning rides.

(12) (a) A winning rides book must be issued to every apprentice jockey by a PRA.

(b) It is the responsibility of the apprentice jockey and the apprentice jockey's master to ensure that the apprentice jockey brings the winning rides book to each race meeting the apprentice jockey participates at and that winning rides are entered in that winning rides book and endorsed by a Steward before the apprentice jockey leaves the racecourse.

(c) An apprentice jockey must provide his or her winning rides book to a Steward before weighing-out in any race. [subrule c added 1/1/20]

(13) (a) An apprentice jockey cannot claim an allowance that the apprentice jockey is not entitled to claim.

(b) Any horse ridden by an apprentice jockey in a race whose weight in the race has been adjusted by an allowance that the apprentice jockey was not entitled to claim, may be disqualified from the race.

(14) (a) Except with the permission of the Stewards, every apprentice jockey must claim his or her full allowance.

(b) Any apprentice jockey who fails to claim the apprentice jockey's full allowance may be stood down for a ride to which the allowance relates.

(15) For the purposes of this rule:

(a) subject to subrule 15(c), winning rides in flat races held outside Australia are regarded 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)) are regarded as winning rides in an Australian metropolitan area;

(c) winning rides in flat races at all other New Zealand meetings will be regarded as winning rides in an Australian provincial area, except that for the purposes of this rule a winning ride in a Group or Listed race at any race meeting in New Zealand will be deemed a winning ride in an Australian metropolitan area.

(16) Any:

(a) apprentice jockey and/or his or her master who breaches any part of this rule;

(b) person who aids, abets, counsels, procures, concurs in, connives at, or is a party to a breach of this rule,

may be penalised.

LR 42 Apprentice allowances in Victoria

An apprentice jockey may claim a weight allowance in accordance with the three-tier scale provided for in AR 143 other than in Group and Listed Races or where the conditions of the race provide for no allowances.

LR 43 Designated Race Meetings

Racing Victoria may designate certain Country Race Meetings as Designated Race Meeting at which winning rides by an apprentice jockey are not considered winners for the purpose of AR 143(5).

Division 8 – Riding Skills Panels

AR 144 Riding Skills Panel

(1) A PRA may engage 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) The Stewards may at any time direct a rider to the Riding Skills Panel for mentoring or any remedial or technique training as they think fit.

(3) A rider must not fail or refuse to attend the Riding Skills Panel when directed, or fail or refuse to comply with any reasonable direction of the Riding Skills Panel.

(4) The Stewards may suspend or limit a rider's permission to ride in races in any way the Stewards think fit if they find that any aspect of a rider's race riding technique, method or practice may be a hazard to that rider or other riders, or may be contrary to a horse's welfare.

LR 44A Riders Skills Panel

(1) Appointment: The Directors or their delegate may appoint a Riders Skills Panel. If the Directors or their delegate appoint a Riders Skills Panel, the Directors or their delegate must:

(a) appoint not less than five (5) persons to constitute the Riders Skills Panel, of which at least:
  (i) three (3) are to be retired jockeys with acknowledged experience in race riding; and
  (ii) two (2) are to be members of the Racing Victoria Stewards Panel;
(b) appoint a suitable replacement for any member of the Riders Skills Panel where that member is absent or unable to attend to their duties;
(c) define the term of office and remuneration (where necessary) of persons appointed to the Riders Skills Panel;
(d) specify the quorum, which must comprise at least three (3) Riders Skills Panel members, one of which must be a Steward;
(e) appoint the Chair of the Riders Skills Panel, who must be a Racing Victoria Steward;
(f) appoint an executive officer to assist the Riders Skills Panel;
(g) empower the Stewards to penalise any rider referred to the Riders Skills Panel who fails or refuses to:
  (i) attend when directed; or
  (ii) comply with or fulfil any reasonable direction of the Riders Skills Panel; and
(h) empower (to the extent that the Rules allow) the Stewards to suspend or limit in any way a rider's permission to ride in races if they reasonably determine that any aspect of the rider's race riding technique, method or practice may be hazardous to the rider or other riders, or may be hazardous to the welfare of any horse.

(2) Function: The function of the Riders Skills Panel is to:

(a) meet as required each calendar year;
(b) consider referrals made by the Stewards, the Licensing Panel, or the Racing Victoria Board;
(c) seek to improve the safety for all participants of the Victorian Racing Industry by ensuring riders have the necessary skill to participate as a rider;
(d) assess, assist and mentor riders by providing remedial or technique training to riders referred to the Riders Skills Panel;
(e) critically analyse and provide feedback on rider activity especially related to any aspect of their race riding technique, method or practice which may:
  (i) be hazardous to them or fellow riders;
  (ii) be contrary to the interests of horse welfare; or
  (iii) involve a breach of the Rules;

(f) provide assistance and advice to the Stewards, Licensing Panel and the Racing Victoria Board on matters concerning a rider's skills and suitability to be granted, or hold, a licence or permit to ride;
(g) where deemed appropriate in the opinion of the Riders Skills Panel, recommend to the Stewards, Licensing Panel or the Racing Victoria Board that a jockey be directed to undertake remedial action (including further training or trials);
(h) be involved in the assessment process for potential new apprentices and provide recommendations to Racing Victoria regarding the apprentice appointment process or the assessment processes regarding any other rider applications;
(i) make recommendations to Racing Victoria in relation to:
    (i) Rules relating to riders; or
    (ii) Racing Victoria's rider licensing policy;
(j) provide assistance to Racing Victoria in relation to the continuous improvement of the National Racing Industry Training Package (or equivalent); and
(k) provide requested feedback to the referring Steward or Licensing Panel as soon as practicable.

(3) Removal or resignation from Riders Skills Panel:

(a) The Directors may define appointment terms for members of the Riders Skills Panel, those terms being no longer than three years, with members being eligible for re-appointment after that three year period.
(b) The Directors or their delegate, in their absolute discretion, may remove a member of the Riders Skills Panel at any time with immediate effect.
(c) Any member of the Riders Skills Panel may resign by giving notice in writing to the CEO of Racing Victoria.

LR 44B Jumps Riders Skills Panel

(1) **Appointment:** The Directors or their delegate may appoint a Jumps Riders Skills Panel. If the Directors or their delegate appoint a Jumps Riders Skills Panel, the Directors or their delegate must:

(a) appoint not less than five (5) persons to constitute the Jumps Riders Skills Panel, of which at least three (3) are to be:
    (i) retired jockeys with acknowledged experience in jumps racing; or
    (ii) experienced equestrian riders or instructors; and
(b) appoint a suitable replacement for any member of the Jumps Riders Skills Panel where that member is absent or unable to attend to their duties;
(c) define the term of office and remuneration (where necessary) of persons appointed to the Jumps Riders Skills Panel;
(d) specify the quorum, which must comprise at least three (3) Jumps Riders Skills Panel members, one of which must be a Steward;
(e) appoint the Chair of the Jumps Riders Skills Panel, who must be a Steward;
(f) appoint an executive officer to assist the Jumps Riders Skills Panel;
(g) empower the Stewards to penalise any rider referred to the Jumps Riders Skills Panel who fails or refuses to:
    (i) attend when directed; or
    (ii) comply with or fulfil any reasonable direction of the Jumps Riders Skills Panel; and
(h) empower (to the extent that the Rules allow) the Stewards to suspend or limit in any way a rider's permission to ride in jumps races if they reasonably determine that any aspect of the rider's race riding technique, method or practice may be hazardous to the rider or other riders, or may be hazardous to the welfare of any horse.

(2) **Function:** The function of the Jumps Riders Skills Panel is to:

(a) meet as required each calendar year;
(b) consider referrals made by the Stewards, the Licensing Panel, or the Racing Victoria Board;

(c) seek to improve the safety for all participants of the Victorian Racing Industry by ensuring jumps riders have the necessary skill to participate as a jumps rider;
(d) assess, assist and mentor jumps riders by providing remedial or technique training to jumps riders referred to the Jumps Riders Skills Panel;
(e) critically analyse and provide feedback on jumps rider activity especially related to any aspect of their race riding technique, method or practice which may:
    (i) be hazardous to them or fellow jumps riders;
    (ii) be contrary to the interests of horse welfare; or
    (iii) involve a breach of the Rules;
(f) provide assistance and advice to the Stewards, Licensing Panel and the Racing Victoria Board on matters concerning a jumps rider's skills and suitability to be granted, or hold, a licence or permit to ride in jumps races;
(g) where deemed appropriate in the opinion of the Jumps Riders Skills Panel, recommend to the Jumps Review Panel, Stewards, Licensing Panel or the Racing Victoria Board that a jumps jockey be directed to undertake remedial action (including further jumps training or trials);
(h) be involved in the assessment process for potential new jumps jockeys and provide recommendations to Racing Victoria regarding the assessment processes regarding any jumps rider applications;
(i) make recommendations to Racing Victoria in relation to:
    (i) Rules relating to jumps riders; or
    (ii) Racing Victoria's rider licensing policy;
    (iii) whether a person (licensee or new applicant) should hold (or be granted) a licence to ride by the Licensing Panel or Directors;
(j) provide assistance to Racing Victoria in relation to the continuous improvement of the National Racing Industry Training Package (or equivalent); and
(k) provide requested feedback to the referring Steward or Licensing Panel as soon as practicable.

(3) **Removal or resignation from Jumps Riders Skills Panel:**

(a) The Directors may define appointment terms for members of the Jumps Riders Skills Panel, those terms being no longer than three years, with members being eligible for re-appointment after that three year period.
(b) The Directors or their delegate, in their absolute discretion, may remove a member of the Jumps Riders Skills Panel at any time with immediate effect.
(c) Any member of the Jumps Riders Skills Panel may resign by giving notice in writing to the CEO of Racing Victoria.

Division 9 – Other provisions relating to workers in the thoroughbred racing industry

AR 145 Employment in the thoroughbred racing industry

(1) If a trainer receives notice from a PRA that a person has not fulfilled a previous work commitment in the racing industry, the trainer must not, or continue to, engage or employ that person in the trainer's stable without the consent of the PRA.

(2) If a person is prohibited from either being employed or engaged, or employing or engaging a person by reason of these Australian Rules, that person may apply to a PRA for that prohibition to be lifted.

LR 45A No employment unless registered

A trainer must not employ or retain in employment any person in connection with the training, management or care of racehorses unless such person is registered in accordance with LR 45B or is otherwise licensed under the Rules.

LR 45B Registration of Stable Employees

(1) **Application before 1 August:**

(a) A person holding a trainer licence from Racing Victoria may, on or before the first day of August of each year, apply to Racing Victoria to register a person to be employed by him or her in connection with the training, management or care of racehorses (in this LR 45B referred to as a "Stable Employee").

(b) Subject to the Rules and LR 45B(8), such registration remains in force until 31 July in the following year.

(2) **Applications after 1 August:** An application for the registration of a Stable Employee engaged after 1 August in each year, and in respect of whom no transfer is registered in accordance with LR 45B(3), must be made at the time of such engagement.

(2A) **Categories of Stable Employee**: An application for the registration of a person to be employed by a trainer under LR 45B may be made in the following categories:

(a) Stablehand;
(b) Foreperson;
(c) Assistant Trainer;
(d) Racing Manager;
(e) Visiting Stablehand;
(f) Visiting Foreperson;
(g) Visiting Assistant Trainer;
(h) Visiting Racing Manager;
(i) Visiting International Stablehand;
(j) Visiting International Foreperson;
(k) Visiting International Assistant Trainer;
(l) Visiting International Racing Manager; or
(m) any other category as Racing Victoria allows from time to time.

(3) **Application form and fee:** An application for registration or transfer of a Stable Employee must:

(a) be made on a form specified for that purpose by Racing Victoria;
(b) provide all information as specified on or in respect of such form; and

(c) be accompanied by the fee as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

(3A) **Directors may prescribe certain pre-requisites, requirements, qualifications and training units:** The Directors may from time to time prepare and cause to be published on the Racing Victoria website the Racing Victoria Stable Employee Registration Policy which shall prescribe:

(a) educational qualifications or training units and experience levels which must be attained as a pre-requisite to the registration of a Stable Employee;

(b) any other pre-requisite or requirement for the registration of a Stable Employee as deemed appropriate,

in relation to each of the registration categories referred to in LR 45B(2A).

(4) **Requirements for grant of Stable Employee registration:** It is a requirement to the grant of registration of a Stable Employee that the applicant demonstrates that he or she meets the requirements as set out in the Racing Victoria Stable Employee Registration Policy referred to in LR 45B(3A).

(4A) **Relief from requirements**: The Directors may, in exceptional circumstances and in their discretion, relieve an applicant for a registration of a Stable Employee made under LR 45B from any of the qualifications, training units, pre-requisites or requirements referred to in LR 45B(3A).

(5) **Grant or Refusal to Grant Stable Employee Registration:** Having received an application under LR 39B(1), the Directors may, in their absolute discretion:

(a) refuse to register the person; or
(b) grant a Stable Employee registration subject to such terms and conditions as the Directors think fit.

(5A) **Revocation**: The Directors may in their absolute discretion, at any time, revoke, vary or cancel the registration of a Stable Employee, including, without limitation, where the holder of the registration:

(a) has ceased employment with his or her employer;
(b) is disqualified for any reason;
(c) ceases to meet the requirements to be registered as a Stable Employee in accordance with the Rules; or
(d) breaches any term or condition imposed on their registration.

(6) **Registration card:**

(a) A registered Stable Employee engaged in official duties or accessing horse areas at a race meeting must wear a current registration card issued by Racing Victoria and shall be worn so as to be clearly visible to Officials.

(b) A registered Stable Employee or trackwork rider must have in their possession a current registration card issued by Racing Victoria when fulfilling duties on a racecourse or training centre.

(7) **Notification of termination:** On termination of any Stable Employee's engagement the employer must either:

(a) register a transfer of the employment to another trainer; or
(b) notify Racing Victoria that such employment has been terminated whereupon the registration of the Stable Employee ceases.

(7) **Term of Registrations**: All registrations expire on the 31 July next after issue unless:
(a) revoked or cancelled in accordance with LR 45B(5A); or
(b) otherwise provided for in the terms and conditions of the registration of Stable Employee.

(8) **Effect of suspension**: Unless otherwise permitted by the Stewards or Racing Victoria, and upon such conditions as they may in their discretion impose, a Stable Employee, while suspended shall not be employed or work in any racing stable during the period of his or her suspension.

LR 45C Horses must not be led from a motor vehicle

A stablehand:

(1) must not, while driving a motor vehicle on a road, lead a horse from the motor vehicle, including by tethering the horse to the motor vehicle; or

(2) who is a passenger in, or on any part of, a motor vehicle must not lead a horse while the motor vehicle is moving on a public road.

For the purposes of this Rule, "motor vehicle" and "road" have the same meaning as defined in the *Road Safety Act 1986* (Vic).

LR 46 Float drivers

(1) No person or entity must provide horse floating and related services in relation to race meetings or official trials unless that person or entity is registered by Racing Victoria in that capacity.

(2) An application for registration as a float driver must be made by a person or entity in the business of providing horse floating (and related) services and must:

(a) be in the required form;
(b) provide such information as is required by the Directors; and
(c) be accompanied by the applicable fee as published in the Prescribed Fee Schedule.

(3) Categories: An application for the grant of a float driver registration may be made for the following categories of float driver:

(a) Float Driver; or
(b) Visiting Float Driver

(4) The Directors may prescribe certain pre-requisites, requirements, qualifications and training units for each of the registration categories referred to in LR 46(3), including:

(a) educational qualifications, training units and experience levels which must be attained as a pre-requisite to the grant of a float driver registration; or
(b) any other pre-requisite or requirement for the grant of a float driver registration as deemed appropriate.

(5) Relief from requirements: The Directors may, in exceptional circumstances and in their discretion, relieve an applicant for a float driver registration from any of the qualifications, training units, pre-requisites or requirements referred to in LR 46(4).

(6) Grant or refusal to grant a float driver registration: Having received an application under LR 46, the Directors may:

(a) refuse to grant a float driver registration;
(b) request whatever further information the Directors consider reasonable and appropriate; or
(c) grant a float driver registration subject to such terms and conditions as deemed appropriate.

(7) Revocation: The Directors may, at any time, revoke, or vary the terms of a float driver registration granted by them, including, without limitation, where the holder of the registration:

(a) is not actively using the registration;
(b) ceases to meet the requirements to be granted a registration in accordance with the Rules of Racing; or
(c) breaches any term or condition of that person's float driver registration.

(8) Term of registration: All float driver registrations expire on the 31 July next after issue unless:

(a) revoked earlier in accordance to LR 46(7);
(b) cancelled;
(c) suspended;
(d) disqualified; or
(e) otherwise provided for under the terms and conditions of a float driver registration.

LR 47A Horses to be attended by licensed farrier

(1) Unless otherwise authorised by the Stewards, horses engaged to run in a race or official trial must arrive at the Course having been shod or plated by a licensed farrier or his or her registered employee.

(2) The Stewards may authorise exceptions under sub-rule (1) either:
  (a) on an ad hoc basis; or
  (b) by registering certain persons in accordance with LR 47D to shoe horses presented for races or official trials under such conditions or for such period of time as the Stewards see fit.

(3) Any horse that has been shod or plated under sub-rule (2) of this rule must be presented for inspection to the farrier's supervisor, or any other person appointed by the Stewards, upon arrival at the Course.

(4) Any person who breaches any part of this Rule or who causes any part of this Rule to be breached may be penalised by the Stewards.

LR 47B Farriers' licences

(1) An application to the Directors for the grant or renewal of a farrier's licence must:
  (a) be in the required form;
  (b) provide information as required by the Directors; and
  (c) be accompanied by the applicable fee as published in the Prescribed Fee Schedule.

(1A) Categories: An application for the grant of a farriers licence may be made for the following categories of farrier:
  (a) farrier
  (b) visiting farrier; or
  (c) visiting international farrier.

(2) Subject to LR 47B(6), the Directors may from time to time prescribe educational qualifications and experience requirements which must be attained as a precondition to the grant of a farrier's licence.

(3) The Directors without giving reasons may:
  (a) refuse to grant a farrier's licence; or
  (b) grant a farrier's licence subject to such terms and conditions as the Directors think fit, including but not limited to restrictions regarding duration or locality or both.

(4) The Directors may at any time revoke a farrier's licence, including without limitation where the holder of the farrier's licence:
  (a) is not actively using the farrier's licence; or
  (b) ceases to meet the requirements to be granted a farrier's licence in accordance with the Rules.

(5) All farrier's licences expire on the 31 July next after issue, unless cancelled suspended or revoked.

(6) It is a precondition to the grant of a farrier's licence that the applicant:
  (a) is competent to hold a farrier's licence;
  (b) is trade certified with National Certificate III in Farriery or equivalent;
  (c) is of good reputation and character and is a fit and proper person to hold a licence to shoe or plate racehorses.

LR 47C Farrier's Apprentices (formally known as Farrier's employees)

(1) A licensed farrier must not employ or retain in employment any person in connection with the performance of farriery on racehorses unless such person is registered by the licensed farrier in accordance with this Rule.

(2) An application for registration of a farrier's apprentice must be made by a licensed farrier:
  (a) in the required form;
  (b) with such information as required by the Directors; and
  (c) accompanied by the applicable fee as published in the Prescribed Fee Schedule.

(2A) Categories: An application for registration of a farrier's apprentice may be made for the following categories:
  (a) apprentice farrier;
  (b) visiting apprentice farrier; or
  (c) visiting international apprentice farrier.

(3) The Directors may from time to time prescribe educational qualifications and experience requirements which must be attained as a precondition for a person to be registered as a farrier's apprentice.

(4) The Directors may in their absolute discretion:
- (a) refuse to register a person as a farrier's apprentice;
- (b) register a person as a farrier's apprentice subject to any conditions;
- (c) revoke, cancel or vary the conditions of any registration.

(5) Term of registration: All of the registrations expire on the 31 July next after issue unless:
- (a) revoked earlier in accordance to LR 47C(4);
- (b) cancelled;
- (c) suspended;
- (d) disqualified; or
- (e) otherwise provided for under the terms and conditions of an apprentice farrier registration.

LR 47D Special Registration to Shoe Horses

(1) The Stewards may from time to time register certain persons who do not meet the requirements of LR 47B(2) to shoe horses presented for racing or official trials in accordance with LR 47A(2).

(2) An application for registration must be made
- (a) in such form; and
- (b) with such information,

as is prescribed by the Stewards from time to time.

(3) Such registration does not constitute an occupational licence and the Stewards may in their absolute discretion:
- (a) refuse to register a person under LR 47D(1);
- (b) register a person under LR 47D(1) subject to any conditions or for any period of time;
- (c) revoke, cancel or vary the conditions of any registration at any time.

LR 48 Personal Protective Equipment for Clerks of the Course

(1) Every person engaged by Racing Victoria to perform the duties of a Clerk of the Course at a race meeting shall when mounted on a horse:
- (a) wear a properly fastened safety vest of a standard which has been prescribed by the Directors, or by Racing Australia pursuant to AR 123, which has attached to it a manufacturer's label that states it complies with a relevant prescribed standard; and
- (b) wear a properly affixed skull cap which conforms to a standard approved by Racing Australia in accordance with AR 123.

(2) Every Clerk of the Course shall be responsible for the care and condition of his or her skull cap by ensuring that it is serviceable and must immediately replace the skull cap 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) Any person who has been found guilty of a breach of LR 48(1) or (2) may be penalised.

AR 146 Leaving employment without consent of master

(1) A person employed or engaged in a stable must not leave their master before the terms of the engagement are complete.

(2) An apprentice jockey must not leave his or her employment or engagement with a trainer without the consent of the apprentice jockey's master without just cause.

(3) A trainer or owner must not engage or employ an apprentice jockey knowing that apprentice jockey has breached subrule (2).

AR 147 Retainers with riders

(1) If a rider has a retainer (being a contract in relation to the provision of riding services) with another person:

(a) it will not be recognised by a PRA unless it is in writing, signed by both parties, and lodged with a PRA;

(b) in the absence of terms to the contrary, it may be terminated by that person if the rider is prevented from riding by disqualification or suspension;

(c) in the absence of terms to the contrary, it may be terminated by either party by 3 months' written notice to the other party, but a PRA may at any time release any party from it for any reason and on such terms as the PRA thinks fit.

(2) If more than one person retains the same rider, the rider's priority is with the person whom first retained the rider.

Division 10 – Approved riders

AR 148 Prohibition on betting activity of approved riders

Any approved rider who has a riding engagement at a race meeting is prohibited from making or having an interest in a bet (including a lay bet), or being present in the betting ring at that race meeting.

AR 149 Approved riders owning horses

If an approved rider owns a horse which is entered in a race, that person must not, without the permission of the Stewards, accept an engagement to ride another horse in that race.

PART 8 – RACE MEETINGS

Division 1 – Race meetings

AR 150 Discretion of a PRA to exempt a race meeting or race from the Rules

A PRA may in its absolute discretion exempt race meetings or races from all or any of the Rules on conditions it thinks fit.

AR 151 PRA approval of races, race names and conditions

(1) The name and conditions of every race, and the full program of every race meeting, must not be advertised or published by any Club or person unless they have been submitted to the relevant PRA for approval at times prescribed by the PRA and/or by Local Rules and have been approved by the PRA.

(2) A PRA may in its absolute discretion (and without providing any reason) refuse approval of, or impose conditions with respect to:

(a) any race; or

(b) the name of any race; or

(c) the conditions of any race.

(3) Notwithstanding subrule (2), without the written permission of Racing Australia, no race is permitted to contain any one or more of the following words:

(a) Derby;

(b) Oaks;

(c) Slipper;

(d) Doncaster;

(e) Rose.

(4) Names of races containing one or more of the words in subrule (3) which existed prior to 1 March 2006 have the deemed approval of Racing Australia.

LR 49 Advertising of race meetings

(1) **Race meetings to be advertised:** Subject to LR 49(2) and (3), every race meeting to be conducted by a Racing Club must be advertised in Inside Racing, stating:

(a) the day on which the meeting is to be held;

(b) the full program of races to be conducted;

(c) the closing time for entries; and

(d) the name of the Secretary of the Racing Club.

(2) **Replacement race need not be advertised:** If prior to the declaration of weights RVL has approved the cancellation or abandonment of a race, it may program another race to be run at the meeting which has not been advertised in Inside Racing.

(3) **Directors may declare unnecessary:** The Directors may declare unnecessary or prohibit the advertisement of any race meeting in Inside Racing.

AR 152 Change of venue not to affect status of race meeting

Unless otherwise determined by a PRA, a race meeting which takes place under the Rules at a venue different to a venue where it would ordinarily take place, retains the same level of status despite the change in venue.

AR 153 No changes to weight of horses after acceptances

Changes to the weight allotted to any horse cannot be made after declaration of acceptances by reason of:

(a) any alteration to the race distance approved by a PRA or the Stewards; or

(b) any race postponement where the original fields are unaltered.

AR 154 Non-monetary prizes

(1) The value of non-monetary prizes must be advertised.

(2) Any non-monetary prize must be estimated at its advertised value.

AR 155 Abandonment or cancellation of race meetings

(1) A PRA, or a Club with the approval of a PRA, may cancel, abandon, or postpone any race or race meeting to a day approved by a PRA, and may make that decision either before or after the race meeting has commenced.

(2) In the event of cancellation or abandonment of a race or race meeting, all entry and acceptance fees not already forfeited must be returned.

(3) A PRA may appoint or authorise an official or body for the purpose of giving any approval under this rule and if that official gives approval it will be deemed to be the approval of the PRA.

LR 50 Merging of races

(1) When two races on the same program, neither of which is a Group or Listed Race, are identical in all respects except for gender eligibility, and/or age eligibility, Racing Victoria may, in its discretion, cancel one of those races if insufficient nominations or acceptances have been received as soon as practicable after nominations or acceptances have closed. The horses that were nominated, or had accepted as final acceptors, for the cancelled race shall then be transferred to the race on the same program that is identical in all other respects.

(2) When two jumping races on the same program are similar except for class and/or ratings eligibility, Racing Victoria may, in its discretion, cancel one of those races if insufficient nominations or acceptances have been received as soon as practicable after nominations or acceptances have closed. The horses that were nominated, or had accepted as final acceptors, for the cancelled race shall then be transferred to the other race on the same program that is similar.

(3) Notwithstanding anything to the contrary in these Rules, the Stewards may, in their discretion, allow the trainer or nominator to scratch or withdraw a horse which had nominated or accepted in a race prior to the merging of that race in accordance with LR 50(1) or (2).

AR 156 Prohibition on officials with a pecuniary interest in a race result

If a person has a pecuniary interest in the result of a race, that person is not permitted to 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 an assistant or deputy to any of those positions in relation to that race.

LR 51 Raceday Officials to officiate

(1) **Stewards, Judges and starters:** Raceday Officials and their assistants must officiate at all race meetings.

(2) **Other officials:** Other officials necessary for the conduct of the race meeting must be appointed by:

(a) Racing Victoria; or

(b) if Racing Victoria does not do so, by the Committee of the Club holding the race meeting.

LR 52 Certain persons not to hold offices or officiate

A person holding a licence or permit as a bookmaker, jockey, apprentice or trainer (other than as only the holder of an owner-trainer permit) is ineligible to be elected or appointed, and must not act, as a Raceday Official.

AR 157 Clubs to provide reports of race meetings to PRAs

After every race meeting the Club holding the meeting must provide to a PRA any information required by the PRA, which may include:

(a) names of the horses which started in each race;

(b) particulars of age, colour and sex of the horses which started each race;

(c) weights carried by the horses which started each race;

(d) names of the owners, trainers and riders and the pedigrees (when known) of the placed horses in relation to each race;

(e) positions of horses placed in each race;

(f) confirmation of all penalties imposed and all protests made and the decisions of the Stewards in relation to them;

(g) names of all horses sold or claimed in any selling or claiming race;

(h) any overweight carried, and whether it has been declared or not.

AR 158 Stewards' reports following race meetings

After a race meeting, the Stewards of the race meeting must provide a report to a PRA which records observations and actions taken by them during the race meeting.

LR 53A Publication of reports

Racing Victoria may publish all or any of the particulars from a report given pursuant to AR 157 or AR 158.

AR 159 Races can be divided into divisions

A PRA may, or authorise a Club or the Stewards to, divide a race into 2 or more divisions on terms they think fit.

LR 53 Limit of field size

(1) **Non-jumps races:** For all races except hurdle and steeplechase races, the Committee of a Club holding a race meeting or the Stewards may limit the number of horses to be started in any race at such meeting.

(2) **Jumps races:** For all hurdle and steeplechase races:
   (a) the maximum number of horses to be started in any race is twelve (12); and
   (b) the Committee of a Club holding a race meeting or the Stewards may limit the number of horses to be started in any race below the maximum number stated in LR 53(2)(a).

LR 54 Consolation races

If the number of horses left in any race exceeds the limit fixed for such race under LR 53 by ten or more horses, an additional race (the "consolation race") may be conducted at the race meeting. The horses excluded from the original race are automatically entered into the consolation race (without the payment of any additional fee), provided that:

(a) the consolation race is conducted over the same distance and under the same conditions as the original race;

(b) the prizemoney for the consolation race is not be less than one-half of the amount of prizemoney of the original race; and

(c) the weights for the consolation race are adjusted in accordance with the Rules.

LR 55 Division of races

(1) **When a race may be divided:** If the number of horses left in any race exceeds the limit fixed for such race under LR 53 and a consolation race is not held pursuant to LR 54, the race may be divided and run in two or more divisions in accordance with the provisions of this LR 55.

(2) **Order of running divisions:** Divisions must be run in such order as determined by Racing Victoria. The division which is run first must be referred to as the first division, and so on.

(3) **Prizemoney:** The prizemoney for every division must not be less than 75% of the prizemoney for the original race.

(4) **Allotment of horses to divisions:**
   (a) Racing Victoria must allot the horses to the divisions by placing them alternately in the respective divisions in order of rotation according to weights, including penalties incurred after the time appointed for the closing of entries.

(b) Where two or more horses are to carry the same weight, the allotment of such horses must be alternated in alphabetical order according to their names.

(5) **Reallotment for nominators and trainers with two or more runners:**

(a) Subject to paragraph (b), if after the horses have been allotted to divisions in accordance with LR 55(4) any nominator (either alone or with any other nominator other than individual members of a Syndicate) or trainer has two or more horses remaining in the same division, Racing Victoria may, whenever practicable:

(i) allot one or more of the nominator's or trainer's horses (from the lowest weighted upwards) to the other division or divisions with a view to ensuring if practicable that the nominator or trainer has only one horse in any race; and

(ii) exchange therefore a horse or horses on the same weight or as near as possible thereto from such other division or divisions which is or are in the nomination of another nominator or care of another trainer.

(b) In applying paragraph (a) Racing Victoria must:

(i) give preference to the interests of nominators over those of trainers;

(ii) ensure so far as practicable that equity is done for all nominators and trainers; and

(iii) if there are equal but competing interests, determine the matter by the drawing of lots.

(6) **No objection or liability:**

(a) **No objection:** No objection may be made on the ground that any horse has been incorrectly allotted or not allotted to any division.

(b) **No liability:** No liability is incurred by Racing Victoria or any Club, Committee or Stewards for any mistake made in the allotment of any horse or horses to divisions.

AR 160 Minimum distance for all races

A race must be at least 800 metres in length.

LR 56 Stewards may alter distance of races

The Stewards may alter the distance of any race provided that:

(a) no race of 2,400 metres and further may be varied by more than 400 metres; and

(b) no race of less than 2,400 metres may be varied by more than 200 metres.

AR 161 Method of reckoning the age of a horse

(1) The age of a horse will be reckoned as follows:

(a) if it was foaled between 1 July and 31 December:

(i) from 1 August in the year in which it was foaled if its dam was first covered on or after 1 September in the previous year, as recorded in the Australian Stud Book;

(ii) from 1 August in the year previous to the year in which it was foaled if its dam was first covered before 1 September in the year prior to the year in which it was foaled, as recorded in the Australian Stud Book;

(b) if it was foaled between 1 January and 30 June, from 1 August in the year prior to the year in which it was foaled.

(2) In exceptional circumstances Racing Australia may vary the conditions provided by this rule by specific order.

Note: *Pursuant to this proviso, the ARB ordered on 27 July 2007 that the breeding season for the year 2007 commence on 27 August 2007 instead of 1 September 2007; and that a foal produced from a covering of a dam on or from 27 August 2007 shall have its age reckoned from 1 August 2008.*

AR 162 Nature of Group and Listed races

(1) Group Races, Listed Races, and Restricted Listed Races are those identified by Racing Australia to represent the highest standard of racing.

(2) The only Group Races, Listed Races, and Restricted Listed Races which will be officially recognised for races run under these Australian Rules are those approved and adopted by Racing Australia. Those races will be published by Racing Australia.

AR 163 Official results of races are those recorded by Racing Australia

The official results and horse performance records for races run under these Australian Rules are those recorded by Racing Australia.

AR 164 Immaterial defect in registration or entry

A horse is not to be disqualified from a race because of any defect in relation to its registration or entry if the Stewards might reasonably have permitted or ordered the defect to be corrected if brought to the Stewards' attention before the start of the race.

AR 165 Horses in the saddling paddock

(1) All horses entered in a race must be brought into the saddling paddock (or other designated area) at a time provided for by the relevant Local Rule and must 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 (or other designated area), the Stewards may call on the nominator or trainer to satisfy them that their horse will start, and if not satisfied of that or the nominator or trainer cannot be found, the Stewards have the discretion to order the scratching of the horse and penalise either or both of the nominator and trainer.

(3) Unless the Stewards order otherwise, a horse that has competed in a race is not permitted to be removed from the saddling paddock (or other designated area) until at least 30 minutes after the finish of the race.

LR 57 Bringing horses to the saddling paddock

(1) Time of entry: Further to the provisions of AR 165 and subject to LR 57(3), all horses intended to be run in any race must be brought into the saddling paddock:

(a) at a Metropolitan Race Meeting: within the Metropolitan Area: not less than two hours before the time appointed for the starting of the race.

(b) at a Country Race Meeting: outside the Metropolitan Area: not less than one hour before for the time appointed for the starting of the race.

(2) No removal without approval: A horse which has been brought into the saddling paddock must not be removed from the saddling paddock without the permission of the Stewards.

(3) The Stewards may by notice from time to time:

(a) at Metropolitan Race Meetings designated by the Stewards, require all horses in Race 3 onwards to be brought into the saddling paddock not less than 3 hours before the scheduled start time of their race; and

(b) at Country Race Meetings designated by the Stewards, require all horses in Race 1 onwards to be brought into the saddling paddock not less than 2 hours before the scheduled start time of their race.

(4) For the purposes of LR 57, "saddling paddock" includes the racecourse.

[LR57(1)(a) amended 1/7/2020]

AR 166 Horses must be attended to at all times while on course

A trainer must ensure that each of his or her horses competing at a race meeting are attended to at all times while on course at that race meeting.

LR 58 Allocation of prizemoney

(1) **Definition**: In this LR 58, "prizemoney" means the advertised value of the total prizemoney (excluding the value of trophies) but does not include:

(a) any bonus payable to the nominator of a yearling or of a stallion;
(b) any amount paid in the form of a starter's rebate;
(c) any prize awarded in respect of the performance of a horse in a series of races; or
(d) any trophy or other non-monetary prize awarded under the conditions of the race.

(2) **Allocation to placegetters of non-jumps races:** Except with the prior approval of the Directors, any prizemoney must be paid to the nominators, trainers and riders of the placegetters according to the following scales:

(a) In the Melbourne Cup, Caulfield Cup and Cox Plate: As determined by the club concerned subject to approval by the Directors.
(b) For group and listed races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
(c) For non group and listed races at TAB meetings with prizemoney of $30,000 or more as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
(d) For non group and listed races at TAB meetings with prizemoney of less than $30,000, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
(e) For races at professional non TAB meetings conducted by registered clubs, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.
(f) For races at Picnic Race Meetings: Of the balance of the advertised prizemoney remaining after deducting therefrom the amounts determined by the Directors from time to time as payable to the horses placed 5th to 10th inclusive in such races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

(2A) **Allocation to placegetters of jumps races:** Except with the prior approval of the Directors:

(a) any prizemoney must be paid to the nominators, trainers and riders of the placegetters of hurdle and steeplechase races according to the following scales:

(i) For races with prizemoney of $35,000 or more: Of the balance of the advertised prizemoney remaining after deducting therefrom the amounts determined by the Directors from time to time as payable to the horses placed 6th to 10th inclusive in such races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

(ii) For races with prizemoney of less than $35,000: Of the balance of the advertised prizemoney remaining after deducting therefrom the amounts determined by the Directors from time to time as payable to the horses placed 5th to 10th inclusive in such races, as prescribed by the Directors from time to time and published in the Prescribed Fee Schedule.

(b) for all starters that do not receive prizemoney pursuant to (2A)(a) above, a starter subsidy must be paid in an amount equal to the amount determined by the Directors in accordance with (2A)(a), with trainers and riders to receive payment allocations as if the subsidy were prizemoney.

(3) **Allocation to nominators, trainers and riders:** In all races conducted in Victoria the total prize money shall be allocated to nominators, trainers and riders of the placegetters, as prescribed by the Directors from time to time and published in the Prescribed Fees Schedule.

(4) **Picnic Race Meeting prizemoney:** Notwithstanding anything else to the contrary in this LR 58, in all races conducted at a Picnic Race Meeting with prizemoney of less than $2,000 excluding the value of trophies), that prizemoney must only be paid to the nominator.

(5) **Allocation of Picnic Race Meeting prizemoney to placegetters:** Notwithstanding anything else to the contrary in this LR 58, in all races conducted at a Picnic Race Meeting with prizemoney of less than $2,000 (excluding the value of trophies), the allocation of that prizemoney to placegetters shall be determined by the Picnic Race Club and approved by Racing Victoria when submitted for publication in Inside Racing.

LR 58A Stewards or PRA may direct the withholding of prizemoney

The Stewards or the PRA may direct that any prize or prizemoney which is to be paid / awarded to any person be withheld pending the hearing and determination of any investigation or inquiry that may affect that person's entitlement to receive that prize or prizemoney.

[added 15/01/2021]

Division 1A - Declarations of Acceptance

LR 59A Lodgement of declarations of acceptance

(1) **Form:** All declarations of acceptance must be made by the nominator or trainer or by the Authorised Agent of either of them in such form and by such means as is prescribed by Racing Victoria from time to time.

(2) **Time:** Subject to LR 59A(3), declarations of acceptance must be lodged with Racing Australia before such time on such day as may be prescribed by the Committee of the Club.

(3) **Extension of time:**

(a) if there are less than 11 horses declared as acceptors for a race the prescribed closing time for declaration of acceptance may be extended by thirty minutes.

(b) If a race is deleted at acceptance time, a race or races may have the prescribed closing time for declaration of acceptance extended by thirty minutes for the purpose of a division.

LR 59B Entry lapses if declaration not made on time

The entry of any horse not declared an acceptor at the prescribed time lapses and the fee published in the Prescribed Fee Schedule is charged.

LR 59C Entry, Acceptance and non-Acceptance fees

(1) **Entry fees:** The entrance fee for all races including, without limitation, Group and Listed Races shall be the amount set by Racing Victoria and published in the Prescribed Fee Schedule.

(2) **Acceptance fees:** The following acceptance fees must be paid in respect of each horse:

(a) **Final Acceptance Fees:** for any Group or Listed flat race, as specified by Racing Victoria from time to time and published in the Prescribed Fee Schedule.

(b) **Total Acceptance Fees:** for any Group or Listed flat race, as specified by Racing Victoria from time to time and published in the Prescribed Fee Schedule.

(c) **Other Acceptance Fees:** for any other race as specified by Racing Victoria from time to time and published in the Prescribed Fee Schedule.

(d) **Jumping Races:** For any jumping race, regardless of the amount of prizemoney: nil

(3) **Non-Acceptance Fees:** For any race other than those covered in LR 59C(2) a non-acceptance fee, as specified by Racing Victoria from time to time, and published in the Prescribed Fee Schedule, will apply.

LR 59D Payment of fees

(1) Fees in respect of entries, declarations and scratchings must be paid at such time and in such manner as is prescribed by the Directors and published in the Prescribed Fee Schedule.

(2) If any fees are unpaid at the time prescribed by the Directors, such fees may be recovered from the trainer of the horse in respect of the Race to which the fee relates or, failing payment by the trainer, from the nominator.

LR 59E Emergency acceptors

(1) **Clubs may make provision:** Unless otherwise determined by the Stewards, a Racing Club or Picnic Racing Club may make provision for up to four emergency acceptors in any race.

(2) **Withdrawal:** Any horse named as an emergency acceptor which has not obtained a place in the field prior to the official release of the final list of scratchings is deemed to be withdrawn at the time of the official release of the final list of scratchings.

LR 59F Limit on declarations

(1) **Declaration for one race only:** Subject to LR 59F(2), a horse must not be declared an acceptor for more than one race to be conducted on any day.

(2) **Emergency acceptors may be declared for other races:**

(a) An emergency acceptor may be declared for a race at another race meeting on the same day.

(b) An emergency acceptor in a Group or Listed race may be declared an acceptor in another race at the same race meeting.

(3) **Consequences of breach:** If a horse is declared an acceptor for races in breach of LR 59F(1):

(a) Elimination of horse: such horse must be eliminated from races in excess of one as follows:

(i) if the horse is declared an acceptor for more than one race at the same race meeting it must be eliminated from a race or races at the discretion of Racing Victoria and/or the Stewards;

(ii) if the horse is declared an acceptor for more than one race meeting on the same day it must be eliminated from the meeting with the later closing time for declarations of acceptance. If declarations of acceptance are taken at the same time, the horse must be eliminated from the meeting or meetings in excess of one by lot.

(b) Liability of nominator or trainer: the nominator or trainer of such horse is liable for:

(i) the scratching fee for any race from which the horse is eliminated; and

(ii) such penalty as the Stewards may impose.

LR 59G Omission from list of acceptances

(1) **Reinstatement:** If a horse which has been properly declared as an acceptor is omitted from the list of acceptances such horse may, subject to the approval of the Stewards, be reinstated in the field at any time up to three hours after the time set down for final declarations of acceptance.

(2) **If the race has been divided:** If the race in which the horse has been reinstated pursuant to LR 59G(1) has been divided, the horse must be allotted to such division as the Stewards determine.

(3) **If the barrier draw has been conducted:**

(a) One or two horses: Subject to paragraph (b), if the barrier draw for the race in which the horse has been reinstated pursuant to LR 59G(1) has already been conducted, then:

(i) the barrier position for the horse must be determined by lot drawn from the total number of horses which may start in the race;

(ii) the horse in the original draw with the same barrier position and all horses drawn outside that horse must be moved out to accommodate the horse previously omitted; and

(iii) if the inclusion of the omitted horse results in a horse being eliminated pursuant to LR 62, then any horse so eliminated is, only for the purposes of determining the barrier positions, deemed to have been scratched at the time of the inclusion of the omitted horse and not eliminated from the race.

(b) More than two horses: If three or more horses are reinstated to a race pursuant to LR 59G(1), then the barrier draw must be conducted again.

LR 59H No liability or objection

(1) **No liability:** No liability of any nature is incurred by Racing Victoria or by any Club by reason of error or failure in dealing with declarations of acceptance resulting in a horse not starting in a race, but any acceptance fee or non-acceptance fee must be waived or refunded.

(2) **No objection:** No objection may be made or upheld on the grounds that a horse has been permitted to start contrary to this LR 59.

LR 60 Closing time and late entries

(1) **No entry after closing time:** Subject to the provisions of this LR 60, a horse may not be entered for any race after the advertised closing time or late entry closing time as published in Inside Racing.

(2) **Races which are postponed, abandoned or deleted:** If a race is postponed to another day, abandoned or deleted, any horse that was not scratched or otherwise withdrawn from the postponed, abandoned or deleted race may be entered as an original entry for another race at any other meeting for which weights have yet to be issued and/or as an extended entry up until 4pm on the day before acceptances for any meeting for which weights have been issued.

(3) **Late entry time in race conditions:** If a late entry closing time is specified in the conditions of a race, horses may be entered until that specified late entry closing time subject to payment of the late entry fee published in the Prescribed Fee Schedule, as required by the conditions of the race.

(4) **No late entry time specified:** If a late entry closing time is not specified in the conditions of a race, horses may be entered until 10:00am on the next day (ignoring Saturdays, Sundays and Victorian public holidays) after the day of the advertised closing time, or such later time as Racing Victoria may direct, upon payment of an entry fee as published in the Prescribed Fee Schedule.

(4A)**Refund of Late Entry Fee:** If a horse is entered in a race as a late entry in accordance with LR 60(4) and a late entry fee is paid, that late fee will be refunded if the horse is subsequently eliminated from the race in accordance with LR 62A-62D (inclusive).

(5) **Small number of entries:**

(a) If at the advertised closing time less than fifteen eligible entries have been received for a TAB Race or less than ten eligible entries have been received for any race other than a TAB race, Racing Victoria shall call for further entries until:

(i) 10:00am on the next day (ignoring Saturdays, Sundays and Victorian Public Holidays) after the day of the advertised closing time; or

(ii) Such other time as Racing Victoria may direct.

(b) If at the advertised closing time fifteen or more eligible entries have been received for a TAB Race or ten or more eligible entries have been received for any race other than a TAB race, Racing Victoria may call for further entries for the purpose of a division until:

(i) 10:00am on the next day (ignoring Saturdays, Sundays and Victorian Public Holidays) after the day of the advertised closing time; or

(ii) Such other time as Racing Victoria may direct.

LR 61 Horses becoming ineligible after entry – Transfer to another race

The entry of any horse which becomes ineligible for a race between the time of entry closing and declaration of acceptance for that race must be transferred to the race of the next higher class at the same race meeting which does not vary by more than 200 metres from the distance of the race for which the horse was entered. If the horse transferred to a race is not declared as an acceptor for that race no fee will be charged.

Division 1B - Elimination of Surplus Horses from Races

LR 62A Procedures for eliminating surplus horses from races

Subject to LR 62D, if the number of horses left in any race (including any consolation race or division) exceeds the limit fixed for such race under LR 53, the number of horses must be reduced to the field limit by eliminating horses as set out in LR 62B, LR 62C or LR 62D.

In applying this rule for balloting, in all races where reference is made to prizemoney, no account shall be taken of any bonuses won by a horse.

LR 62B Ratings Based Handicap Races

(1) **Method of elimination of surplus horses:** Subject to LR 62B(2) elimination must be effected in order from the horse or horses with the lowest ballot ratings figure upwards as follows:

(a) Horses with the lowest ballot rating will be eliminated first.

(b) When two or more horses are of the same ballot rating, the oldest will be eliminated first.

(c) When two or more horses are of the same ballot rating and age, elimination shall be in order of lowest aggregate prizemoney received.

(d) When two or more horses are of the same ballot rating, age and aggregate prizemoney, elimination shall be by lot.

(2) **Adjustments – Penalties after declaration of weights:** For the purpose of elimination pursuant to LR 62B(1), if the conditions of the race provide for penalties for wins after the declaration of weights, the handicapper may promote minimum horses in the elimination order by altering their ballot rating, which shall not affect their weight in the race.

LR 62C Non-handicap races

(1) **Weight-for-age and set-weight races (other than Maiden Races)**

Method of elimination of surplus horses:

FIRST – horses which have not received $30,000 for being placed 1st to 5th inclusive in any flat race in the 24 months* prior to the date of the race, in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

SECOND – horses which have not received $60,000 for being placed 1st to 5th inclusive in any flat race in the 24 months* prior to the date of the race, in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

THIRD – horses which have not received $90,000 for being placed 1st to 5th inclusive in any flat race in the 24 months* prior to the date of the race, in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

FOURTH – remaining horses in order of lowest aggregate career prizemoney received. Horses in this category with equal aggregate career prizemoney shall be eliminated by lot.

* which commences from and includes corresponding day two years prior

For the purpose of this Rule LR 62C(1), "prizemoney" shall not include:
(a) prizemoney earned in Picnic races;
(b) for other races worth less than $50,000, prizemoney received for finishing 5th to 10th; or
(c) for races worth $50,000 or more that were not Group or Listed Races, prizemoney received for finishing 6th to 10th.

(2) **Set weights and penalty races**

Method of elimination of surplus horses:

FIRST – horses which have received no weight penalty for the race, in order of lowest aggregate prizemoney received. Horses in this category with equal aggregate prizemoney shall be eliminated by lot.

SECOND – horses which have received the lowest weight penalty for the race, and so on upwards until the safety limit is reached. Horses in the same weight penalty category shall be eliminated in order of lowest aggregate prizemoney received. Horses in the same weight penalty category with equal aggregate prizemoney shall be eliminated by lot.

For the purpose of this Rule LR 62C(2), "prizemoney" shall not include:
(a) prizemoney earned in Picnic races;
(b) for other races worth less than $50,000, prizemoney received for finishing 5th to 10th; or

(c) for races worth $50,000 or more that were not Group or Listed Races, prizemoney received for finishing 6th to 10th.

(3) **Early Season Selected 2YO races**

Method of elimination of surplus horses:

FIRST – horses which have not been placed 1st to 4th inclusive in a race and have not been placed 1st to 3rd inclusive in a 2YO official trial in any Metropolitan Area of Australia or official trial in Victoria. If horses in this category exceed the number to be eliminated, then elimination shall be by lot.

SECOND – horses which have not been placed 1st to 4th inclusive in a race but which have been placed 1st to 3rd inclusive in a 2YO official trial in any Metropolitan Area of Australia or official trial in Victoria. Official trial winners will receive preference over those placed second and third. Horses placed second will receive preference over those placed third. Surplus horses in this category remaining after the exhaustion of such preferences shall be eliminated by lot.

THIRD – horses which have not won a race.

(4) **Maiden set weights and maiden weight-for-age flat races**

Method of elimination of surplus horses:

(a) First: Raced horses which have not won prizemoney in any of their last four starts on the flat. The horse with the greatest number of consecutive runs since winning prizemoney must be eliminated first according to age, oldest first and in the case of horses of the same age elimination must be by lot.

(b) Second: Horses which have received the lowest average prizemoney within their last four starts on the flat. Horses which have equal average prizemoney must be eliminated by lot.

For the purpose of this Rule LR 62C(4), "prizemoney" shall not include:

(a) prizemoney earned in Picnic races;
(b) for other races worth less than $50,000, prizemoney received for finishing 5th to 10th; or
(c) for races worth $50,000 to $74,999, prizemoney received for finishing 6th to 10th.

(5) **Non-handicap hurdle and steeplechase races**

Method of elimination of surplus horses:

(a) Maiden Class
  (i) First: Horses which have started in a jumping race but have not received prizemoney in their last four jumping races. Elimination must be effected according to the greatest number of consecutive runs without earning prizemoney, by age, oldest first, and in the case of horses of the same age elimination must be effected by lot.
  (ii) Second: Horses which have received prizemoney within their last four jumping starts, in order of average prizemoney won, lowest first. In the case of horses with equal average jumping prizemoney elimination must be effected by lot.
  (iii) Third: Horses which have not started in a jumping race. Elimination must be effected according to aggregate flat prizemoney won, lowest first. In the case of horses with equal aggregate prizemoney elimination must be effected by lot.
(b) In Set weight and Penalty races to which this LR 62C(5) applies, elimination must commence with horses which have received no weight penalty in order of aggregate jumping prizemoney, and then the lowest weight penalty for the race and so on upwards until the safety limit is reached.

For the purpose of this Rule LR 62C(5), "prizemoney" shall not include:

(a) prizemoney earned in Picnic races;

(b) for jumps and flat races worth less than $50,000, prizemoney received for finishing 5th to 10th;

(c) for flat races worth $50,000 to $74,999, prizemoney received for finishing 6th to 10th; or

(d) for jumps races worth $50,000 or more, prizemoney received for finishing 6th to 10th.

[amended 1/8/19]

LR 62D Special elimination conditions

Notwithstanding anything contained in LR 62B or 62C:

(1) **Special conditions for feature races:** If the advertised value of the prizemoney for a race (including the value of trophies) is $75,000 or more, the Committee of the Club conducting the race, with the prior approval of the Directors or of a person designated by the Directors for the purposes of this Rule, may do any one or more of the following:

(a) set special conditions: include special conditions for the race specifying the procedure to be followed in eliminating horses from the race, in which case LR 62B and LR 62C will not apply;
(b) eliminate any horses: eliminate any horse or horses from the race; and
(c) exempt horses from elimination: exclude any horse or horses from the elimination procedure.

(2) **Special conditions for races forming part of a series:** The Committee of a Club conducting a race or races forming part of a series of races may, with the prior approval of the Directors or of a person designated by the Directors for the purposes of this Rule, include special conditions in respect of such race or races specifying the procedure which must be applied in the elimination of horses.

(3) **Horses racing on consecutive days:**

(a) This LR 62D(3) does not apply to:
(i) an open class race at a race meeting conducted by the same club on consecutive days;
(ii) any Group or Listed race; or
(iii) any race for which special conditions are set in accordance with LR 62D(2).

(b) A horse which was declared an acceptor (other than as an emergency acceptor, and whether or not subsequently withdrawn) on the last preceding day on which a race meeting was held in Victoria by a Club registered under the Rules must be eliminated before a horse which was not so declared.
(c) If it is necessary to eliminate more than one horse pursuant to the preceding paragraph (b), such horses must be eliminated in accordance with the balloting conditions of the race until the safety limit is reached.

(4) **Horses entered after advertised closing time:** If in the case of a race other than a Group or Listed Race horses are entered after the advertised closing time pursuant to LR 60(4) or LR 60(5), the order of elimination must be:

(a) First: any horse which is declared an acceptor in races to be conducted on consecutive days of racing as specified in LR 62D(3).
(b) Second: any horse entered after the advertised closing time pursuant to LR 60(4) or LR 60(5), with such elimination to be effected in accordance with the elimination procedure applicable to the race.
(c) Third: If it is necessary to eliminate further horses, such elimination must be effected in accordance with the elimination procedure applicable to the race.

LR 62E No objection or liability

(1) **No objection:** No objection may be made on the ground that a winner or a horse placed second, third, fourth or fifth has been permitted to start in contravention of LR 62B, 62C, or 62D.

(2) **No liability:** No liability of any nature shall be incurred by any Club, Committee or Stewards by reason of any mistake made in the application of any portion of LR 62B, 62C, or 62D.

Division 1C – Declarations of Riders

LR 63A Declaration of riders

(1) **Time:** The nominator or trainer of a horse accepted as a starter in any race must declare the name of the rider to Racing Australia no later than the following time (or such other time as the Directors of Racing Victoria may direct):

(a) at a time specified by Racing Victoria and advertised in Inside Racing for each meeting.

(b) emergency acceptor obtaining a start in a race: no later than 8.00 am on the day of the race.

(2) **Failure to declare:** If the declaration of a rider is not made as required by LR 63A(1) the Stewards may do either or both of:

(a) order the withdrawal of the horse; and
(b) penalise the nominator or trainer.

LR 63B Substitution of declared riders

(1) **No substitution without Stewards' approval:** Once a rider has been declared no other rider may be substituted without the permission of the Stewards.

(2) **Approval by the Stewards:** The Stewards may, having regard to the particular circumstances (including but not limited to the availability of riders), approve the substitution of:

(a) a jockey for a jockey;
(b) an apprentice jockey for an apprentice jockey (provided that an apprentice who is not entitled to claim in the Metropolitan Area may not replace an apprentice entitled to claim an allowance and vice versa);
(c) a jockey for a non-claiming apprentice and vice versa.

Division 1D - Access to Certain Areas on Racedays

LR 64A The weighing room

Except with the prior permission of the Stewards a person may not enter or be permitted to enter the weighing room at a race meeting other than the rider, owner, trainer or other person having the care of a horse engaged in the race.

LR 64B Mounting yard and jockeys' room

(1) **Mounting Yard:** Except with the prior permission of the Stewards a person must not enter or be permitted to enter the mounting yard at a race meeting other than:

(a) riders with a riding engagement;
(b) trainers with runners;
(c) trainers with apprentices riding at the meeting;
(d) owners with runners in a particular race who have been issued with a mounting yard ticket.

(2) **Jockeys' Room:** Except with the prior permission of the Stewards, a person must not enter or be permitted to enter the jockeys' room at a race meeting other than riders with a riding engagement.

LR 64C Use of swabbing stall on racedays

(1) **Access:**

(a) **More than one hour before first race:** Subject to availability of a stall, trainers have access to the swabbing stall up to one hour before the advertised time of starting of the race for which their horse is engaged.
(b) **Less than one hour before first race:** A trainer who wishes his horse to use a swabbing stall within one hour of the advertised time of starting must first seek permission from the Veterinary Surgeon on duty at the race meeting. Permission may be granted subject only to space and staff availability, but any urine sample passed within this one hour period may be collected and processed by the swabbing stall staff under the usual conditions for post-race collection and forwarded for analysis.

(2) **Trainer to accompany horse and certify samples:** The trainer or a representative must:

(a) accompany a horse to the swabbing stall for pre- or post-race sampling;
(b) remain present at all times during the collection and where applicable, sealing and packaging of samples; and
(c) certify in writing that the samples have been collected from the horse concerned.

Division 1E - Official Trials

LR 65 Official trials in Victoria

(1) **Advertisement:** Racing Victoria shall advertise official trials in "Inside Racing".

(2) **Registration and stable returns:** All nominated horses must be registered and stable returns for them lodged before closing of entries.

(3) **Nomination must be in registered names:** Horses must be nominated in their registered names. No horse may be substituted for one originally nominated.

(4) **Barrier draw:** to be conducted by lot.

(5) **Late arrival at official trial:** Horses not on time for the official trial in which they are drawn will not be permitted to take part in any subsequent official trial on that day.

(6) **Shoes:** Horses may run in working shoes, otherwise they must be tipped or plated. If horses run in tips or plates, owners will be liable for farrier fees.

(7) **Riders:**

(a) **Permitted riders:** Only riders with a permit or approval to ride in races, or riders riding for such permit or approval who are approved of by the Stewards, will be permitted to ride in the official trials, provided that, unless otherwise authorised by the Stewards, a maximum of only one Picnic or amateur rider or rider riding for approval to ride as a Picnic or amateur rider may be permitted to ride in each official trial.

(b) **Trainer must nominate rider:** Trainers must notify their rider at the Scales Office at least a half hour before the official trial in which their horse is engaged.

(c) **Riders' attire:** All riders must wear skull caps, jodhpurs, racing colours and riding boots, as well as other attire required by the Australian Rules.

(8) **Trainer:** A horse must not be entered or permitted to run in any official trial unless it is trained by a person holding a current licence to train horses issued in accordance with LR 24A.

(9) **Number in hurdles and steeplechases:** The number of starters in official hurdle trials or steeplechase schools will be restricted to eight runners.

(10) **Condition of track for official hurdle and steeplechase trials:** An official hurdle or steeplechase trial must not be conducted on a track that, at the time of the trial, is rated better than a Soft 5 or equivalent.

(11) **Riders may wear shoulder pads:** All riders may wear shoulder pads attached to their safety vest in official jumps trials.

(12) An official trial is deemed, for the purpose s 17(3)(a) of Schedule 1 of the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic), to be a horse race conducted as part of a race meeting under the Rules of Racing of Racing Victoria.

Division 1F - Prohibition on Display of Advertising

LR 66 Prohibition on display of advertising

(1) **Definition:** In this LR 66, "Advertising" means any advertising, registered or unregistered trademark, logo, design or other distinguishing pattern, colour or feature promoting or associated with any business enterprise, undertaking, product or service, but does not include any such advertising, trademark, logo, design or other pattern, colour or feature that is registered by Racing Victoria in accordance with LR 23B(2) for use as racing colours.

(2) **Clothing:** Unless otherwise approved by the Directors, a person who is licensed or is the holder of a permit or is registered under these Rules, or who is an Official, must not display, or wear any item of clothing displaying, any Advertising:

(a) at any time in the mounting yard or while riding in any race; or
(b) during the conduct of any race meeting, official trial or event related to racing which is open to attendance by the public; or
(c) at any other times or places as may be prescribed by the Directors.

(3) **Horses and gear:** Unless otherwise approved by the Directors, Advertising may not be displayed (and no person may permit to be displayed) on a horse or on any of its gear (including without limitation the saddle cloth):

(a) at any time in the mounting yard or while the horse is participating in any race;
(b) during the conduct of any race meeting, official trial or other event related to racing which is open to attendance by the public at the Course in which the horse participates; or
(c) at any other times or places on any Course as may be prescribed by the Directors.

Division 2 – Weights, penalties, and allowances

AR 167 Maximum and minimum weights for handicap races

(1) The top weight allocated for handicap flat races must not be less than 59kg, except that for Group 1 handicap races and races in which only 2 year olds can run, the allocated top weight must not be less than 58kg.

(2) Notwithstanding 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 58kg (57kg for Group 1 handicap races), or less than a higher weight determined by a PRA, then allocated weights for the race must be increased until the highest-weighted acceptor is weighted at 58kg (57kg for Group 1 handicap races).

(3) A PRA may, in its sole and absolute discretion, provide an exemption from subrule (2) for Group 1 handicap races.

(4) The minimum weight allocated for handicap flat races must not be less than:

(a) 50kg for the Melbourne Cup and Caulfield Cup;

(b) 52kg for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup;

(c) 53kg for Group 2 handicap flat races; and

(d) 54kg for all other handicap flat races (provided that a PRA may in its discretion approve a minimum of 53kg for the purposes of this subrule).

(5) Notwithstanding subrule (4), a PRA may approve applications made by Clubs for a minimum weight of 50kg for Group 1 handicap races other than the Melbourne Cup and Caulfield Cup 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 subrule (4).

AR 168 Table of standard weight-for-age measures

The Standard Weight-for-Age measures for flat races are in accordance with the following table (weights expressed in kg):

STANDARD WEIGHT-FOR-AGE FOR FLAT RACES – SCHEDULE													
Month		AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
1000m to 1200m	2						45	46	47	48	49	50	51
	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	59.5	59.5	59.5	59.5	59.5

Fillies and mares are allowed 2kg from 1 August to 31 July.

AR 169 Allowances for fillies and mares

A weight allowance of 2kg to fillies and mares applies to all set-weight and set-weight-and-penalties races, other than races restricted to fillies and mares.

AR 170 Allowances for weight-for-age races (northern hemisphere horses)

An allowance in standard weight-for-age races will only apply to all horses sired in the northern hemisphere and foaled between 1 January and 31 July, in accordance with the following table (allowances expressed in kg):

Distance	Age	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1200m	2y	---	---	---	---	---	3	3	3	3	3	3	3
and	3y	2.5	2.5	2	2	2	2	1.5	1.5	1.5	1	1	1
under	4y	.5	.5	.5	.5	---	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	2y	---	---	---	---	---	3.5	3.5	3.5	3.5	3.5	3.5	3.5
1200m	3y	3	3	2.5	2.5	2.5	2.5	2	2	2	1.5	1.5	1.5
to 1600m	4y	1	1	1	1	.5	.5	.5	.5	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	2y	---	---	---	---	---	4	4	4	4	4	4	4
1600m	3y	3	3	2.5	2.5	2.5	2.5	2.5	2	2	2	2	2
to	4y	1.5	1.5	1.5	1	1	1	.5	.5	.5	---	---	---
2000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	3.5	3.5	3	3	3	3	2.5	2.5	2.5	2	2	2
2000m	4y	2	1.5	1	1	0.5	---	---	---	---	---	---	---
to 2400m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	4	4	3.5	3.5	3.5	3.5	3.5	3.5	3	3	3	3
2400m	4y	2.5	1.5	1	1	0.5	---	---	---	---	---	---	---
to 3000m	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over	3y	---	---	---	---	4	4	4	4	4	4	4	4
3000m	4y	3	2	1.5	1.5	1	0.5	0.5	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---

[amended 1/8/19]

AR 171 Limitation on allowances

(1) Subject to subrule (2), a horse is not to receive an allowance of weight or be relieved from extra weight on account of it having been beaten in one or more races.

(2) An allowance can be made in relation to Maidens, and/or races under conditions where the weights allotted to horses depend on whether or not they have won a race or whether or not they have won one or more races of a particular kind.

AR 172 Additional weight not to be required for running 2nd or lower

The conditions of a race must not contain a provision that a horse is required to carry extra weight for having run 2nd (or any place lower) in a race/s.

AR 173 Allowances/extra weights not affected by matches/sweepstakes

Allowances and extra weights are not affected by performances in matches or private sweepstakes.

AR 174 Penalties not to be cumulative

Penalties are not cumulative unless that is expressly stated in the conditions of a race.

AR 175 No penalties for winners of jumping races or flat races

Unless specially stated otherwise in the conditions of a race, winners of jumping races are not liable to carry penalties as winners in races on the flat, and winners on the flat are not liable to carry penalties as winners in jumping races.

AR 176 Handicapper to identify time of declaration of weights

When stating the weights for every handicap race, the handicapper is required to state the date and hour of the handicapper's declaration of the weights.

AR 177 Stewards may permit handicapper to amend weights

(1) The Stewards may, within a reasonable time of the handicapper's declaration of weights, permit the handicapper to amend the allotted weight of a horse in a handicap race if satisfied that the allotted weight was incorrect because of:
   (a) a clerical error at the time of release of the weights; or
   (b) incomplete or inaccurate information in relation to the performance, 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 a race.

(2) With the Stewards' permission and before the declaration of acceptances, the handicapper may issue a substitute set of weights for a handicap race only if:
   (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.

(3) Notwithstanding subrules (1) and (2), 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.

(4) The handicapper may amend the allotted weight of a horse in a handicap race to carry additional weight if, after weights are declared for that handicap race, that horse wins a race.

LR 67 Penalties apply from declaration of weights

Horses are liable to penalties provided in the conditions of any race from the time of the declaration of weights for such race.

LR 68 Penalties for wins in Group and Listed Races run outside Australia

In determining a penalty in set weights and penalties races, Group and Listed Races run outside Australia shall mean those races published in Part 1 and Part 2 of the International Cataloguing Standards.

AR 178 Consequence for weights of a dead-heat race

When horses run a dead-heat for 1st place, each of those horses is liable to carry extra weight as winner of that race, and:

(a) each horse is deemed to have won the amount of the prize awarded in respect of the winner of the race and any extra weight shall be calculated accordingly;

(b) if the conditions of a race require that a certain penalty or weight has to be carried for winning a race specified by name, each horse running a dead-heat for that race will carry that penalty or weight as if that horse had won the race outright.

AR 179 Calculating equivalent prize money earned in other countries

For the purpose of calculating the value of prize money earned in other countries by a horse entered in a race in Australia, the rate of exchange to be used is the rate current on the first business day of January of the year in which the prize money was earned, as determined by a trading bank approved by Racing Australia.

LR 69 Calculation of winnings of horses

Subject to the special conditions of a race, the amount a horse has won during any year commencing on the 1st of August includes all winnings and the value of all prizes won from or in respect of all recognised races in any

country and from any walking over or receiving forfeit in any country from 1 August to the time appointed for the start of the race in question.

AR 180 Eligibility or weight not affected by subsequent disqualification

If the winner of a race is found to have been ineligible for the race, or is subsequently disqualified from the race, the eligibility or weight of any other horse will not be affected in respect of a race run before that finding was made.

Division 3 – Scratchings

AR 181 Notice of scratching of a horse from a race

(1) Subject to subrule (2):
   (a) the nominator or trainer of a horse (or that person's authorised agent) must give notice in writing of the scratching of the horse from a race to the PRA or the Stewards at least 45 minutes before the time scheduled for the start of the race, or any earlier time as the Local Rules provide;
   (b) if no notice is given under subrule (1)(a), the Stewards may still permit or order the scratching of the horse.

(2) If a horse has been accepted for races to be run on the same day in different States or Territories:
   (a) unless the Stewards grant permission otherwise, the nominator or trainer of the horse (or that person's authorised agent) must give notice in writing of the scratching of the horse from the race for which the horse has accepted but will not start to the PRA or the Stewards by 9.00am on the day before the day of the race;
   (b) if no notice is given under subrule 2(a), the Stewards may still permit or order the scratching of the horse.

(3) Nothing in this rule restricts the Stewards from penalising the nominator or trainer or both where a breach of subrule (1)(a) or (2)(a) occurs.

AR 182 Scratchings void if a race or race meeting postponed to another day

If a race or race meeting is postponed to another day, scratchings made on the day the race or race meeting was originally scheduled are deemed void and the time for scratching is deemed extended to the prescribed new scratching time on the newly allocated day of the race or race meeting.

AR 183 Horses may be scratched 15 minutes before a re-run race

The Stewards may permit any horse to be scratched from a race ordered by them to be re-run up until 15 minutes before the time scheduled for the race to be re-run.

LR 70 Withdrawal after Final Scratching Time

(1) **Stewards' permission required:** A horse may not be withdrawn after Final Scratching Time on the day of the race for which it is an acceptor without the permission of the Stewards who may:
   (a) refuse to permit such withdrawal; or
   (b) permit such withdrawal with or without the imposition of a fine on the relevant owner or trainer or both; or
   (c) in the case of a horse recommended to be withdrawn on veterinary advice, permit such withdrawal and, for any race other than a Group or Listed race, make a determination according to the circumstances as to which, if any, of the provisions of LR 71(2)(c) must be applied.

(1A) **Emergency runner may be permitted to run**: In the event that the Stewards provide permission for a horse to be withdrawn after Final Scratching Time pursuant to LR 70(1) then the Stewards may, prior to the official release of the final list of scratchings and at their discretion, permit the next available emergency runner to take its place in the field.

(2) **Change in track categories:** Stewards may grant permission for a trainer or owner to scratch a horse from a race after the Final Scratching Time on raceday if:

(a) the track category has been changed by the Stewards after that Final Scratching Time; and

(b) the application is made:

(i) if the horse is an acceptor for the first race, at least 45 minutes before the advertised starting time for that race; or

(ii) if the horse is an acceptor in a race other than the first race, prior to correct weight being declared on the race before that race.

LR 71 Scratching fee

(1) **Amount of scratching fee:** Subject to LR 70(2), the trainer of a horse which is withdrawn from a race for any reason, other than because after the time of the final declaration of acceptance the horse has become ineligible to compete under the Rules, must pay the fees prescribed by the Directors and published in the Prescribed Fee Schedule.

(2) **Horse withdrawn by Stewards or on veterinary advice:** If a horse is withdrawn from a race:

(a) by order of the Stewards; or

(b) by any person authorised to do so acting on veterinary advice and that advice is confirmed by a veterinary certificate acceptable to the Stewards and provided to them not later than 5pm on the second business day next following the day of the running of the race from which the horse was withdrawn then:

(c) in the case of (a) above the Stewards may, other than in a Group or Listed race where no scratching fee will be payable, make a decision as to whether:

(i) the trainer is or is not required to pay the scratching fee pursuant to LR 71(1), or

(ii) the trainer is required to pay the veterinary scratching fee as prescribed by the Directors and published in the Prescribed Fee Schedule; or

(iii) the veterinary scratching fee need not be paid but the horse so withdrawn will be ineligible to compete at any race meeting in Victoria during the thirty days following the Final Scratching Time for that race,

(d) in the case of (b) above, the person authorised must advise when lodging the withdrawal which of the options set out in (c)(ii) and (iii) is to apply;

(e) the final declaration of acceptance fee (if any) paid in respect of the horse must be refunded; and

(f) in the case of the circumstances described in LR 71(2)(b) for Group and Listed races, a veterinary clearance will be required to be submitted to the Stewards before the horse is permitted to start in another race.

(3) **Late Veterinary certificate:** If no veterinary certificate is received by the Stewards within the prescribed time under LR 71(2)(b) the scratching fee as prescribed by the Directors and published in the Prescribed Fee Schedule will apply and the condition set out in LR 71(2)(c)(iii) will not apply.

(4) **Refund of fees:** All nominations and acceptances lodged and received in respect to horses the subject of the condition imposed under LR 71(2)(c)(iii) in relation to races to be conducted during the thirty day period the subject of the condition shall be refunded.

(5) **Emergency Acceptors:**

(a) A notice of withdrawal of an emergency acceptor from a race lodged after midnight on the day final acceptances were taken and before Final Scratching Time must be accompanied by any fee due under LR 71(1).

(b) If such withdrawn emergency acceptor would have been withdrawn in accordance with LR 59E(2), then any fee so paid must be refunded.

Division 4 – Weighing-out

LR 72: Attendance in the jockeys' room

Riders must be in attendance in the jockeys' room at least 45 minutes prior to the advertised starting time of any race in which they are engaged to ride.

AR 184 Method of weighing-out and weighing-in

When calculating a rider's weight in weighing-out and weighing-in:

(a) no account is to be taken of fractions of 0.5kg; and

(b) the following items must be included by the rider in the weight:

(i) all items of clothing worn by the rider except for the rider's helmet, goggles, other face protection and gloves;

(ii) the saddle, lead bag, associated packing (excluding the saddle cloth) and neck strap; and

(iii) any other gear attached or to be attached to the saddle.

[subrule amended 1.6.19]

LR 72A Use of Jockey Cameras

Following permission being granted by the Stewards for a jockey to wear a jockey camera, if a rider intends to wear a jockey camera during a race, for the purposes of AR 184(b), when calculating a rider's weight in weighing out and weighing in, an object equivalent to the weight of the jockey camera (or if the camera does not contain a transmitter, only the weight of the transmitter) must also be included by the rider in the weight, but only if that relevant equipment is not itself included in either the weigh out or weigh in.

For the purposes of this rule, "transmitter" means the equipment strapped to a rider's body that enables the camera to send live video footage. [added 17.9.19]

AR 185 No equipment change after weighing-out

Unless permission from the Stewards is obtained, a rider or any other person must not add to, remove from, or change any equipment that the rider has been weighed-out in.

LR 73 Weighing out in advance

At any race meeting which has a scheduled interval of less than 40 minutes between races:

1) A rider must weigh-out at least 30 minutes prior to the advertised starting time of the first race in which they are engaged to ride.

2) If a rider is engaged to ride in consecutive races at a race meeting, that rider must weigh-out for both races at least 30 minutes prior to the advertised starting time of the first race.

AR 186 Securing lead or other weights

(1) Every rider must secure any lead or other weight in the rider's lead bag or saddle pouch when weighing-out.

(2) All lead or other weight must be carried in the saddle or lead bag pouches and must be securely fastened.

AR 187 1kg adjustment to rider's actual weight

To compensate for the wearing of safety gear in races, the weight of all riders is to be calculated as the weight that is registered on the scale at both weighing-out and weighing-in, less 1kg.

AR 188 Riders' obligations in relation to safety vests

A rider must not:

(a) manipulate or attempt to manipulate the wearing of a safety vest to gain an unfair weight advantage in a race;

(b) weigh-out or attempt to weigh-out for a race or ride in any race while wearing an approved safety vest that has been modified in any way; or

(c) weigh-out or attempt to weigh-out for a race or ride in any race unless the rider is wearing an approved safety vest.

AR 189 Riders may be substituted in particular circumstances

If, after being declared, a rider is prevented by accident or illness or other cause from riding, the Stewards may permit another rider to be substituted for that rider.

AR 190 Riders riding overweight

(1) If a rider intends to ride overweight in a race, the rider must declare the amount of overweight to the Clerk of the Scales.

(2) A rider must first obtain the approval of the Stewards to ride overweight if the overweight is 0.5kg or more.

(3) Subject to subrule (2), a rider must not accept a ride for which the rider is overweight.

(4) If a rider breaches subrule (3), another rider may be substituted at the allotted weight, or nearer to it.

LR 74A Procedure for horses carrying overweight in flat races

(1) **Less than half a kilogram:** It is not necessary to declare or exhibit fractions of less than one half of a kilogram.

(2) **Half a kilogram overweight:**

(i) **up to 55.5 kgs:** The Clerk of Scales may permit riders of horses handicapped up to and including 55.5 kgs to weigh out half a kilogram overweight as provided for in AR 190 without obtaining permission from the Stewards, provided the nominator or trainer of the horse agrees.

(ii) **56 kg and above:** Riders must not ride half a kilogram overweight for horses handicapped at **56** kg except with the permission of the Stewards which may be granted only in special circumstances.

(3) **One kilogram overweight:**

(i) **up to 51.5 kg:** If a rider is to be one kilogram overweight, permission must be obtained from the Stewards who may grant approval if the nominator or trainer agrees and the horse is handicapped at 51.5 kg or less.

(ii) **52 kg and above:** A rider will not under normal circumstances be granted permission to ride one kilogram overweight if a horse is handicapped at 52 kg or more unless these is no other rider available.

(4) **More than one kilogram overweight:** Unless special circumstances apply the Stewards will not permit a rider to ride 1.5 kg overweight unless there is no other rider available within one kilogram of the allotted weight.

LR 74B Procedure for horses carrying overweight in jumping and high weight races

(1) **Less than half a kilogram**: It is not necessary to declare or exhibit fractions of less than one half of a kilogram.

(2) **Half a kilogram overweight:**

(i) **Up to 65.5 kgs:** The Clerk of Scales may permit riders of horses handicapped up to and including 65.5 kg to weigh out half a kilogram overweight as provided for in AR 190 without obtaining permission from the Stewards, provided the nominator or trainer of the horse agrees.

(ii) **66 kg and above:** Riders must not ride half a kilogram overweight for horses handicapped at 66 kg and above except with the permission of the Stewards which may be granted only in special circumstances.

(3) **One kilogram overweight:**

(i) **Up to 65.5kg:** If a rider is to be one kilogram overweight, permission must be obtained from the Stewards who may grant approval if the nominator or trainer agrees and the horse is handicapped at 65.5kg or less.

(ii) **66kg and above**: A rider will not under normal circumstances be granted permission to ride one kilogram overweight if a horse is handicapped at 66kg or more unless special circumstances apply, the nominator or trainer of the horse agrees, and there is no other suitable rider available.

(4) **More than one kilogram overweight:** Unless special circumstances apply, the Stewards will not permit a rider to ride 1.5 kg overweight unless there is no other rider available within one kilogram of the allotted weight.

AR 191 Responsibilities in relation to weight and penalties

Nominators and trainers are responsible for their horses carrying 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 that to the Clerk of the Scales before the rider is weighed-out.

AR 192 Departure from jockeys' room and mounting enclosure prior to race

A rider:

(a) must mount the horse to be ridden by the rider in any race within the enclosure or place identified by the Stewards; and

(b) must not leave the jockeys' room or the enclosure or place referred to in subrule (a) to proceed to the starting position for a race without the approval of the Stewards.

LR 75 Requirements after weighing out

(1) **Riders:** Riders must:

(a) present themselves at the scales in the racing colours to be worn; and
(b) not change any clothing or equipment after weighing out.

(2) **Saddles:** Saddles and any other gear used when weighing out must be handed to the trainers concerned or their representatives and must not be left unattended or taken back into the jockeys' room.

AR 193 Limits on a rider in relation to race communications

Except with permission of the Stewards, Judge or Starter, after a rider has left the jockeys' room to ride in a race and until the rider dismounts (if not required to weigh-in) or weighs-in (if required to weigh-in):

(a) a person, other than the trainer or nominator (or their authorised agent) of the horse, an official in the course of his or her duties, or during the race another rider, must not speak to or communicate in any way with the rider;

(b) a person, other than an official in the course of his or her duties, or the trainer of the horse prior to the race, must not touch the rider, the rider's horse, or any of its equipment;

(c) the rider must not speak to or communicate in any way with any person other than the trainer or nominator (or their authorised agent) of the horse, an official in the course of his or her duties, or during the race another rider.

Division 5 – Starting

LR 76 Stable Security Precautions

(1) Prior to final acceptances being taken for any race the Stewards may determine that security precautions will apply to that race.

(2) Where the Stewards make a determination referred to in sub-rule (1) the trainer of any horse which has been accepted for such race shall, at the time of final acceptances or by such other time as determined by the Stewards, notify the Stewards where the horse will be located from the time of notification until the race.

(3) From the time of acceptances until the race the trainer shall ensure that:

(a) the horse is located at the premises notified by the trainer pursuant to sub-rule (2); and
(b) that the horse is available for inspection and testing by the Stewards.

(4) Where the Stewards have determined that security precautions apply pursuant to sub-rule (1) the Stewards, at their discretion, may supervise and/or guard a horse and may appoint other persons to do so.

(5) Where the Stewards have determined pursuant to sub-rule (1) that security precautions apply, the trainer or other person in charge of a horse shall comply with any direction given by the Stewards in respect of the requirements of this Rule.

(6) No person shall frustrate or hinder, or attempt to frustrate or hinder, the Stewards or any person appointed under sub-rule (4) from carrying out their duties under this Rule.

(7) 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 withdrawn from the race or disqualified.

(8) Any directions as to security given by the Stewards under this Rule shall apply, as far as is practicable, in addition to the regular security measures in place in the relevant stable.

AR 194 Horse to be in mounting yard 15 minutes before start time

Unless otherwise permitted by the Stewards, every horse must be presented in the mounting yard no later than 15 minutes prior to the advertised start time for a race.

AR 195 Parading and proceeding to the start of a race

Every horse must parade and proceed to the starting position of a race as directed by the Stewards, and unless the Stewards otherwise direct, without delay.

AR 196 Races to be started by Starter

Every race must be started by the Starter or such person approved by a PRA or the Stewards.

AR 197 Discretion of the Starter in relation to starting races

(1) The Starter may give all orders and take all measures as the Starter sees fit for securing a fair start.

(2) The Starter must report to the Stewards any rider who disobeys the Starter's orders or attempts to take any unfair advantage.

AR 198 Requirement of starting at allotted barrier

(1) Every rider must ensure that his or her horse occupies its allocated barrier as determined by the barrier draw.

(2) If a horse starts from an incorrect barrier, then prior to the declaration of correct weight the Stewards have the discretion to:

(a) confirm the official order of placings;

(b) declare the race to be void; or

(c) declare any horse concerned a non-starter.

LR 77 Starting stalls

(1) **Horses to be ridden to starting stalls:** Where practical horses must be ridden to the starting stalls. However, a lead may be given by the Clerk of the Course to any horse or horses:

(a) With the permission of the Stewards, or

(b) If considered by the Clerk of the Course to be expedient following an incident occurring after the horses have left the saddling paddock.

(2) **No other assistance:** A person other than the rider must not without the permission of the Stewards:

(a) lead or accompany a horse to the starting post; or
(b) assist or attempt to assist or in any way interfere with any horse at the starting barrier.

(3) **Entry to starting stalls:**

Subject to the provisions of AR 198, horses are to be placed in the starting stalls in the order of the barrier draw except when horses are split into two or more divisions.

AR 199 Open barrier and flag starts

(1) An open barrier or flag start cannot take place without approval of the Stewards.

(2) If the Stewards approve an open barrier or flag start, then the Starter may in respect of any unruly horse:

(a) remove it from the place allocated to the horse by the barrier draw and place the horse at a distance to the outside of, or behind, the other runners where it cannot gain any advantage for itself or cause any danger to or prejudice the chances of any other horse; or

(b) recommend to the Stewards that it be scratched from the race.

LR 78 Strand Starts

(a) The Stewards may authorise a hurdle or steeplechase race to be started by way of a strand start, under conditions approved by Racing Victoria in its discretion.

(b) Where, at a strand start, a horse is unruly or fractious, the Starter may recommend that the Stewards withdraw it from the race.

(c) Without limiting AR 202, the Starter may signal a false start at a strand start if he considers:

(i) the strand (or tape) or any part of the strand start process has malfunctioned;

(ii) a horse has broken through the strand before the Starter had effected the start.

LR 79 No flying start

There must not be a flying start of the horses in any race under any circumstances.

AR 200 Discretion for Stewards to scratch a horse if it does not enter stall

(1) For a barrier start, all horses must start from their allocated barrier.

(2) The Stewards may scratch a horse from a race if it:

(a) refuses to enter its barrier after all reasonable efforts have been made to place it in its barrier; or

(b) becomes unduly fractious after being placed in its barrier.

(3) If the Stewards scratch a horse from a race under subrule (2), they may make appropriate orders in relation to betting on the race.

AR 201 Discretion of Stewards if race started from incorrect starting position

If a race is started from the incorrect starting position the Stewards may declare the race void and, if in the circumstances they consider it appropriate, order that the race be re-run on that day.

AR 202 Discretion of Starter to signal false start

(1) The Starter may signal a false start if the Starter considers:

(a) the barriers have malfunctioned;

(b) a horse has broken through the barriers before the Starter had effected the start; or

(c) for any reason, a fair start was not effected.

(2) If a false start is signaled by the Starter or an official authorised to start a race, each rider must immediately restrain the rider's horse and return to the starting point of the race without delay.

LR 80 Signalling false starts

(1) **Warning device:** A Starter declaring a "False Start" must immediately activate the "False Start" warning device comprised of:

(a) A flashing light situated 200 metres from the start, placed 2 metres in from the inside running rail; and
(b) A siren situated near the flashing light, facing across the track and in the direction of the starting stalls.

(2) **Flag:** If the "False Start" warning device malfunctions, the Starter and a flagman attired in a white coat and situated near the false start light will signify a "False Start" by means of red flags of dimensions 90cm x 68cm, attached to a 105cm stick.

(3) **Notice to Stewards:** After declaring a "False Start", the Starter must immediately notify the Stewards.

AR 203 Decision of Stewards about starts of races to be final

The decision of the Stewards is final and conclusive in relation to any question of whether a start has been effected or whether a horse is declared a non-starter.

AR 204 Riderless and disadvantaged horses at the start of a race

(1) If, in the opinion of the Stewards, any horse was:

(a) riderless at the time a start was effected; or

(b) encumbered by equipment applied with the permission, or at the direction, of the Starter; or

(c) denied a fair start; or

(d) encumbered by any other outside influence after gaining a fair start,

and that materially prejudiced the chances of that horse finishing 1st, 2nd, 3rd or 4th in a race, the Stewards may declare that horse to be a non-starter and may make an order in relation to betting on the race as provided for separately in the Rules of Betting (except that a horse which is ultimately declared as coming 1st, 2nd, 3rd or 4th in a race must not be declared a non-starter).

(2) If, in the opinion of the Stewards, a horse obtains an unfair advantage at the start of a race, they may declare the horse to be a non-starter and may make an order in relation to betting on the race as provided for separately in the Rules of Betting.

<u>Division 6 – Running of a race</u>

AR 205 Stewards may declare a race void and require it to be re-run

The Stewards may declare any race void and, if in the circumstances they consider it appropriate, order that race to be re-run on that day.

AR 206 Horses must only race in approved gear

(1) Except for other gear approved by the Stewards for trackwork, for a race, official trial, jump-out or trackwork all gear to be used on a horse must be approved by the Chairmen of Stewards and listed in the National Equipment Register – Horses and Riders.

(2) Permission must be obtained from the Stewards prior to acceptance time for a race in order for a horse to race in any approved gear (including racing plates) listed in the National Equipment Register – Horses and Riders.

(3) If permission is obtained under subrule (2), then, unless approval from or instruction by the Stewards is provided prior to acceptance time for a subsequent race, that gear is to be used without variation in subsequent races in which the horse participates.

LR 81 Racing gear: general obligations

(1) **Trainers' responsible for gear:** Trainers must ensure that all racing gear used by them is:

(a) approved for use pursuant to the Rules; and

(b) in proper usable condition.

(2) **Application for approval:** Except with the permission of the Stewards which may be given only in special circumstances, applications for approval or removal of gear in accordance with AR 206 must be lodged with the Stewards before declaration of acceptance for the race in which the horse is intended to start.

(3) **To be fitted before leaving mounting yard:** All gear to be used on a horse in a race must be fitted to the horse before the horse leaves the mounting yard to participate in the race.

(4) **Stewards' permission required for specific gear to be worn to starting stalls:** Trainers must apply for, and obtain, the Stewards' permission for specific racing gear to be worn by a horse from the mounting yard to the starting stalls only and then removed at the starting stalls prior to the start of the race. Any application must be in relation to gear listed in the National Equipment Register only and must be lodged with the Stewards before declaration of acceptance for the race in which the horse is intended to start. [amended 21/8/19]

LR 82 Saddles and irons

(1) Saddles must be of material and design approved by the Stewards.

(2) Saddles manufactured with fibre glass trees must not be approved or used.

(3) Saddles with short top steel plates may be rejected by the Stewards.

(4) Magnesium irons must not be used.

LR 83 Blinkers/Visor Blinkers

(1) **Application for a horse to race in blinker/visor blinkers:**

Stewards may grant approval for a horse to race in blinkers/visor blinkers if:

(a) the horse:
  i. has raced previously;
  ii. has competed in an official trial; or
  iii. has been granted approval to race by the Stewards upon successful completion of a jump-out;

(b) an application for the horse to race in blinkers/visor blinkers is lodged with the Stewards before declaration of acceptances for the race it is intended to start; and

(c) the trainer submits a declaration that the horse has worked in blinkers/visor blinkers with other horses, performed in blinkers/visor blinkers to the trainer's satisfaction, and the trainer believes that the horse will race tractably and safely in blinkers/visor blinkers.

(2) **Stable return:** An owner or trainer intending to use, or discontinue, the use of blinkers/visor blinkers on a horse in a race must lodge an amended stable return in respect of such horse before declaration of acceptances.

(3) **Permission to discontinue use:** An application to discontinue the use of blinkers/visor blinkers on a horse must be lodged with, and permission must be obtained from, the Stewards before declaration of acceptances for the race in which the horse is intended to start.

(4) **Jumping races:**

(a) Horses which have been approved to race in blinkers/visor blinkers may compete in jumping races in non-hooded type blinkers/visor blinkers which have been specifically approved by the Stewards.

(b) A trainer of a horse which has been approved to race in blinkers/visor blinkers on the flat who wishes to not use blinkers/visor blinkers on that horse in a jumping race must seek approval from the Stewards to remove the blinkers/visor blinkers prior to declaration of acceptance for the race it is intended to start.

(5) **Penalties:** A trainer may be penalised for:

(a) using unapproved or otherwise unsuitable blinkers/visor blinkers;

(b) failing to have blinkers/visor blinkers on a horse which has been approved to race in same; or

(c) having blinkers on a horse which has not been approved to race in blinkers/visor blinkers.

AR 207 Horses must carry saddlecloths identifying their number

(1) Every horse running in a race must carry a saddlecloth bearing a number which corresponds with the number of the horse in the racebook (or in a publication authorised by Racing Australia in relation to the race).

(2) A saddlecloth is to be supplied to the rider at the time of weighing-out.

(3) A saddlecloth must be worn so that the number is clearly visible.

LR 84 Identity of horses entered

(1) **Persons to be satisfied as to identity:** A person entering a horse for any race or official trial or running such horse in any race or official trial must:

(b) **identity:** satisfy themselves, and when directed to do so the Stewards, as to the identity of the horse; and

(c) **description:** describe the horse in accordance with the particulars shown in the Document of Description when entering the horse.

(2) **Stewards may require statutory declaration:**

(a) Any person entering a horse for any race or official trial may be called upon by the Stewards to declare by statutory declaration the truth of all particulars contained in the entry.

(b) If a person fails to make a declaration required pursuant to paragraph (a) or if it is proved to the satisfaction of the Stewards that the declaration when made is in any respect untrue, then:

(i) the Stewards may declare that the entry of such horse is invalid;

(ii) such person may be penalised by the Stewards; and

(iii) all the fee in respect of such entry remains payable.

LR 85 Shoes

(1) **Plates with inserts:** Racing plates with approved steel inserts will be allowed to be used in races in Victoria.

(2) **Shock shod shoes:** Shock shod shoes may be used on horses in Victoria subject to the following conditions:

(a) **Application to use:** An application for use must be made in writing by the trainer before 9.30am on the day preceding a race.

(b) **Permission to discontinue use:** Permission to discontinue the use of these shoes must be obtained from the Stewards.

(3) **Racing plates with clips:** Racing plates with clips are permitted to be used on horses in Victoria subject to the following conditions:

(a) Clips must be of a size and shape acceptable to and approved by the Farrier's Supervisor.

(b) Clips should have blunt and rounded edges and not exceed 6 mm in height and 20mm in length.

(c) Plates or tips may be rolled to prevent shifting.

(4) **Glue on shoes:** Conditions for use for mustad race-glue shoes in Victoria:

(a) **Application to use:** An application for use must be made in writing to the Stewards by the trainer before declarations for the race in which it is first intended to run the horse in the shoes.

(b) **Earliest time of fitting:** The shoes must be fitted no more than 48 hours before the race unless otherwise approved by the Stewards.

(c) **Farrier to fit shoes:** Except for horses from interstate or overseas which have been fitted with these shoes prior to arriving in Victoria the fitting of the shoes on all horses must be performed by a farrier registered with Racing Victoria.

(d) **Inspection:** The trainer must ensure that the horse shod with these shoes is inspected as soon as possible after arrival on the course on the day of the race by a farrier registered with Racing Victoria .

(e) **Shoe cast or damaged:** If a shoe is cast or so damaged that it cannot be secured and needs to be removed, the Stewards must order the withdrawal of the horse from the race.

(f) **Permission to discontinue use:** Trainers wishing to discontinue the use of the shoes must obtain permission from the Stewards before declarations for the race in which it is intended that the shoes will not be used.

LR 86 Hurdle/steeplechase races and trials

All horses presented for hurdle/steeplechase races and official hurdle/steeplechase trials must wear boots and/or bandages on their forelegs.

Division 7 – Weighing-in

AR 208 Requirement to weigh-in

(1) Immediately after pulling up after a race, every rider must ride his or her horse to the place designated for weighing, but must not dismount before being directed by the Stewards to do so.

(2) The riders that must be weighed-in to the satisfaction of the Clerk of the Scales or a Steward are:

(a) the riders of placed horses in a race; and

(b) any other riders directed by the Stewards to be weighed-in.

(3) Notwithstanding subrules (1) and (2):

(a) if a rider is prevented by accident, illness or other reason deemed sufficient by the Stewards from riding to the place of weighing, the rider may walk or be carried to the scales; and

(b) if, in the opinion of the Stewards, it is impracticable to weigh-in a rider, the rider's horse will not be disqualified if the rider weighed-out correctly and the Stewards are of the opinion that the rider carried his or her correct weight in the race.

AR 209 Consequence of a horse carrying less weight than it should

(1) A rider must ensure that his or her horse does not carry less weight than what it is required to carry in a race.

(2) Subject to subrule (3), if a horse carries less weight than what it is required to carry in a race:

(a) it will be disqualified from the race, provided that the Clerk of the Scales must allow the rider of the horse 0.5kg; and

(b) notwithstanding subrules (1) and (2)(a), any person at fault in relation to the failure to carry the correct weight may also be penalised.

(3) Subject to compliance with AR 208, a horse shall be deemed to have carried its weight from the start of the race to the winning post if, in the opinion of the Stewards, the rider remains in contact with the horse or any part of the horse's gear from the start of the race to the winning post.

AR 210 Consequence if a rider does not weigh-in properly

(1) A rider must weigh-in when required to do so.

(2) If a rider breaches subrule (1), the rider's horse may be disqualified from that race unless there are exceptional circumstances justifying the rider's failure in that respect.

(3) A rider must not touch (except accidentally) any person or thing other than the rider's own equipment in the period from when a race starts to when the rider weighs-in.

(4) If a rider breaches subrule (3), the rider's horse may be disqualified from that race unless that contact was justified by extraordinary circumstances.

(5) Despite subrule (4), any part of the rider's equipment dropped by the rider after passing the winning post may be handed to the rider by the Clerk of the Course or by another authorised official.

AR 211 Horse overweight by more than 0.5kg

(1) A rider must ensure that his or her horse does not carry more than 0.5kg in a race over the weight that it is required to carry.

(2) If a rider breaches subrule (1), any other person at fault for the breach may also be penalised.

AR 212 Declaration of correct weight by Stewards

The Stewards must declare correct weight and cause a public announcement to that effect to be made at the point when:

(a) all riders required to be weighed-in have been weighed-in at not less than the weight at which they weighed-out; and

(b) any protest in relation to the race has been determined.

LR 87 Adjustments to weight of apprentice jockey

The Stewards may disqualify for the race, or for any period they think fit, any horse which has been ridden in a race by an apprentice jockey whose weight in the race has been adjusted by an allowance to which he or she is not entitled.

Division 8 – Dead-heats

AR 213 Dead-heats

(1) If a dead-heat for 1st or any other place occurs, the prize money awarded for each horse is to be an equal share of the total prize money that would have been awarded to the dead-heating horses had they finished in successive places and not dead-heated.

(2) If the nominators of a horse which ran a dead-heat cannot agree on which of them is to have a cup or other prize that cannot be divided, the Stewards will:

  (a) determine who is to retain the prize by lot; and

  (b) may, if necessary, determine what sum of money (if any) is to be paid by the nominator who takes the cup or other indivisible prize, to the other nominator.

(3) Subject to the conditions of any race, each horse that divides a prize for 1st place will be deemed to be the winner of a race worth the amount that would have been awarded by way of money or prize, if there was a clear winner of the race.

Division 9 – Judge's determination

AR 214 Placings in a race to be determined by the Judge

(1) Placings in a race are to be determined by the Judge occupying the Judge's box at the time the horses passed the winning post.

(2) A camera may be used to take photographs or images of the horses at the finish to assist the Judge in determining their positions, as exclusively indicated by their noses.

(3) The Judge must place:

  (a) the first 4 horses in a race;

  (b) the number of horses up to and including the horse following the last horse that, pursuant to the conditions of a race, is to receive a prize (for example, if prizes from 1st through to 5th place were offered, the first 6 horses must be placed); or

  (c) the number of horses that the Stewards require to be placed by the Judge.

(4) The determination of the Judge that a horse has won or been placed in a race is to be final, except:

  (a) the Judge may correct any mistake before the riders of the placed horses have been weighed-in; and

  (b) the Stewards may alter a determination made by the Judge either before or after a declaration of correct weight if the Stewards are satisfied on the available evidence (including prints or images) that the Judge has made a mistake in the determination of the finishing order of a race.

(5) The Stewards will stand in the place of the Judge and exercise the powers, perform the functions, and carry out the duties, of the Judge if:

  (a) the Judge is unavailable; or

(b) in the opinion of the Stewards the Judge is or was unable to properly place the horses as they passed the winning post due to illness or any other reason.

(6) No alterations to the Judge's places after correct weight will have any effect on previous orders given by the Stewards as to betting on the race.

Division 10 – Walk-over

AR 215 A walk-over and its consequences

(1) In the event of a walk-over:

(a) that horse will be deemed the winner of the race and will be liable to carry extra weight as a winner;

(b) only half of any prize money which would have been due to the winner had the race not been a walk-over will be awarded; and

(c) a non-monetary prize will still be given.

(2) Notwithstanding subrule (1), no prize will be awarded when, in the opinion of the Stewards, a walk-over is the result of any arrangement.

AR 216 Allocation of prize money if no 2nd or other place

Except if otherwise provided in the rules or conditions relating to a race, if any money or prize is to be awarded to a horse for filling 2nd or any other place in a race, then if no horse fills that place, the money or prize that was allocated to it will go to the Club holding the meeting.

Division 11 – Restrictions on course telecasts

AR 217 No course telecast without approval

A photograph, film or telecast of a race must not be exhibited or replayed at the racecourse on which a race meeting is being conducted without the permission of the Stewards in charge of that meeting.

Division 12 – Restrictions on the use of communication devices

AR 218 No transmission of certain information in certain areas at racecourses

(1) Without the permission of the Stewards, a person must not transmit in any way from a racecourse any betting odds being offered by a bookmaker on any horse that is competing at a racecourse in Australia or elsewhere.

(2) Without the permission of the Stewards, a person must not have turned on or use a mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information during a race meeting in any of the following areas:

(a) the mounting yard;

(b) the scales area;

(c) any other area designated by the Stewards.

(3) Notwithstanding subrule (2)(a), an owner who is present in the mounting yard immediately after the running of a race is permitted to use a mobile phone.

(4) Without the permission of the Stewards, a person (including but not limited to a jockey) must not:

(a) bring into the jockeys' room;

(b) have in that person's possession in the jockeys' room;

(c) use in the jockeys' room,

any mobile telephone, tablet, radio transmitter, radio transceiver or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

(5) The Stewards may take possession of and retain in their possession (including for the purposes of examining) any appliance, apparatus, instrument or equipment that is used by any person in contravention of this rule.

Division 13 – Protests

AR 219 Making protests

(1) Except for protests to be made prior to a rider weighing-in (under subrule (3)), unless the Stewards order otherwise every protest:

(a) must be made to the Stewards in writing; and

(b) be signed by either the nominator or the nominator's authorised agent, trainer or rider.

(2) A protest may be made by a Steward or the Starter in their official capacity. In the case of such a protest in relation to a matter referred to in subrule (3), it must be made before correct weight is declared.

(3) Any protest by the persons authorised under subrule (1)(b) against a horse/s on the ground of:

(a) an interference in the running of a race as provided for in AR 130(1);

(b) a horse/s not having run the proper course;

(c) the race having been run over a wrong course;

(d) the use of a whip as provided for in AR 132; or

(e) any other matter occurring in a race,

must 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.

(4) A protest made under subrule (3)(a) is only permitted to be made on behalf of a horse that has been placed first, second, third, fourth or fifth by the Judge, provided that the Stewards, in their discretion, may allow a protest made under subrule (3)(a) to be made on behalf of a horse that has been placed below fifth by the Judge.

[subrule amended 1.6.19]

(5) A person must not make a protest under subrule (3) which, in the opinion of the Stewards, is frivolous.

(6) A person must not:

(a) improperly deter or attempt to improperly deter a person from making a protest under this rule; or

(b) improperly encourage or improperly attempt to encourage a person to protest under this rule.

(7) If a protest is made under subrule (3) prior to the declaration of correct weight, the Stewards must without delay cause public announcements to be made in relation to:

(a) the fact that a protest has been made; and

(b) the grounds of the protest.

(8) Once the Stewards have considered and determined a protest, they must without delay cause public announcements to be made in relation to:

(a) whether the protest was dismissed or upheld;

(b) if the protest is upheld, details of any alteration to the Judge's placings; and

(c) the declaration of correct weight.

(9) A protest cannot be withdrawn without the permission of the Stewards.

(10) Pending a decision in relation to a protest regarding the placings in a race, the horse placed 1st will be liable to all the penalties attached to the winner of the race.

AR 220 Certain protests can be made up to 30 days after a race

(1) A protest on the following grounds can be made up to 30 days after the conclusion of the race to which the protest relates:

(a) fraudulent misstatement or fraudulent omission in the entry;

(b) a horse which ran was not the horse:

(i) it was represented to be;

(ii) of the age it was represented to be; or

(iii) was not qualified under the conditions of the race;

(c) the name of a horse or of any person having an interest in a horse is on the Forfeit List or List of Disqualifications;

(d) a horse was not registered in accordance with these Australian Rules; or

(e) the weight carried by a horse was incorrect.

(2) The protests referred to in subrule (1) are the only protests on the grounds of misdescription, error, or omission in any entry that are able to be accepted after a race.

LR 88 Protest may be lodged notwithstanding ineligible horse or rider

The fact that an ineligible horse has run or an ineligible rider has ridden in a race does not of itself prejudice or otherwise affect in any way the right of any person to lodge a protest.

LR 89 Conduct of Protest Hearings

(1) Review of Patrol Video: Before correct weight is declared, the riders and connections of a placed horse may seek permission from the Stewards to view the patrol video to assist in determining whether a protest is to be lodged.

(2) Attendance at Protest Hearing: Prior to the commencement of a protest hearing, the Stewards will take reasonable steps to notify the trainer of each horse directly involved in the protest, and, subject to their availability, he or she will be given the opportunity to be present in the Stewards' Room during the protest hearing.

(3) Evidence of Riders:

(a) The Stewards may hear evidence from each rider considered by the Stewards to be relevant to the determination of the protest.

(b) No rider is permitted to cross-examine any other person during a protest hearing, unless given leave to do so by the Stewards.

(4) Evidence of Owners and Trainers

(a) No trainer or owner(s) of a horse directly involved in a protest may give evidence at a protest hearing, unless given leave to do so by the Stewards.

(b) No trainer or owner(s) is permitted to cross-examine any other person during a protest hearing, unless given leave to do so by the Stewards.

AR 221 Consequence of a protest being upheld

(1) Subject to subrule (2), if a protest in relation to a horse that has won or been placed in a race is upheld, the horse may be:

(a) disqualified from the race; or

(b) placed after a horse that the horse interfered with (if the Stewards are of the opinion that the horse interfered with would have finished ahead of the other horse had the interference not occurred).

(2) If a protest is lodged on behalf of a placed horse under AR 219(3)(d) against another placed horse and the Stewards are of the opinion that had the rider of the horse protested against not been in breach of AR 132(5)

or (7) the horse would not have finished equal or ahead of the horse on whose behalf the protest is lodged, the Stewards may place the horse considered to have been advantaged immediately after the other horse.

AR 222 Protest to the qualification of a horse

(1) If the qualification of a horse is the subject of a protest either before 10.00 am on the day of the relevant race or after the race:

(a) the nominator or his or her representative must satisfy the Stewards that the horse is or was eligible to run; and

(b) if the Stewards are not satisfied that the horse is or was eligible to run, they may order that the horse be scratched or may direct that any prize awarded in respect of the horse be withheld for a period fixed by them.

(2) If the qualification of a horse is the subject of a protest between 10.00 am on the day of the relevant race and the start of the race, the horse must be allowed to run unless the person making the protest proves, to the Stewards' satisfaction prior to the start of the race, that the horse is not eligible to run, in which case the Stewards must order the horse be scratched.

(3) If, at the expiration of the period fixed by the Stewards under subrule (1)(b), the Stewards are not satisfied that the horse was eligible to run, the prize is to be awarded as if that horse had not started.

AR 223 Withholding of prizes pending consideration of a protest or inquiry

Whenever:

(a) a protest has been lodged; or

(b) an investigation or inquiry which may affect the placing of a horse has been instituted; or

(c) any action is taken or about to be taken which may lead to an investigation or inquiry which may affect the placing of a horse has been instituted,

any prize due in respect of a horse may be withheld pending the consideration of the protest, investigation or inquiry.

AR 224 Prizes to be repaid/returned following disqualification

In any case where a prize or part of a prize has been paid or awarded to a person who is subsequently found by a PRA or the Stewards not to be entitled to it by reason of the disqualification of that person's horse or otherwise, that prize must, on demand, be repaid or returned by the recipient to the PRA or Club concerned.

<u>Division 14 – Humane euthanasia of a horse</u>

AR 225 Circumstances in which a horse may be humanely euthanised

If a horse is injured on a racecourse and:

(a) in the opinion of a qualified veterinary surgeon employed, engaged or approved by the PRA conducting the race meeting; or

(b) in the opinion of the Stewards,

humane euthanasia of the horse is advisable on animal welfare grounds in order to prevent the horse from suffering, the qualified veterinary surgeon and/or the Stewards may order the horse be humanely euthanised by a person who the veterinary surgeon and/or the Stewards consider suitable.

Division 14A - Special rules for Hurdle Races and Steeplechase Races

LR 90 Jumps Review Panel

(1) **Appointment:** The Directors or their delegate may:
- (a) appoint not less than five (5) persons to constitute the Jumps Review Panel, which is to include at least one of each of the following:
  - (i) a Chair who is a senior steward experienced in jumps racing;
  - (ii) at least one steward experienced in jumps racing (who is not the Chair); and
  - (iii) at least one person, who is not a steward but is either (A) a retired jockey or trainer with acknowledged experience in jumps racing; or (B) a veterinary surgeon;
- (b) in the event of a period of absence of a member of the Jumps Review Panel for any reason, appoint a person who is in their opinion a suitable replacement;
- (c) define the term of office and remuneration (where necessary) of persons appointed to the Jumps Review Panel;
- (d) appoint an executive officer to assist the Jumps Review Panel.

(2) **Function:** The function of the Jumps Review Panel is to:
- (a) as soon as practicable view a video recording of all official jumps trials and races that have been conducted;
- (b) analyse video recordings of all official jumps trials and races, and prepare a report based on that analysis, with respect to:
  - (i) the performance of each horse and jockey;
  - (ii) the circumstances of any incident; and
  - (iii) the possible cause or causes of any incident;
- (c) determine whether a horse has trialled satisfactorily and is therefore qualified to race, including by taking into account the following factors relating to the horse's trial:
  - (i) competitiveness;
  - (ii) jumping ability;
  - (iii) placing in trial;
  - (iv) fitness;
  - (v) overall performance, presentation and condition;
  - (vi) whether there were three (3) or less runners in the trial;
  - (vii) any other factor the Jumps Review Panel considers relevant in its discretion;
- (d) determine whether as a result of a horse's performance in any official jumps trial and/or race:
  - (i) its qualification to race should be revoked or suspended and if so for what period and on what conditions;
  - (ii) it ought to be permitted to participate in any official jumps trial, including by taking into account the following factors:
    - A. competitiveness;
    - B. jumping ability;
    - C. placing in an official jumps trial or race;
    - D. fitness;
    - E. overall performance in any official jumps trial or race;
    - F. overall condition; and
    - G. any other factor the Jumps Review Panel considers relevant in its discretion;
- (e) where appropriate, refer a rider to the Jumps Skills Review Panel for assistance, tuition and guidance;
- (f) refer the ride or conduct of a rider in a race to the Stewards for their consideration where the Jumps Review Panel is of the view that the rider may have breached any Rule of Racing relating to jumps races;
- (g) provide assistance and advice to the Stewards and the Directors on matters concerning jumps racing;

(h) set appropriate standards in relation to the ongoing education and training for all persons who hold a licence or permit to train jumps horses; and
(i) make determinations concerning the appropriate placement of obstacles.

(3) **Power of Jumps Review Panel:** Without limiting the functions set out at LR 90(2), the Jumps Review Panel may exercise the power of the Stewards under AR 20(e) in respect of decisions made in relation to the nomination of horses for hurdle or steeplechase races.

(4) **Decision of Jumps Review Panel:** Any decision of the Jumps Review Panel is final.

(5) **Removal or resignation from Jumps Review Panel:**
(a) The Directors or their delegate may remove a member of the Jumps Review Panel in their absolute discretion.
(b) Any member of the Jumps Review Panel may resign by giving notice in writing to the CEO of Racing Victoria.

LR 91A Minimum distances

(1) **Steeplechase:** A steeplechase must not be less than 3200 metres.

(2) **Hurdle races**: A hurdle race must not be less than 3200 metres.

LR 91B Handicap weights

(1) **Minimum weight:** In handicaps for hurdle races and steeplechases the lowest weight must not be less than 64kg.

(2) **Minimum top weight:** The minimum handicap top weight which may be allotted in any handicap hurdle or steeplechase is 69kg.

(3) **Increase in weights for handicap jumping races:** If at the final declaration of acceptance for a handicap jumping race the highest weight to be carried (including any extra weight by way of re-handicap or penalty) is less than 68kg.

LR 91C Allowances

(1) **Entitlement:** In any handicap hurdle race or steeplechase or maiden jumping race for which the advertised prizemoney (not including trophies) is $55,000 or less a rider (other than an amateur rider or an owner riding his own horse) is until he or she has ridden ten winners in hurdle races and/or steeplechases entitled to claim a 3kg allowance, provided that:
(a) any such rider after he or she has ridden 10 winners and until he or she has ridden 20 winners is entitled to claim a 1.5kg allowance;
(b) in no event may any horse carry less than 57kg;
(c) any such rider may claim the same allowance during a day of racing to which he was entitled at the beginning of that day; and
(d) no account may be taken of wins at point-to-point meetings when assessing eligibility to claim.

(2) **Report of winners:** riders entitled to claim allowances must report every winning ride to Racing Victoria within 48 hours of the running of the race.

LR 91D Stewards must consider referral from Jumps Review Panel

Where the Jumps Review Panel refers a rider to the Stewards pursuant to LR 90(2)(f), the Stewards must consider the matter and make all necessary investigations and enquiries.

LR 92A Qualification of horses for hurdles and steeplechases

(1) **Horses must be qualified:** Horses must be qualified (in accordance with LR 92B and LR 92C) at the time of acceptance in a hurdle or steeplechase race.

(2) **Meaning of "never started":** A reference in the Rules relating to hurdle races and steeplechases and in the conditions of any hurdle race or steeplechase to a horse that has "never started" means a horse that has never started in a hurdle race or steeplechase.

LR 92B Qualification for hurdle races

(1) Prior to a horse participating in its first official hurdle trial, that horse must have schooled to the satisfaction of a Steward over three approved hurdles.

(2) Subject to LR 92B(3), a horse is qualified to accept in a hurdle race if it has:

(a) previously completed the course to the satisfaction of the Stewards in a jumping race at a registered race meeting in Victoria and trialled to the satisfaction of the Jumps Review Panel in one official hurdle trial in Victoria over at least 10 approved hurdles and over a distance of at least 2800 metres; or

(b) trialled to the satisfaction of the Jumps Review Panel in two official hurdle trials in Victoriawithin a three month period, with one trial being over at least eight hurdles and a distance of at least 2400 metres, and the other trial being over a distance of at least 2800 metres and over at least 10 Approved Hurdles; or

(c) trialled to the satisfaction of the Jumps Review Panel in one official hurdle trial in Victoria over at least 10 Approved Hurdles and a distance of at least 2800 metres, if, having been approved:

(i) interstate or overseas to compete in a hurdle race; or

(ii) in Victoria to accept in a hurdle race in the previous racing season; it has yet to start in a hurdle race or has failed to complete the course in a hurdle race; or

(d) \completed the course in a hurdle race at a registered race meeting outside Victoria, and then trialled in Victoria to the satisfaction of the Jumps Review Panel, over at least 10 Approved Hurdles and a distance of at least 2800 metres; or

(e) completed a hurdle race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year; or

(f) completed a hurdle race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season, and also schooled over a minimum of three Approved Hurdles to the satisfaction of the Jumps Review Panel.

(3) Subject to LR 92B(3A), where a horse has qualified to accept in a hurdle race in a previous jumps racing season, that horse is not qualified to accept in a hurdle race in any future jumps racing season unless it has:

(a) completed a further trial to the satisfaction of the Jumps Review Panel in one official hurdle trial over at least eight Approved Hurdles and a distance of at least 2400 metres; or

(b) completed a hurdle race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season; or

(c) completed a further official trial in South Australia to the satisfaction of the Jumps Review Panel over at least eight Approved Hurdles and a distance of at least 2400 metres; or

(d) completed a hurdle race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season, and also schooled over a minimum of three Approved Hurdles to the satisfaction of the Jumps Review Panel.

Note: The official hurdle trial required by this LR 92B(3) must take place following the completion of the previous jumps racing season and as directed by the Jumps Review Panel.

(3A) Where a horse has qualified to accept in a hurdle race in a previous jumps racing season, however such horse failed to start in a hurdle race in the previous jumps racing season, that horse is not qualified to accept

in a hurdle race in any future jumps racing season unless it has trialled to the satisfaction of the Jumps Review Panel in a further Official Trial over at least 10 Approved Hurdles and a distance of at least 2800 metres.

(3B) Where a horse has qualified in the current jumps racing season to participate in a steeplechase race it will be qualified to accept in a hurdle race.

LR 92C Qualification for steeplechases

(1) Subject to LR 92C(2), a horse is qualified to participate in a steeplechase race if it has:

(a) previously completed the course to the satisfaction of the Stewards in a steeplechase race at a registered race meeting over modular steeplechase obstacles and trialled to the satisfaction of the Jumps Review Panel on at least one occasion over a minimum distance of 2800 metres and over at least 10 Approved Steeplechase Obstacles; or

(b) completed the course in a steeplechase race at a registered race meeting, or outside Victoria, over non-modular steeplechase obstacles and then trialled to the satisfaction of the Jumps Review Panel over a minimum distance of 2800 metres and over at least 10 Approved Steeplechase Obstacles; or

(c) completed the course to the satisfaction of the Jumps Review Panel in two hurdle races at a registered race meeting and trialled in Victoria to the satisfaction of the Jumps Review Panel on one occasion over a minimum distance of 2800 metres and over a minimum of 10 Approved Steeplechase Obstacles; or

(d) completed the course to the satisfaction of the Jumps Review Panel in one hurdle race at a registered race meeting and trialled in Victoria to the satisfaction of the Jumps Review Panel on two occasions over a minimum distance of 2800 metres and over a minimum of 10 Approved Steeplechase Obstacles; or

(e) completed a steeplechase race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year; or

(f) completed a steeplechase race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season and also schooled over a minimum of three Approved Steeplechase Obstacles to the satisfaction of the Jumps Review Panel; and

in addition to the above:

(g) for qualification to participate in a steeplechase race at Warrnambool, a horse must have, prior to the race, schooled around the steeplechase course at that racetrack.

(2) Subject to LR 92C(2A), where a horse has qualified to accept in a steeplechase race in a previous jumps racing season, that horse is not qualified to accept in a steeplechase race in any future jumps racing season unless it has:

(a) completed a further trial to the satisfaction of the Jumps Review Panel over at least eight Approved Steeplechase Obstacles and a distance of at least 2400 metres; or

(b) completed a steeplechase race in South Australia to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season; or

(c) completed a further official trial in South Australia to the satisfaction of the Jumps Review Panel over at least eight Approved Steeples and a distance of at least 2400 metres; or

(d) completed a steeplechase race in New Zealand to the satisfaction of the Jumps Review Panel in the same calendar year of the jumps racing season and also schooled over a minimum of three Approved Steeplechase Obstacles to the satisfaction of the Jumps Review Panel.

Note: The trial required by LR 92C(2)(a) must take place following the completion of the previous jumps racing season and as directed by the Jumps Review Panel.

(2A) Where a horse has qualified to accept in a steeplechase in a previous jumps racing season, however such horse failed to start in a steeplechase in the previous jumps racing season, that horse is not qualified to accept in a steeplechase in any future jumps racing season unless it has trialled to the satisfaction of the Jumps Review

Panel in a further Official Trial over at least 10 Approved Steeplechase Obstacles and a distance of at least 2800 metres.

LR 93 Conduct of jumping races

(1) **Placement of first obstacle:** In all jumping races, the first obstacle is to be situated not more than 150 metres after the start.

(1A) **Safe placement of obstacles:** The Jumps Review Panel is responsible for setting the standard as to safe placement of obstacles which is to be reviewed annually.

(2) **Hurdles:** At all race meetings the hurdles used in hurdle races must be:

(a) open hurdles or brush hurdles of a type approved by the Stewards; and

(b) one metre in height and in steeplechases not less than 1.15 metres in height (in all cases as measured in a vertical line from the ground to the top of the obstacle as fixed).

(3) **Evading jump:** If a horse evades or misses a jump for any reason the rider must not continue in the race until the horse has negotiated such jump. A horse which fails to negotiate all of the jumps in a hurdle or steeplechase is thereby disqualified from the race.

(4) **Horse refusing jump:** If a horse refuses any fence in a hurdle race or steeplechase, and it can be proved to the satisfaction of the Stewards that it had been led over a fence by any of the bystanders or has been given a lead over by any horseman not riding in the race, the horse may be disqualified from the race.

(5) **Rider must not remount:**

(a) The rider of a horse in a steeplechase or hurdle race or official trial must not remount the horse if the rider is dislodged from the horse for any reason after the start of the race or official trial.

(b) If a rider remounts a horse contrary to LR 93(5)(a):

(i) the rider may be penalised; and

(ii) the horse must be deemed to have failed to finish the race or official trial.

(6) **Rider to follow course:**

(a) **Flags:** When any course is set out with flags, posts, or boundary marks, the rider must follow the course set out.

(b) **No flags:** In the absence of any flag, post or boundary mark, or of a direction to go any particular course, the rider may take his horse from jump to jump.

(7) [deleted 26/3/19]

(8) **Condition of track:** A hurdle or steeplechase race must not be conducted on a track that, at the time of the race, is rated better than a Soft 5 or equivalent (as rated in accordance with the RVL Track Rating Policy).

(9) **Retirement of horses**:

(a) The rider of a horse in a hurdle or steeplechase race or official trial must retire the horse from the race or official trial immediately where:

(i) the horse has fallen (whether at a jump or in running);

(ii) the horse is not in contention and/or fatigued;

(iii) the horse is distressed; or

(iv) in the circumstances, if the rider were to continue riding the horse, such conduct would cause an increased risk of a fall to the horse or rider, or other horses or riders.

For the purpose of subrule LR 93(9)(a)(iv), the following factors may, without limitation, be considered:

(A) whether the rider has lost an iron or irons;

(B) whether the saddle has slipped on the horse; and/or

(C) whether the horse has sustained an injury during the race or official trial.

(b) If a rider of a horse fails to retire a horse in accordance with LR 93(9)(a):

(i) the rider may be penalised; and

(ii) the horse may be deemed to have failed to finish the race or official trial.

(10) **Riders may wear shoulder pads:** All riders may wear shoulder pads attached to their safety vest in jumps races.

PART 9 – MISCONDUCT & OTHER OFFENCES

Division 1 – Penalty for breach

AR 226 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 9 the person may be penalised by a PRA or the Stewards.

Division 2 – Powers in relation to misconduct and other offences

AR 227 Breaches of the Rules

Without limiting any other powers, a PRA or the Stewards may penalise any person who:

(a) commits any breach of the Rules, or engages in conduct or negligence which has led or could have led to a breach of the Rules;

(b) attempts to commit, aids, abets, counsels, procures, connives at, approaches or requests another person to commit, conspires with another person to commit, or is a party to another person who commits, a breach of the Rules.

[subrule amended 1.6.19]

Division 3 – Conduct detrimental to the interests of racing

AR 228 Conduct detrimental to the interests of racing

A person must not engage in:

(a) conduct prejudicial to the image, interests, integrity, or welfare of racing, whether or not that conduct takes place within a racecourse or elsewhere;

(b) misconduct, improper conduct or unseemly behaviour;

(c) improper or insulting behaviour at any time towards a PRA, the Stewards, a Club, or any official, employee, contractor or agent of any of them in relation to the relevant person's functions, powers or duties;

(d) publishing or posting on any social media platform or channel any material, content or comment that is obscene, offensive, defamatory, racist, threatening, harassing, discriminatory or abusive to or about any other person involved in the racing industry;

(e) conduct which threatens, disparages, vilifies or insults another person ("other person") on any basis, including but not limited to, a person's race, religion, colour, descent, 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.

LR 94A No intimidating or abusive conduct

A person must not, at any time or for any purpose:

a. engage in any form of intimidation or abusive conduct (either physical, verbal or otherwise), in any way related to racing, of:
    i. any Steward, Official, or employee or officer of Racing Victoria;
    ii. any person representing Racing Victoria and/or its employees or officers;
    iii. any employee or officer of a Club or Association;
    iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
    v. any person who is, or may be, a witness in any investigation, inquiry or disciplinary proceeding under the Rules; or

b. encourage, incite, provoke or procure any other person on their behalf, to engage in any form of intimidation or abusive conduct (either physical, verbal or otherwise), in any way related to racing, of:
    i. any Steward, Official, or employee or officer of Racing Victoria;

ii. any person representing Racing Victoria and/or its employees or officers;
iii. any employee or officer of a Club or Association;
iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
v. any person who is, may be, or has been a witness in any investigation, inquiry or disciplinary proceeding under the Rules.

LR 94B No threatening conduct

A person must not:

a. make any express, implied, conditional or unconditional threat (whether physical, verbal or otherwise), in any way related to racing, toward:
   i. any Steward, Official, or employee or officer of Racing Victoria;
   ii. any person representing Racing Victoria and/or its employees or officers;
   iii. any employee or officer of a Club or Association;
   iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
   v. any person who is, may be, or has been a witness in any investigation, inquiry or disciplinary proceeding under the Rules.
b. encourage, incite, provoke or procure any other person on their behalf, to make any express, implied, conditional or unconditional threat (whether physical, verbal or otherwise), in any way related to racing, toward:
   i. any Steward, Official, or employee or officer of Racing Victoria;
   ii. any person representing Racing Victoria and/or its employees or officers;
   iii. any employee or officer of a Club or Association;
   iv. the Racing Appeals and Disciplinary Board, any member of the Board; or
   v. any person who is, may be, or has been a witness in any investigation, inquiry or disciplinary proceeding under the Rules.

<u>Division 4 – Corruption, dishonesty and misleading behaviour</u>

AR 229 Corruption, dishonesty and misleading behaviour

(1) A person must not:
   (a) engage in any dishonest, corrupt, fraudulent, improper or dishonourable action or practice in connection with racing;
   (b) engage in conduct that corrupts the outcome of a race or is intended to corrupt the outcome of a race, where:
      (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, and
      (iv) "outcome" includes any result within the race and is not limited to winning or placing in the race;
   (c) corruptly give or offer any money, share in a bet, or other benefit to a person having official duties in relation to racing, or to an owner, nominator, trainer, rider, or person having charge of or access to a horse;

(d) if the person has official duties in relation to racing, or is a nominator, trainer, rider, or person in charge of or having access to a horse – corruptly accept, or offer to accept, any money, share in a bet, or other benefit;

(e) wilfully enter or cause to be entered or to start in any race a horse which the person knows to be disqualified;

(f) if the person is an owner, nominator, or trainer of a horse – enter or run the horse in any race, official trial, or jump-out under a fraudulently false description;

(g) have any interest in a horse which has been entered or run in a race, official trial or jump-out under a fraudulently false description;

(h) make a false or misleading statement or declaration in relation to a matter in connection with the administration or control of racing;

(i) if the person is an owner, nominator or licensed person – by advertisement, circular, letter, or any other means offer to give information in relation to that person's horse or any other horse in return for any money or other consideration;

(j) aid, abet, counsel, procure, connive at, or be a party to any of the conduct prohibited under subrule (1)(i).

(2) If a person breaches subrule (1)(b), a disqualification for a period of not less than 5 years must be imposed, unless a finding is made that a special circumstance exists, in which case that penalty may be reduced.

AR 230 Duty to provide information in relation to corrupt etc conduct

(1) A person who is directly or indirectly approached or requested to engage in conduct which could constitute:

(a) corrupt, dishonest, fraudulent, or improper conduct in connection with racing; or

(b) conduct which is detrimental to the image, interests, integrity or welfare of racing; or

(c) an act of cruelty to a horse,

must provide full details of the approach or request to the Stewards as soon as is practicable.

(2) For the purposes of this rule, "engage in conduct" has the same meaning as in AR 229(1)(b)(iii).

<u>Division 5 – Misconduct in relation to the care and welfare of horses</u>

AR 231 Care and welfare of horses

(1) A person must not:

(a) commit or commission an act of cruelty to a horse, or be in possession of any article or thing which, in the opinion of the Stewards, is capable of inflicting cruelty to a horse;

(b) if the person is in charge of a horse – fail at any time:

(i) to exercise reasonable care, control or supervision of the horse so as to prevent an act of cruelty to the horse;

(ii) to take such reasonable steps as are necessary to alleviate any pain inflicted upon or being suffered by the horse;

(iii) to provide veterinary treatment to the horse where such treatment is necessary for the horse; and/or

(iv) to provide proper and sufficient nutrition for the horse.

(2) A person must not:

(a) use, or attempt to use, any electric or electronic apparatus or other device capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop;

(b) have in the person's possession any electric or electronic apparatus or device capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

(3) For the purpose of subrule (2), where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed capable of affecting the performance of a horse in a race, official trial, jump-out or training gallop.

(4) A person must not use a stockwhip on a horse in any circumstances relating to racing, training or pre-training, regardless of whether the horse is registered.

(5) If a person breaches subrule 2(a), a disqualification for a period of not less than 2 years must be imposed, unless a finding is made that a special circumstance exists, in which case that penalty may be reduced.

(6) A person must not perform endoscopy of the respiratory tract on a horse unless he or she is a qualified veterinary surgeon. [subrule 6 added 1/1/20]

LR 95 Electric Apparatus

For the purposes of AR 231(2), the Stewards may give written permission for a person to possess an electric apparatus under such conditions as they see fit.

Division 6 – Misconduct by failure to observe official processes and directions

AR 232 Failure to observe processes and directions of PRAs or Stewards

A person must not:

(a) obstruct or interfere with, or attempt to obstruct or interfere with, the conduct of a race meeting, race, official trial or jump-out;

(b) fail or refuse to comply with an order, direction or requirement of the Stewards or an official;

(c) while the Stewards are exercising their powers, performing their functions or carrying out their duties:

  (i) refuse to obey a reasonable direction of the Stewards;

  (ii) obstruct, hinder or delay the Stewards in exercising their powers, performing their functions or carrying out their duties; or

  (iii) incite any other person/s to obstruct, hinder or delay the Stewards from exercising their powers, performing their functions or carrying out their duties, or fail to prevent any other person/s on premises the Stewards have entered under AR 22(1)(l) from doing so.

(d) while any investigator appointed by a PRA under AR 15(c) is exercising their powers, performing their functions or carrying out their duties:

  (i) refuse to obey a reasonable direction of the investigator;

  (ii) obstruct, hinder or delay the investigator in exercising their powers, performing their functions or carrying out their duties; or

  (iii) incite any other person/s to obstruct, hinder or delay the investigator from exercising their powers, performing their functions or carrying out their duties.

(e) if the person is a nominator, trainer or person in charge of a horse – contrary to the orders of the Stewards, fail or refuse on request to produce a horse entered for a race at a meeting or remove that horse from the racecourse;

(f) use on a horse any shoes, racing plates, equipment or gear which has not been approved, or which in the opinion the Stewards is unsuitable or unsafe;

(g) tamper or attempt to tamper with any means of identification of a horse as referred to in the Rules;

(h) refuse or fail to attend or give evidence at an interview, investigation, inquiry, hearing or appeal when directed or requested to do so by a PRA, the Stewards or a person authorised by a PRA or the Stewards; and

(i) give any evidence at an interview, investigation, inquiry, hearing and/or appeal which is false or misleading.

Division 7 – Other misconduct offences

AR 233 Other misconduct offences

A person must not:

(a) breach a policy, regulation or code of practice published by Racing Australia or a PRA;

(b) engage in workplace harassment or bullying of a person while the person is acting in the course of his or her duties while employed, engaged in, or participating in the racing industry;

(c) engage in sexual harassment of a person employed, engaged in, or participating in the racing industry.

AR 234 Disqualification where certain misconduct has occurred

A PRA or the Stewards may disqualify a 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 referred to in this Part 9 is found to have been committed.

PART 10 – BETTING & LAYING PROHIBITIONS FOR CERTAIN PERSONS

Division 1 – Penalty for breach

AR 235 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 10 the person may be penalised by a PRA or the Stewards.

Division 2 – Prohibition on betting with or for jockeys

AR 236 Betting with or for a jockey

A person must not bet with or for a jockey or apprentice jockey, or give or offer a rider any pecuniary or other gift or consideration, contrary to these Australian Rules.

Division 3 – Prohibition in relation to laying horses

AR 237 Prohibition on persons laying horses

(1) A trainer must not lay any horse that is either under the trainer's care, control or supervision, or has been at any time in the preceding 21 days.

(2) A person employed by a trainer in connection with the training or care of horses must not lay any horse under the care, control or supervision of the trainer for whom the person is or was employed while employed and for a period of 21 days after ceasing to be employed.

(3) An owner or nominator must not lay any horse that is or may be entered by that owner or nominator or on that person's behalf, provided that a bookmaker may lay a horse in accordance with the bookmaker's licence.

(4) A rider's agent must not lay any horse to be ridden by a rider for whom that person is an agent.

(5) A person who has provided a service/s connected with the keeping, training or racing of a horse must not lay that horse within 21 days of last providing that service.

(6) A person must not offer an inducement to a participant in racing with the intention of profiting from a horse not participating in an event to the best of its ability.

(7) In circumstances where it is a breach of this rule for a person to lay a horse, it is also a breach of this rule for that person to:

   (a) have a horse laid on his or her behalf; or

   (b) receive any money or other valuable consideration in any way connected with the laying of the horse by another person.

LR 96 Person employed must not lay a horse

For the purposes of AR 237(2) a person employed by a trainer in connection with the training or care of racehorses includes any person registered in accordance with LR 45B and any reference to employment includes a reference to such registration.

Division 4 – Prohibition on betting with non-approved wagering operators

AR 238 Prohibition on betting with non-approved wagering operators

(1) A person bound by these Australian Rules must not:

   (a) place a bet on Australian thoroughbred racing with a non-approved wagering operator; or

   (b) have a bet placed on his or her behalf, or otherwise have an interest in a bet placed, on Australian thoroughbred racing with a non-approved wagering operator.

(2) Where the Stewards reasonably suspect that a person bound by these Australian Rules has, or may have, placed a bet on Australian thoroughbred racing with a non-approved wagering operator:

(a) the Stewards may direct the person to produce, and the person must produce, all relevant documents and devices, including but not limited to, the person's computer, mobile telephone, and betting records; and

(b) the Stewards may direct the person to provide, and the person must provide, the Stewards with access to the account/s with the non-approved wagering operator used by or on behalf of the person, including any username, password or other security information.

(3) For the purposes of this rule a "bet" includes a lay bet.

Division 4A – Other prohibitions

LR 97 Prohibition on use of unauthorised telephones, etc

During a race meeting, unless permission from the Stewards or the Betting Supervisor is obtained, a Bookmaker (and any person employed by or assisting the Bookmaker) must not, whilst present on the racecourse and in the course of the Bookmaker's business, use any mobile telephone, internet-enabled device, radio transmitter, radio transceiver or other appliance, apparatus, instrument or equipment capable of receiving or transmitting information that has not been approved or issued by Racing Victoria.

LR 98 Licensed person not to bet with person or organisation not licensed to accept bets

No licensed person may place, or have placed on his/her behalf, a bet on any horse race run in Australia with any person or organisation not licensed to accept such a bet by a PRA or Australian State or Territory Government.

LR 99 Improper, corrupt or fraudulent behaviour

The Directors or the Stewards may disqualify or otherwise penalise any person who:

(1) **Improperly obtaining information:** surreptitiously obtains information concerning:
   (a) an official trial from any person or persons engaged in the trial or in the service of the owner or trainer of any of the horses tried; or
   (b) any horse in training from any person in such service; or

(2) **Conspiracy to commit improper practice:** conspires or connives with any other person to commit any improper, corrupt or fraudulent practice or malpractice in relation to racing notwithstanding that any such other person has not been found guilty of the offence in question.

LR 100 Officials not to bet on credit

No person acting in an official capacity (including a Steward, veterinary surgeon, handicapper, judge, starter, clerk of course, clerk of scales, farrier, barrier attendant or timekeeper, or as an assistant or deputy to any of the above) may, at any time, bet on credit with a bookmaker or wagering service provider.

For the purpose of LR 100, a bet on credit means a bet where payment for the bet is not made by the bettor at the time of placing the bet but is settled at a later time.

PART 11 – PROHIBITED SUBSTANCES & PROHIBITED METHODS OFFENCES

Division 1 – Penalty for breach

AR 239 Penalty for breach

Without limiting any other rules or powers under these Australian Rules, if a person breaches any rule in this Part 11 the person may be penalised by a PRA or the Stewards.

Division 2 – Prohibited substance in a sample taken from a horse

AR 240 Prohibited substance in sample taken from horse at race meeting

(1) Subject to subrule (3), if a horse is brought to a racecourse and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the horse must be disqualified from any race in which it started on that day.

(2) Subject to subrule (3), if a horse is brought to a racecourse for the purpose of participating in a race and a prohibited substance on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following its running in any race, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

(3) If:

(a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or

(b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,

is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that a breach of subrule (1) or (2) has not been committed if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

AR 241 Prohibited substance in sample taken from horse at trial etc

If a horse is brought to a racecourse or recognised training track to participate in:

(a) an official trial;

(b) a jump-out for the purpose of obtaining a permit to start in a race (whether after suspension or otherwise); 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 on Prohibited List A and/or Prohibited List B is detected in a sample taken from the horse prior to or following the relevant event, the trainer and any other person who was in charge of the horse at any relevant time breaches these Australian Rules.

[deleted and replaced 01/02/21]

LR 101 Proper precautions where trainer takes over a horse

(1) **Requirement:** Any trainer or other person to whom AR 241 or AR 240(2) would apply otherwise than for the reason that he or she was not, at the time of administration of the prohibited substance, the trainer of or in charge of the horse concerned, may be penalised unless he or she satisfies the Stewards that at the time of entry of the horse to his or her stables, he or she had taken all proper precautions to verify that the horse had not had previously administered to it any such prohibited substance.

(2) **Required precautions:** For the purposes of this LR 101 and depending on the circumstances, all proper precautions includes in the case of a horse that was previously trained by, pre-trained by or in the charge of another person:

(a) elective testing to detect whether any prohibited substance had been administered to the horse; or

(b) where elective testing could not be undertaken before the horse engaged in any official trial or race, the obtaining of written confirmation from its previous trainer or relevant person that no prohibited substance had been administered such that he or she was reasonably able to determine not to withdraw the horse from such official trial or race.

AR 242 Prohibited substance in sample taken from horse at any time

If a prohibited substance on Prohibited List A is detected in a sample taken at any time from a horse being trained by a licensed person:

(a) the trainer and any other person who was in charge of the horse at the relevant time breaches these Australian Rules, unless that trainer or other person satisfies the relevant PRA or the Stewards that he or she took all proper precautions to prevent the administration of the prohibited substance to the horse;

(b) the horse may be disqualified from any race in which it has competed since the taking of the sample if, 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.

<u>Division 3 – Administration offences</u>

AR 243 Administration of prohibited substance (general administration provision)

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of,

a prohibited substance on Prohibited List A to a horse being trained by a trainer.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 244 Administration of prohibited substance to affect race performance

(1) A person must not:

(a) administer; or

(b) cause to be administered,

a prohibited substance on Prohibited List A and/or Prohibited List B to a horse for the purpose of affecting the performance or behaviour of the horse in a race, or of preventing it starting in a race.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 3 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

AR 245 Administration of prohibited substance in sample taken from horse before/after running in race

(1) A person must not:

(a) administer; or

(b) cause to be administered,

a prohibited substance on Prohibited List A and/or Prohibited List B to a horse which is detected in a sample taken from the horse prior to or following the running of a race.

(2) If:

(a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or

(b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,

is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that a breach of subrule (1) has not been committed if, on the basis of scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

AR 246 Administration of prohibited substance after running of race

A person must not, following the running of a horse in a race and without the express permission of the Stewards:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration of,

a prohibited substance on Prohibited List A and/or Prohibited List B to the horse:

(i) on the racecourse where the race meeting is being conducted; or

(ii) in any motor vehicle or horse float or other mode of transport used for the purpose of conveying that horse or other horses to and/or from that race meeting.

AR 247 Administration of alkalinising agents

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration or attempted administration of,

an alkalinising agent in any manner to a horse which is engaged to run in any race, official trial or jump-out:

(i) at any time on the day of the scheduled race, official trial or jump-out and prior to the start of that event; and/or

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial, or jump-out.

(2) If the Stewards are satisfied that a horse has, or is likely to have been, administered an alkalinising agent in breach of subrule (1), they may prevent the horse from starting in any relevant race, official trial or jump-out.

(3) Where a horse has been administered an alkalinising agent in breach of subrule (1), the horse may be disqualified from any relevant race in which the horse competed.

(4) For the purposes of this rule, "alkalinising agent":

(a) means any substance that may elevate the plasma total carbon dioxide (TCO_2) 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 includes 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 manufacturer's

recommendations for normal daily use, which Stewards are satisfied have a negligible effect on plasma TCO_2; 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_2 concentration in a horse in excess of the threshold set out in paragraph 1 of Schedule 1, Part 2, Division 3 to these Australian Rules.

AR 248 Administration of anabolic androgenic steroids

(1) A person must not:

(a) administer;

(b) cause to be administered;

(c) attempt to administer; or

(d) be a party to the administration or attempted administration of,

an anabolic androgenic steroid to a horse.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 2 years must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

(3) If the Stewards are satisfied that a horse has been, or is likely to have been, administered an anabolic androgenic steroid, the Stewards may prevent the horse from starting in any race, official trial or jump-out.

(4) If 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, official trial or jump-out:

(a) for a period of not less than 12 months from the date of the collection of the sample; and

(b) until after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.

(5) An owner, lessee, nominator, trainer and/or other person in charge of a horse must not, when directed by the Stewards or another official employed or engaged by a PRA, fail to produce or otherwise give full access to the horse so that a sample can be taken and analysed to determine whether any anabolic androgenic steroid is in the system of the horse.

(6) Subrule (5) requires an owner, lessee, nominator, trainer or other person in charge of a horse 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) If an owner, lessee, nominator, trainer and/or other person in charge of a horse breaches subrule (5), the horse will not be permitted to start in any race, official trial or jump-out:

(a) for a period of not less than 12 months following the day that the horse is produced or made fully accessible to the Stewards or another official employed or engaged by a PRA, so that a sample can be taken and analysed to determine whether any anabolic androgenic steroid is in the system of the horse; and

(b) until after an Anabolic Androgenic Steroid Clearing Certificate is provided in respect of a sample taken from the horse on a date directed by a PRA or the Stewards.

(8) If:

(a) testosterone (including both free testosterone and testosterone liberated from its conjugates) above the mass concentration set out in paragraph 7(a) or (b) of Schedule 1, Part 2, Division 3 (as applicable); or

(b) hydrocortisone above the mass concentration set out in paragraph 6 of Schedule 1, Part 2, Division 3,

is detected in a sample taken from a horse prior to or following its running in any race, a PRA or the Stewards retain a discretion to find that the provisions of this rule do not apply if, on the basis of

scientific and analytical evidence available to them, they are satisfied that the level in the sample was of endogenous origin and/or as a result of endogenous activity.

AR 249 Administration of medication on race day

(1) Notwithstanding the provisions set out in Schedule 1, Part 2, Division 2, a person must not, without the permission of the Stewards:

(a) administer; or

(b) cause to be administered,

any medication to a horse at any time on race day prior to the commencement of a race in which the horse is engaged to race.

(2) If a person breaches subrule (1), a disqualification for a period of not less than 6 months must be imposed, unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

(3) The Stewards may order that a horse which has received a medication in breach of subrule (1) be scratched from a race engagement.

<u>Division 4 – Possession offences</u>

AR 250 Possession of prohibited substance

A person must not have in his or her possession:

(a) a prohibited substance on Prohibited List A; or

(b) a substance or preparation containing a prohibited substance on Prohibited List A.

AR 251 Possession of a prohibited substance/equipment at race meeting

(1) A person must not, without the written permission of the Stewards, have in his or her possession:

(a) on a racecourse where a race meeting is being conducted; or

(b) in any motor vehicle, horse float or other mode of transport used for the purpose of transporting a horse/s to and/or from a race meeting,

any prohibited substance, or a syringe, needle, naso-gastric tube or other instrument that could be used:

(i) to administer a prohibited substance to a horse; or

(ii) to produce a prohibited substance in a horse.

(2) The Stewards may at their discretion give written permission (and may impose terms or conditions on that permission) to a person to have in his or her possession:

(a) on a racecourse where a race meeting is being conducted; or

(b) in any motor vehicle, horse float or other mode of transport used for the purpose of transporting a horse/s to and/or from a race meeting,

any prohibited substance or a syringe, needle, naso-gastric tube or other instrument that could be used:

(i) to administer a prohibited substance to a horse; or

(ii) to produce a prohibited substance in a horse.

(3) A person must comply with any term or condition imposed on any permission given by the Stewards under subrule (2).

(4) Any substances or items related to this rule may be confiscated by the Stewards.

AR 252 Possession of medication/substance/preparation in breach of legislation

(1) A person must not have in his or her possession or on his or her premises any medication, substance or preparation which has not been registered, labelled, prescribed, dispensed or obtained in accordance with applicable Commonwealth and State legislation.

(2) The Stewards may confiscate any medication, substance or preparation referred to in subrule (1), and use it as evidence in any inquiry, hearing or other proceeding under the Rules.

Division 5 – Testing for anabolic androgenic steroids before registration

AR 253 Testing for anabolic androgenic steroids before registration

(1) This rule applies to all eligible horses.

(2) The Stewards or another official employed or engaged by a PRA 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) If a horse is not produced to provide a sample as directed under subrule (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, once registered with Racing Australia under these Australian Rules, is permitted under these Australian Rules to start in a race (and subject to any further conditions imposed by a PRA or the Stewards in their discretion); and

(ii) the date on which the horse is 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 on a date directed by a PRA or the Stewards.

(4) If an anabolic androgenic steroid (other than an anabolic androgenic steroid at or below a permitted threshold identified in Schedule 1, Part 1, Division 3) is detected in a sample taken at any time from a horse, the horse is ineligible to start in any race, official trial or jump-out:

(a) until at least 12 months after the latter of:

(i) the date on which the horse, once registered with Racing Australia pursuant to these Australian Rules, is permitted under these Australian Rules to start in a race (and 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 on a date directed by a PRA or the Stewards.

(5) If directed under subrule (2) by the Stewards or another official employed or engaged by a PRA, a person must produce, or otherwise give full access to a horse so that a sample may be taken and analysed to determine whether any anabolic androgenic steroid is in the system of the horse.

(6) Subrule (5) requires an owner, lessee, nominator and/or trainer to produce a horse, or otherwise give full access to a 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.

Division 6 – Injections

AR 254 Injections prohibited at certain times

(1) A person must not, without the permission of the Stewards:

(a) inject;

(b) cause to be injected;

(c) attempt to inject; or

(d) be a party to the injection or attempted injection of,

a horse engaged to run in any race:

(i) at any time on the day of the scheduled race and prior to the start of that race; and/or

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race.

(2) If a person breaches subrule (1), or the Stewards reasonably suspect that such a breach has been committed, they may order the scratching of the horse from the relevant race.

(3) If a person breaches subrule (1), but the horse competes in the race, the horse may be disqualified from the race.

(4) For the purposes of this rule:

(a) "inject" 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.

Division 7 – Stomach-tubing

AR 255 Stomach-tubing prohibited at certain times

(1) A person must not, without the permission of the Stewards:

(a) stomach-tube;

(b) cause the stomach-tubing of;

(c) attempt to stomach-tube; or

(d) be a party to the stomach-tubing or attempted stomach-tubing of,

a horse engaged to run in a race, official trial or jump-out:

(i) at any time on the day of the race, official trial or jump-out and prior to the start of that event; and/or

(ii) at any time during the 1 clear day prior to 12.00am on the day of the scheduled race, official trial or jump-out.

(2) Provided that the stomach-tubing or attempted stomach-tubing occurred on race day or during the 1 clear day prior to 12.00am on race day for a horse engaged to run in a race on that race day, if a person breaches subrule (1) a disqualification of not less than 12 months must be imposed (other than where the person is not, in the opinion of a PRA (or a person employed or engaged by a PRA) or the Stewards, the principal offender), unless there is a finding that a special circumstance exists, in which case that penalty may be reduced.

(3) If the Stewards are satisfied that a horse:

(a) has, or is likely to have, been stomach-tubed in breach of subrule (1), they may prevent it from starting in any race, official trial or jump-out;

(b) has been stomach-tubed in breach of subrule (1), it may be disqualified from the race that it started in.

Division 8 – Supply and procurement offences

AR 256 – Prohibition on supply and procurement of certain substances/preparations

(1) A person must not:

(a) supply;

(b) attempt to supply; or

(c) be a party to the supply or attempted supply of,

any substance or preparation to another person (including but not limited to, a trainer or any person on behalf of a trainer), which is:

(i) a prohibited substance on Prohibited List A;

(ii) a substance or preparation containing a prohibited substance on Prohibited List A; or

(iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).

(2) A person must not:

(a) procure;

(b) attempt to procure; or

(c) be a party to the procuring or attempted procuring of,

any of the following:

(i) a prohibited substance on Prohibited List A;

(ii) a substance or preparation containing a prohibited substance on Prohibited List A; or

(iii) a substance or preparation that is not permitted to be in a person's possession or on a person's premises in accordance with AR 252(1).

(3) For the purposes of this rule:

(a) "supply" includes the selling, giving, transporting, sending, delivering or distributing (or possessing for any such purpose) of a substance or preparation;

(b) "procure" includes the purchase and/or receipt of a substance or preparation.

Division 9 – Therapeutic substances

AR 257 Therapeutic substances

(1) For analysis 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 must be conducted by an Official Racing Laboratory in accordance with the following procedure:

(a) the relevant biological matrix, equivalent in volume to the portion or aliquot of the sample being tested, 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 portion or aliquot of the sample is then to be tested to determine 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 in the sample is not to be reported on a Certificate of Analysis;

(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 is to be promulgated and published from time to time by Racing Australia.

(4) The screening limit testing provided for in this rule is not intended to and does not operate to mean that for the purpose of the Rules the relevant therapeutic substance only becomes a prohibited substance if and when the screening limit is exceeded.

(5) It is no defence to an alleged breach of AR 240 or AR 241 that the result of any initial screening test or screening analysis should have been below the screening limit for the therapeutic substance in question.

AR 257A Prohibition on blood doping

(1) A person must not:

(a) withdraw and re-infuse; or

(b) withdraw, manipulate and re-infuse,

homologous, heterologous, or autologous blood, blood products or blood cells into the circulatory system of a horse.

(2) A person must not administer any quantity of homologous, heterologous, or autologous blood, blood products or blood cells of any origin into the circulatory system of a horse.

(3) Notwithstanding subrules (1) and (2), a PRA or the Stewards may find that it is a complete defence to a charge laid under subrule (1) or (2) if in their opinion:

(a) the relevant conduct was for life-saving purposes; and/or

(b) the relevant conduct was part of a veterinary regenerative therapy for the treatment of musculoskeletal injury or disease administered by or under the supervision of a qualified veterinary surgeon.

[added 1/1/20]

PART 12 – SAMPLE ANALYSIS & FACILITATION OF PROOF

Division 1 – General rules

AR 258 General rules

(1) Samples may be analysed by a PRA or the Stewards, including without limitation for the purposes of identifying prohibited substances and/or prohibited methods referred to in these Australian Rules and to assist to profile relevant parameters in a horse's urine, blood, hair or other matrix. This applies to all samples, which includes stored samples (being samples or portions of a sample stored and/or retained, including for future analysis for purposes consistent with the Rules).

(2) Subject to AR 259(10), samples taken from a horse by a PRA, the Stewards, or other persons authorised by a PRA, must be analysed by an Official Racing Laboratory.

(3) All samples taken from horses for the purposes of these Australian Rules are the property of the PRA of the State or Territory in which the sample was taken.

(4) A sample may be stored, frozen, or otherwise dealt with in a manner a PRA or the Stewards consider appropriate, and may be disposed of as a PRA or the Stewards think fit.

Division 2 – Sample analysis and facilitation of proof

AR 259 Sample analysis and facilitation of proof

(1) A sample taken from a horse ("relevant sample") may be provided by or at the direction of a PRA or the Stewards to an Official Racing Laboratory ("First Laboratory").

(2) A portion or aliquot of the relevant sample analysed by the First Laboratory will be referred to as the "A Portion".

(3) As soon as practicable after analysis of the A Portion is complete, the First Laboratory must notify its findings to the PRA or the Stewards from whom the relevant sample was received, by providing a written record in the nature of a Certificate of Analysis ("First Certificate of Analysis").

(4) A second portion or aliquot of the relevant sample, together with any control of the relevant sample, may be provided by the First Laboratory to another Official Racing Laboratory ("Second Laboratory") for confirmatory analysis by it. Where that is done, the second portion or aliquot of the relevant sample provided to the Second Laboratory will be referred to as the "Reserve Portion".

(5) As soon as practicable after analysis of the Reserve Portion is complete, the Second Laboratory must notify its findings, by providing a written record in the nature of a Certificate of Analysis ("Second Certificate of Analysis"), to:

   (a) the PRA or the Stewards that provided the relevant sample to the First Laboratory; or

   (b) the First Laboratory, which must then provide a copy of that certificate to the PRA or the Stewards that provided the relevant sample to the First Laboratory.

(6) If the results stated in the Second Certificate of Analysis confirm that:

   (a) the prohibited substance detected in the Reserve Portion is the same as the prohibited substance detected in the A Portion; and

   (b) the prohibited substance detected in the A Portion and the Reserve Portion is not detected and quantified in any control of the relevant sample,

   then the provision of the Second Certificate of Analysis will, together with the First Certificate of Analysis, constitute *prima facie* evidence that the relevant sample contains a prohibited substance.

(7) If only one Official Racing Laboratory is either able, or available, to analyse both the A Portion and the Reserve Portion, then that laboratory can analyse both the A Portion and the Reserve Portion, provided that they are each analysed by separate qualified analysts or groups of analysts (so that no one analyst or group of analysts participates in the analysis of both the A Portion and the Reserve Portion).

(8) If a Certificate of Analysis states that a prohibited substance was detected in a sample, the PRA or the Stewards which receive the result must communicate that to the trainer of the relevant horse as soon as reasonably practicable.

(9) Nothing in AR 258 or subrules (1) to (8), including a PRA, the Stewards and/or an Official Racing Laboratory not following any procedures set out in those subrules, precludes a PRA and/or the Stewards from charging a person with breaching these Australian Rules and/or establishing:

(a) that a horse was administered a prohibited substance; or

(b) that a horse was not presented to start in a race, official trial, jump-out or attend another form of test free of prohibited substances; or

(c) that a horse had at a particular time a prohibited substance in its system,

in ways other than through relying on the *prima facie* evidentiary effect of two Certificates of Analysis which is stated in subrule (6).

(10) A PRA or the Stewards may retain a sample, or portion or aliquot of a sample, taken from a horse for their own purposes, including without limitation to conduct their own testing or analyses (including screening tests). It is a matter of the discretion of a PRA or the Stewards as to whether they communicate the results of their own internal analyses within a reasonable time of them being received, or at all. Those analyses may be used at the discretion of a PRA or the Stewards, including for the purpose of investigations, inquiries, intelligence and/or prosecuting breaches of these Australian Rules. If an internal analysis is used to prosecute a breach of these Australian Rules, the relevant PRA or the Stewards must communicate the results of that analysis to the person/s the subject of the prosecution.

(11) Retesting of a sample, or portion or aliquot of a sample, is permitted to occur under these Australian Rules. Where that is done, the evidentiary effect stated in subrule (6) is able to be relied on where the results of two Certificates of Analysis record that a prohibited substance is detected in a sample.

(12) If a prohibited substance is detected in a stored sample submitted or resubmitted for testing and that sample was taken from a horse prior to or following its running in any race, whether or not the horse is to be disqualified from a race it took part in is a matter for the discretion of a PRA or the Stewards.

(13) Any sample taken from a horse prior to the date on which this rule takes effect which has not been analysed as at that date must be dealt with in accordance with subrules (1) to (12), provided that if a portion or aliquot of the sample has been analysed prior to this rule taking effect, the rules in force immediately prior to that date apply in respect of analysing the sample and proving that it contains a prohibited substance.

Note: *By way of example, if, as at 1 March 2019, the A Portion has been analysed but the Reserve Portion has not been analysed, a PRA or the Stewards must rely on the rules in force prior to that date to analyse the sample taken from the horse and prove that it contains a prohibited substance.*

PART 13 – DISCIPLINARY PROCESSES, PENALTIES & RESTRICTIONS

Division 1 – Evidentiary and procedural provisions in relation to disciplinary matters

AR 260 Publication of penalties

A PRA or the Stewards may accept as *prima facie* evidence of a penalty (unless the contrary is proved) either:

(a) written confirmation from a PRA to the effect that it has imposed or adopted a penalty; or

(b) the authorised publication (electronically or otherwise) by Racing Australia or a PRA to the effect that a penalty has been imposed or adopted.

AR 261 Recognition of penalties imposed overseas

(1) The recognition in Australia of written confirmation or notice from an Overseas Racing Authority in relation to the imposition by the Overseas Racing Authority of a suspension, disqualification, or other penalty on a person ("Notice of Penalty") must proceed in accordance with this rule.

(2) If the PRA that receives a Notice of Penalty from an Overseas Racing Authority is not the PRA that most recently licensed (for a continuous period of not less than 3 months) the person identified in the notice, the recipient PRA must forward a copy of the Notice of Penalty to the PRA which most recently licensed the person for not less than 3 months.

(3) If the person named in the Notice of Penalty has not previously been licensed by a PRA for a continuous period of 3 months or more, the PRA that receives the Notice of Penalty must deal with it.

(4) As soon as practicable after receiving the Notice of Penalty, and not later than 7 days after receipt, the relevant PRA must:

  (a) serve a copy of it on the person named in it; and

  (b) advise the person of the provisions of this rule.

(5) Unless an application is made by a person under subrule (7), the PRA who served the Notice of Penalty under subrule (4) must:

  (a) apply the penalty set out in the Notice of Penalty within the State or Territory which that PRA administers;

  (b) inform all other PRAs of the application of the penalty under subrule (5)(a).

(6) After receiving the information referred to in subrule (5)(b), all recipient PRAs must immediately apply the penalty within the State or Territory administered by it.

(7) The person named in a Notice of Penalty served under subrule (4) ("applicant") may apply to the PRA which most recently licensed the person for a declaration that the penalty set out in the Notice of Penalty:

  (a) not be applied at all by that PRA within its State of Territory; or

  (b) be applied only in part by that PRA within its State of Territory,

  ("application").

(8) Subject to subrule (11)(a), any application must:

  (a) be made within 14 days of the date of service of a Notice of Penalty under subrule (4);

  (b) be accompanied by a statement confirming that the applicant has exhausted all avenues of appeal provided for under the rules of the Overseas Racing Authority which imposed the initial penalty;

  (c) set out the ground/s on which the application is made; and

  (d) set out, including by reference to subrules (7(a) and (b)), the terms of any orders or declarations sought.

(9) On receipt of an application, the PRA who receives the application may, in its absolute discretion, determine that the penalty set out in the Notice of Penalty is not to be applied within the State or Territory it administers, pending the hearing of the application.

(10) Within 7 days of the receipt of an application, the PRA which receives the application must hear and determine the matter.

(11) At the hearing of an application:

(a) the PRA may, if requested by the applicant, waive compliance with the provisions of all of some of subrule (8) as it thinks fit;

(b) the applicant may:

(i) with the permission of the PRA, be represented by a legal practitioner or agent;

(ii) give oral evidence;

(iii) adduce other oral or written evidence;

(iv) make oral or written submissions in support of the application.

(12) At the conclusion of the hearing of an application, the PRA must:

(a) if satisfied that there are exceptional circumstances, order that the application be granted and make the orders or declarations sought;

(b) otherwise order that the application be dismissed.

(13) For the purposes of subrule (12), the onus of establishing exceptional circumstances is upon the applicant.

(14) If any order/s or declaration/s under subrule (12) are made, the PRA to which the application was made is required to notify all other PRAs of the terms of the order/s or declaration/s made.

(15) Once the notice referred to in subrule (14) is given, the order/s or declaration/s set out in that notice will apply within each of the States and Territories of the PRAs who receive that notice.

AR 262 Records of disqualifications, suspensions, and warning offs

Each PRA must retain, and from time to time publish either on its website or in an official publication authorised by it:

(a) a list of persons suspended, warned off or disqualified by it, or whose suspension or disqualification (as applicable) has been adopted by it;

(b) a list of horses disqualified by it, or whose disqualification has been adopted by it.

<u>Division 2 – Effects of penalties and restrictions imposed on persons and horses</u>

AR 263 Prohibitions on persons and their conduct while disqualified

(1) Unless otherwise authorised by the PRA which imposed a disqualification (and upon such conditions as that PRA may in its discretion impose), a person disqualified under these Australian Rules must not, during the period of that disqualification:

(a) enter upon a racecourse or training track owned, operated or controlled by a PRA or Club or on any land used in connection with those properties;

(b) enter upon any training premises, complex or establishment of a PRA, Club or licensed person;

(c) be an office holder, official, member or employee of any PRA or Club or participate in the business of any PRA, Club, or any other racing disciplinary body;

(d) be employed by, or otherwise engaged to provide any service in any capacity to any thoroughbred racing stable;

(e) ride any horse in any race, official trial, jump-out or test;

(f) enter or nominate a 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 horse;

(k) open a betting account, operate an existing betting account, transact a bet or have a bet transacted on his or her behalf, have any interest in or share in any bet, and/or 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 horse sales or related events;

(n) permit or authorise any other person to conduct any activity associated with thoroughbred racing, thoroughbred 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 subrule (1), the PRA or the body which imposed the disqualification may order the disqualified person:

(a) not to participate in social or mainstream media in relation to any matter in connection with racing or wagering;

(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, interests, integrity or welfare of racing,

and the disqualified person must comply with any such order.

(3) Except with the consent of the PRA that imposed a disqualification, a person who in the opinion of the relevant PRA or the Stewards is a close associate of a disqualified person, must not train or race any horse.

(4) Unless otherwise determined by the PRA that imposed or adopted a penalty, if a person breaches subrule (1), the period of disqualification imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.

(5) The provisions of subrule (4) apply to any person to whom subrule (1) applies, regardless of when the penalty that gives rise to the application of the rule was imposed.

(6) Notwithstanding the provisions of this rule:

(a) if a lessor is a disqualified person, or in the opinion of a PRA or the Stewards is a close associate of a disqualified person, a PRA may in its discretion waive the operation of the provisions of this rule in favour of a person who leases a horse from that lessor either in respect of a particular race meeting or otherwise during the currency of the lease; and

(b) if the discretion referred to in subrule (6)(a) is exercised in favour of a lessee then:

(i) if the lessor's horse wins any stake or prize money, the amount of the stake or prize money will be reduced by the amount or proportion of it to which the lessor would otherwise be entitled pursuant to any written or oral agreement entered into between the lessor and the lessee in respect of the horse; and

(ii) no part of a stake or prize money as referred to in subrule (6)(b)(i) is to be payable to the lessor nor be recoverable by the lessor from any PRA, Club, the lessee, or any other person.

LR 101A Consent under AR 263(3)

For the purposes of AR 263(3), the PRA is only to provide consent if exceptional circumstances exist. For clarity, but not exclusively, exceptional circumstances cannot exist for the purposes of this rule if any of the below exist:

(1) an application to train horses is made within one year of the relevant disqualification being imposed;
(2) the training of horses is to occur at any training facility previously used by the disqualified person;
(3) the training of horses is to occur under or through the same company as previously used by the disqualified person;
(4) the person seeking to train horses resides with the disqualified person;
(5) the person seeking to race a horse owns more than 50% of the horse.

[LR 101A added 23/7/19]

AR 264 No betting by a bookmaker with disqualified persons

A bookmaker must not bet with a disqualified person, whether in person, online, by telephone, or using any other device or medium.

AR 265 Restrictions that apply to those warned off the same as those disqualified

A person warned off by a PRA is subject to the same restrictions or consequences applicable to a person disqualified in accordance with the Rules.

AR 266 Prohibitions on conduct of riders during period of suspension

(1) Unless otherwise ordered, during the period of a rider's suspension the rider cannot ride in any race, official trial, jump-out or trackwork, except if the terms of the rider's suspension are that the rider is suspended from riding in races only.

(2) Except with the consent of a PRA or the Stewards who imposed a suspension, a rider is not permitted to be registered as a stablehand or be employed or work in any racing stable during the period of that rider's suspension.

AR 267 Prohibitions on conduct of trainers during period of suspension

Unless otherwise authorised by the PRA or the Stewards in whose territory a suspension was imposed on a trainer (and upon such conditions as the PRA or the Stewards may in their discretion impose), a suspended trainer must not, during the period of that suspension:

(a) as a trainer or permit holder, nominate a horse for a race, official trial or jump-out;

(b) train, or participate in any way in the training or preparation for racing of, a horse (including without limitation the giving of instructions);

(c) be registered as a stablehand;

(d) be employed by, or otherwise engaged to provide any service in any capacity to, any thoroughbred racing stable; or

(e) enter the mounting yard, scales area or horse stall area at a racecourse, save that a suspended trainer may enter such an area if he or she is the owner of a horse in that area.

[deleted and replaced 01/02/21]

AR 268 Prohibitions on conduct of bookmakers during suspension

A bookmaker suspended by a PRA or the Stewards (or any relevant supervising body) must not field at or in respect of any race meeting conducted under the Rules, or be in any way concerned with the operations of a bookmaker during the period of suspension.

AR 269 Prohibitions on conduct of stablehands during suspension

Unless otherwise permitted by a PRA or the Stewards, and on conditions they think fit, a suspended stablehand must not work in any racing stable during the period of that person's suspension.

LR 102 Owners and trainers must not employ disqualified persons

An owner or trainer must not without the consent of the Directors employ or keep in his or her employment any person who is and remains disqualified.

AR 270 Orders that can be made in relation to a suspended person

In addition to any of the restrictions that may apply to a suspended person under the Rules, the PRA 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 or mainstream media in relation to any matter in connection with racing or wagering; and
(3) to comply with such conditions as may be necessary or desirable to prevent conduct by the suspended person that could be prejudicial to the image, interests, integrity or welfare of racing,

and the suspended person must comply with any such order.

AR 270A Penalty for breach of terms of suspension

(1) Except with the consent of the PRA or the Stewards in whose territory a suspension was imposed, a suspended person must not during the period of the suspension contravene any of the Rules in respect of, or the terms or conditions of, the suspension.
(2) Unless otherwise determined by the PRA or the Stewards in whose territory a suspension was imposed or adopted, if a person breaches subrule (1), the period of suspension imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.
(3) The provisions of subrules (1) and (2) apply to any suspended person, regardless of when the suspension was imposed.

[added 1/1/20]

AR 271 Effect of court proceeding on disqualifications or suspensions

(1) If, in relation to a disqualification or suspension imposed under these Australian Rules, a court makes an order or declaration which affects the fact of or operation of such a disqualification or suspension, then the time during which the disqualification or suspension would but for the court order or declaration have been effective will not be included in calculating the duration of the disqualification or suspension.
(2) The provisions of subrule (1) apply in relation to court orders or declarations which include:
    (a) that the disqualification or suspension is, or is not, operative; or
    (b) that the disqualification or suspension is not to be enforced or acted upon either generally or for any specified period of time; or
    (c) that the disqualification or suspension is to be for a limited period of time.
(3) If an order of a court ceases to have effect for any reason, then, subject to any order a court may make or may have made, the duration of a disqualification or suspension is to commence to run, or resume running, from the date when that order ceases to have effect.

AR 272 Effect of bonus payable to a disqualified person

A horse is not to be disqualified from a race by reason only of a bonus payable under the conditions of the race to a disqualified person as breeder or nominator of the sire, and in the event of that horse winning or being placed, any bonus applicable is to be withheld and paid to the nominator of the horse.

AR 273 A horse cannot participate while disqualified

A horse disqualified by a PRA or the Stewards cannot be entered or run in any race held under these Australian Rules or be trained on any racecourse, training track or training facility where these Australian Rules are in force.

AR 274 Effect of prize otherwise awarded if a horse is disqualified

If a horse is disqualified from a particular race, or for anything occurring in a race, the prize or money (including any proportion the horse's rider would have been entitled to) is to be awarded as though that horse had not started in the race.

AR 275 Effect on a horse of disqualification of a person associated with the horse

(1) If a PRA disqualifies a person, it may disqualify any horse the disqualified person has an interest in for the same or any other period of time.

(2) Notice of every general disqualification of horses and their names (when they can be ascertained) is required to be included in the List of Disqualifications, but the omission of any horse's name does not affect the restrictions which are part of that disqualification.

LR 103 Effect of disqualification on prizemoney

(1) A person who is disqualified for any breach of the Rules relating to a horse forfeits and must return all money and prizes which such horse has won in any race after such disqualification (and until the period of disqualification ends).

(2) The Directors may waive the application of LR 103(1) in respect of a lessee to such extent as the Directors think fit.

AR 276 Effect of disqualified or suspended trainer on horses

(1) The disqualification of a trainer or the suspension of a trainer's licence does not of itself render ineligible for racing a horse which at the time of the disqualification or suspension was being trained by the trainer, and in which the trainer had no interest other than as trainer, provided that the horse is removed as soon as practicable to the possession of another trainer who is expressly approved by a PRA to train that horse.

(2) For the purposes of this rule, "being trained" includes any horse the disqualified or suspended trainer was responsible for the care and control of, and/or any horse for which a current Stable Return has been lodged declaring the horse to be trained by the disqualified or suspended trainer.

AR 277 Discretion in relation to suspensions

(1) A PRA or the Stewards may suspend any licence, right or privilege granted under the Rules for any term they think fit so far as it relates to the racecourses or race meetings controlled by them.

(2) A suspension referred to in subrule (1) may be disallowed or removed by a PRA.

AR 278 Disqualified person bound by the Rules during disqualification

(1) Subject to subrule (2), if a licensed person is disqualified, that person's licence immediately ceases and becomes void, and the person must make application to a PRA to be relicensed in order to be granted a new licence.

(2) For the duration of a period of disqualification, a disqualified person is and remains bound by, and subject to, the Rules.

AR 279 No damages for decisions made under the Rules

(1) A person is not entitled to make any claim for damages by reason or in consequence of the imposition, annulment, removal, variation, or remission of any decision made, or penalty, restriction or sanction imposed or purporting to be imposed, under the Rules.

(2) No PRA, Steward, Club, or official 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, function or discretion conferred or imposed, or bona-fide believed to have been conferred or imposed, under the Rules.

LR 104A Commencement of suspensions

(1) Subject to LR 104B and these Rules, the commencement of a suspension imposed by the Stewards upon a rider for a riding or whip offence under these Rules shall take effect from midnight on the date that the Stewards made their decision to suspend the rider unless the Stewards in their discretion otherwise require the suspension to take immediate effect.

(2) If the Stewards impose a suspension on a rider for a particular number of race meetings, the duration of that suspension will be determined by calculating the race meetings as scheduled at the time the suspension was imposed, irrespective of whether a race meeting is subsequently abandoned, transferred or otherwise changes during the period of suspension or deferment.

[replaced 24/3/2020]

LR 104B Deferment of suspensions

(1) Where:

(a) a rider receives a period of suspension imposed by the Stewards under these Rules for an incident that occurred on any day other than Derby Day or Melbourne Cup Day; and

(b) at the time that the Stewards determined to suspend the rider, the rider holds an engagement or engagements to ride,

then that period of suspension can be deferred by the Stewards, in their discretion, until the rider has fulfilled all of their riding engagements, but the period of deferment must not be more than nine days following the issue of the suspension. If that rider:

(c) has riding engagements the day following the issue of the suspension, they must fulfil those engagements; and

(d) is able to obtain release(s) from the owner(s) or trainer(s) involved from other riding engagements (two days to nine days following the issuing of the suspension), and the rider notifies the Stewards of this, then the period of suspension may (in the Stewards' discretion) begin as soon as all riding engagements have been released.

(2) Where:

(a) a rider receives a period of suspension imposed by the Stewards under these Rules for an incident that occurred on Derby Day or Melbourne Cup Day; and

(b) at the time that the Stewards determined to suspend the rider, final acceptances have been taken and the rider holds an engagement or engagements and is declared to ride, and the rider has notified the Stewards of such engagement(s),

then that period of suspension can be deferred by the Stewards, in their discretion, until the rider has fulfilled all of their declared rides, but the period of deferment must not be more than three days following the issue of the suspension. If that rider:

(c) has riding engagements the day following the issue of the suspension, they must fulfil those engagements; and

(d) is able to obtain release(s) from the owner(s) or trainer(s) involved from other riding engagements (two days to three days following the issuing of the suspension), and the rider notifies the Stewards of this, then the period of suspension may (in the Stewards' discretion) begin as soon as all riding engagements have been released.

LR 104C Overseas Riding Commitments

Where:

(a) a rider receives a period of suspension imposed by the Stewards under these Rules for an incident that occurred on Derby Day or Melbourne Cup Day; and

(b) that rider has an existing riding commitment(s) outside of Australia at the time the suspension is imposed,

the Stewards may in their discretion allow that rider to fulfil that existing overseas riding commitment(s) outside of Australia during the term of the suspension imposed (but only during the first seven days of the period of suspension), and the Stewards may take the use of this Rule into account when determining the period of suspension to be issued.

Division 3 – Stewards' hearings and appeal rights

AR 280 Appeals to a PRA

(1) Subject to subrule (2) and the Rules, a person to whom a decision relates may appeal to a PRA in respect of:
   (a) a penalty imposed by a PRA or the Stewards; or
   (b) a restriction imposed by a PRA or the Stewards in relation to a horse in which the person has an interest.

(2) There is no right of appeal against a decision of the Stewards in relation to:
   (a) a protest against placed horses arising out of an incident or incidents occurring during the running of a race;
   (b) a restriction imposed on a horse which provides that the horse is required to pass a specified trial, test or examination;
   (c) the eligibility of any horse to run in any race;
   (d) a declaration under AR 204(1).

AR 281 Legal representation at Stewards' inquiries or hearings

(1) A person attending or required to attend an inquiry or hearing conducted by the Stewards is not entitled to be represented by any other person, whether a member of the legal profession or otherwise.

(2) Notwithstanding subrule (1), an apprentice jockey may be represented at an inquiry or hearing conducted by the Stewards by the apprentice jockey's master or other trainer acting for his or her master.

AR 282 Consequences of findings can be suspended pending an appeal

When an appeal has been instituted against a disqualification or suspension imposed under these Australian Rules, the PRA concerned and any persons holding powers delegated by a PRA under AR 15(d) may, on terms they think fit, suspend or stay the operation in whole or in part of any restrictions upon disqualified or suspended persons and disqualified horses until the determination of the appeal.

Division 4 – Penalties

AR 283 Penalties

(1) Subject to subrule (3), a person or body authorised by the Rules to penalise any person may, unless the contrary is provided, impose:
   (a) a disqualification;
   (b) a suspension;
   (c) a reprimand; or
   (d) a fine not exceeding $100,000.

(2) Further to subrule (1), a disqualification or suspension may be supplemented by a fine.

(3) In respect of a breach of AR 132, the Stewards may, in addition to the penalties identified in subrules (1) and (2), order the forfeiture of the rider's riding fee and/or forfeiture of all or part of the rider's percentage of prize money, notwithstanding that the amount exceeds $100,000.

(4) Unless otherwise ordered by the person or body imposing the penalty, a disqualification or suspension imposed under subrules (1) to (3) is to be served cumulatively to any other suspension or disqualification.

(5) Any person or body authorised by the Rules to penalise a person may in respect of any penalty imposed in relation to the conduct of a person and other than in relation to a period of disqualification or a warning off, suspend the operation of that penalty either wholly or in part for a period not exceeding 2 years, on terms they think fit.

(6) Where a person breaches any of the rules listed below, a 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, in which case that penalty may be reduced:

(a) AR 115(1)(e): 2 years;

(b) AR 116(1): 2 years;

(c) AR 129(5): 3 years;

(d) AR 229(1)(b): 5 years;

(e) AR 231(2)(a): 2 years.

(f) AR 243(1): 2 years;

(g) AR 244(1): 3 years;

(h) AR 248(1): 2 years;

(i) AR 249(1): 6 months; and

(j) AR 255(1) (subject to the conditions in AR 255(2)): 12 months

(7) A person or body authorised by these Australian Rules to suspend or disqualify any trainer may defer the commencement of the period of suspension or disqualification for no more than 7 clear days following the day the suspension or disqualification was imposed, and upon terms and conditions considered fit.

(8) Notwithstanding that the commencement of a period of disqualification may be deferred under subrule (7), 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.

LR 105 Special circumstances relevant to the imposition of penalties under AR 283(6)

For the purpose of these Rules and the imposition of a penalty under AR 283(6), a special circumstance may be found if:

(a) the person has assisted the Stewards and/or Racing Victoria or has given an undertaking to assist, after the imposition of a penalty on that person, the Stewards and/or Racing Victoria in the investigation or prosecution of a breach of the Rules;

(b) the person has pleaded guilty at an early stage;

(c) the person proves on the balance of probabilities that at the time of the commission of the offence, he or she:

(i) had impaired mental functioning; or

(ii) was under duress,

that is causally linked to the breach of the Rule and substantially reduces his or her culpability; or

(d) in the interests of justice, the circumstances may be deemed or considered to be special.

AR 284 Defaulters in bets

A person found by a PRA or the Stewards to be a defaulter in bets may be disqualified until his or her default is cleared.

LR 106 Power to warn off

The power to disqualify any person includes the power to warn off such person.

LR 107 Person subject of an exclusion order

Any person who is the subject of an exclusion order made by the Chief Commissioner of Police under Division 5 of Part 1 of the Racing Act 1958 may, by order of the Stewards or Racing Victoria, be immediately (or from such time as the Stewards or Racing Victoria determine):

(a) warned off, disqualified or suspended; and/or

(b) excluded from attending any other race meeting held under these Rules,

for such time as the exclusion order remains in force.

LR 108 Exclusion from Courses and other places

The Stewards may exclude or eject from any Course and all places under their jurisdiction any person who is liable to expulsion under:

(a) the Rules;
(b) any regulations applicable at the Course; or
(c) any resolution of the Committee of the relevant Racing Club whether such resolution applies to:
    (i) general classes of persons or offences; or
    (ii) particular persons or offences.

SCHEDULES TO THE AUSTRALIAN RULES OF RACING

Schedule 1 – Prohibited Substances Lists & Exemptions/Thresholds

Schedule 2 – Trainer and Owner Reform Rules (TOR Rules)

Schedule 3 – Syndicate Rules (SR)

Schedule 4 – List of Restricted Races

Schedule 5 – Table of comparative provisions

SCHEDULE 1 – PROHIBITED SUBSTANCES LISTS & EXEMPTIONS/THRESHOLDS

PART 1 – SUBSTANCES PROHIBITED AT ALL TIMES

Division 1 – Prohibited List A

The substances set out below in this Division 1 are specified as prohibited substances.

1. Erythropoiesis-stimulating agents, including but not limited to erythropoietin (**EPO**), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta (*Mircera*).
2. Non-erythropoietic EPO-receptor agonists.
3. Hypoxia-inducible factor (HIF) stabilisers, including but not limited to cobalt and FG-4592.
4. HIF activators, including but not limited to argon and xenon.
5. Allosteric effectors of haemoglobin, including but not limited to ITPP (myo-inositol trispyrophosphate).
6. Oxygen carriers including but not limited to perfluorochemicals, efaproxiral and modified haemoglobin products.
7. Haematopoietic growth factors, including but not limited to filgrastim.
8. Insulins.
9. Growth hormones and their releasing factors.
10. Insulin-like growth factor-1.
11. Synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use in Australia.
12. Corticotrophins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide), and corticotrophin releasing factors.
13. Anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant thresholds set out in Schedule 1, Part 1, Division 3)
14. Selective androgen receptor modulators (SARMS).
15. Selective estrogen receptor modulators (SERMS).
16. Selective opioid receptor modulators (SORMS).
17. Peroxisome proliferator activated receptor δ (PPARδ) agonists, including but not limited to GW 1516.
18. AMPK activators, including but not limited to AICAR (5-amino-1-β-D-ribofuranosyl-imidazole-4-carboxamide).
19. Other agents that directly or indirectly affect or manipulate gene expression.
20. Agents modifying myostatin function, including but not limited to myostatin inhibitors.
21. Thymosin beta.
22. Venoms of any species or derivatives of them.
23. Zoledronic acid and any other bisphosphonate drugs not registered for veterinary use in Australia.
24. 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*.
25. Metabolites, artefacts and isomers of any of the substances identified in this list.

Note: *The above list needs to be read with the exemptions and thresholds set out below in Part 1, Divisions 2 and 3.*

Division 2 – Prohibited List A exemptions

The substances set out below in this Division 2, and their metabolites, artefacts and isomers, are exempt from Prohibited List A. (However, for the sake of clarity, those substances are specified as prohibited substances for the purposes of AR 240, AR 241, AR 244, AR 245, AR 246 and AR 251.)

1. Bufotenine.
2. Butorphanol.
3. 3-(2-dimethylaminoethyl)-4-hydroxyindole.
4. N,N-dimethyltryptamine.
5. Ketamine.
6. Methadone.
7. Morphine.
8. Pethidine.
9. Quinalbarbitone.

Division 3 – Prohibited List A thresholds (anabolic androgenic steroids)

The prohibited substances set out below in this Division 3 when present at or below their respective threshold are exempt from Prohibited List A.

1. In male horses other than geldings, free and glucuroconjugated 5α-estrane-3β, 17α-diol at a mass concentration of 45 micrograms per litre in urine when, at the screening stage, the free and glucuroconjugated 5α-estrane-3β, 17α-diol exceeds the free and glucuroconjugated 5,10 estrene-3β,17α-diol in the urine. *[subrule amended 1.6.19]*
2. Testosterone:
   (a) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
   (b) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;
   (c) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma; *[subrule amended 1.6.19]*
   (d) in fillies and mares that have been notified as pregnant under AR 84(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine, or free testosterone at any concentration in plasma. *[subrule amended 1.6.19]*
3. 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.

PART 2 – SUBSTANCES PROHIBITED ON RACE DAYS, CERTAIN TRIALS ETC

Division 1 – Prohibited List B

The substances set out below in this Division 1 are specified as prohibited substances.

1. Substances capable at any time of causing either directly or indirectly an action and/or effect within one or more of the following mammalian body systems:
   (a) the nervous system;
   (b) the cardiovascular system;
   (c) the respiratory system;
   (d) the digestive system;
   (e) the musculo-skeletal system;
   (f) the endocrine system;
   (g) the urinary system;
   (h) the reproductive system;
   (i) the blood system; and
   (j) the immune system.
2. Substances within, but not limited to, the following categories:
   (a) acidifying agents;
   (b) adrenergic blocking agents;
   (c) adrenergic stimulants;
   (d) agents affecting calcium and bone metabolism;
   (e) agents that directly or indirectly affect or manipulate gene expression;
   (f) alcohols;
   (g) alkalinising agents;
   (h) anabolic agents;
   (i) anaesthetic agents;
   (j) analgesics;
   (k) antiangina agents;
   (l) antianxiety agents;
   (m) antiarrhythmic agents;
   (n) anticholinergic agents;
   (o) anticoagulants;
   (p) anticonvulsants;
   (q) antidepressants;
   (r) antiemetics;
   (s) antifibrinolytic agents;
   (t) antihistamines;
   (u) antihypertensive agents;
   (v) anti-inflammatory agents;
   (w) antinauseants;
   (x) antineoplastic agents;
   (y) antipsychotic agents;
   (z) antipyretics;

(aa) antirheumatoid agents;
(bb) antispasmodic agents;
(cc) antithrombotic agents;
(dd) antitussive agents;
(ee) blood coagulants;
(ff) bronchodilators;
(gg) bronchospasm relaxants;
(hh) buffering agents;
(ii) central nervous system stimulants;
(jj) cholinergic agents;
(kk) corticosteroids;
(ll) depressants;
(mm) diuretics;
(nn) erectile dysfunction agents;
(oo) fibrinolytic agents;
(pp) haematopoietic agents;
(qq) haemostatic agents;
(rr) hormones (including trophic hormones) and their synthetic counterparts;
(ss) hypnotics;
(tt) hypoglycaemic agents;
(uu) hypolipidaemic agents;
(vv) immunomodifier;
(ww) masking agents;
(xx) muscle relaxants;
(yy) narcotic analgesics;
(zz) neuromuscular agents;
(aaa) oxygen carriers;
(bbb) plasma volume expanders;
(ccc) respiratory stimulants;
(ddd) sedatives;
(eee) stimulants;
(fff) sympathomimetic amines;
(ggg) tranquillisers;
(hhh) vasodilators;
(iii) vasopressor agents; and
(jjj) vitamins administered by injection.

3. Metabolites, artefacts and isomers of the substances set out in in paragraphs 1 and 2 of this Division 1.

Note: *The above list needs to be read with the exemptions and thresholds set out below in Part 2, Divisions 2 and 3.*

Division 2 – Prohibited List B exemptions

The substances set out below in this Division 2 are exempt from Prohibited List B.

1. Antimicrobials (antibiotics) and other antiinfective agents but not including procaine penicillin.

2. Antiparasitics approved and registered for use in horses.
3. Ranitidine.
4. Omeprazole.
5. Ambroxol.
6. Bromhexine.
7. Dembrexine.
8. Registered vaccines against infectious agents.
9. Orally administered glucosamine.
10. Orally administered chondroitin sulphate.
11. Altrenogest when administered to fillies and mares.

Division 3 – Prohibited List B thresholds

The prohibited substances set out below in this Division 3 when present at or below their respective threshold are exempt from Prohibited List B.

1. Alkalinising agents, when evidenced by total carbon dioxide (TCO_2) at a concentration of 36.0 millimoles per litre in plasma.
2. Arsenic at a mass concentration of 0.30 milligrams per litre in urine.
3. Dimethyl sulphoxide at a mass concentration of 15 milligrams per litre in urine or 1.0 milligrams per litre in plasma.
4. In male horses other than geldings, free and glucuroconjugated 5α-estrane-3β, 17α-diol at a mass concentration of 45 micrograms per litre in urine when, at the screening stage, the free and glucuroconjugated 5α-estrane-3β, 17α-diol exceeds the free and glucuroconjugated 5,10 estrene-3β,17α-diol in the urine. [replaced 1/6/19]
5. Salicylic acid at a mass concentration of 750 milligrams per litre in urine or 6.5 milligrams per litre in plasma.
6. Hydrocortisone at a mass concentration of 1.00 milligrams per litre in urine;
7. Testosterone:
   (a) in geldings: free testosterone and testosterone liberated from its conjugates at a mass concentration of 20 micrograms per litre in urine;
   (b) in fillies and mares: free testosterone and testosterone liberated from its conjugates at a mass concentration of 55 micrograms per litre in urine;
   (c) in geldings, fillies and mares: free testosterone at a mass concentration of 100 picograms per millilitre in plasma*; [subrule amended 1.6.19]*
   (d) in fillies and mares that have been notified as pregnant under AR 84(2): free testosterone and testosterone liberated from its conjugates at any concentration in urine, or free testosterone at any concentration in plasma. *[subrule amended 1.6.19]*
8. 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.
9. 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.
10. Not used. *[subrule amended 01/02/21]*
11. Cobalt at a mass concentration of 100 micrograms per litre in urine or 25 micrograms per litre in plasma.
12. Prednisolone (free prednisolone) at a mass concentration of 10 micrograms per litre in urine.
    [subrule added 1.6.19]

SCHEDULE 2 – TRAINER & OWNER REFORM RULES (TOR RULES)

TOR Rule 1 – Commencement and operation of the TOR

(1) The TOR, including the TOR Rules, will commence pursuant to these Australian Rules on the TOR Commencement Date.

(2) From the TOR Commencement Date:

(a) persons bound by these Australian Rules must comply with the TOR Rules;

(b) all trainers and owners (except exempt trainers and exempt owners) must comply with the STA and the STA is deemed to apply as between those trainers and owners subject to TOR Rule 1(4); and

(c) all co-owners, except for co-owners who have obtained their interest in a horse through a Promoter Syndicate and who do not own their interest in the horse with other owners who are not in a Promoter Syndicate, must comply with the COA and the COA is deemed to apply as between those co-owners subject to TOR Rule 1(5).

(3) Notwithstanding TOR Rule 1(2):

(a) specific terms of the STA can be excluded, varied or limited by agreement in writing between a trainer and an owner, provided that a trainer and owner cannot exclude, vary or limit the operation of any provision of these Australian Rules (including any of the TOR Rules); and

(b) specific terms of the COA can be excluded, varied or limited by agreement in writing by the co-owners of a horse if that is done in accordance with the terms of the COA, provided that co-owners cannot exclude, vary or limit the operation of any provision of these Australian Rules (including any of the TOR Rules).

(4) If a trainer and an owner:

(a) are, as at the TOR Commencement Date, party to a separate written agreement in relation to training services, they can in writing agree that the other agreement continues to operate after the TOR Commencement Date in conjunction with, or instead of, the STA; or

(b) enter, after the TOR Commencement Date, into a separate written agreement in relation to training services, they can in writing agree that the other agreement operates in conjunction with, or instead of, the STA,

provided that they are bound by, and must comply, with these Australian Rules (including the TOR Rules).

(5) If one or more of the co-owners:

(a) is, as at the TOR Commencement Date, party to a separate written agreement with other co-owners in respect of the horse ownership venture, the co-owners can agree in writing that the other agreement continues to operate after the TOR Commencement Date in conjunction with, or instead of, the COA; or

(b) enter, after the TOR Commencement Date, into a separate written agreement with other co-owners in respect of the horse ownership venture, the co-owners can in writing agree that the other agreement operates in conjunction with, or instead of, the COA, provided that they are bound by, and must comply with, these Australian Rules (including the TOR Rules).

(6) The TOR applies equally to a training partnership licensed pursuant to the Rules as it does to individually licensed trainers.

(7) These TOR Rules, the STA and the COA apply equally to a lessee of a horse as an owner, unless a particular provision of these TOR Rules, the STA and/or the COA expressly states that it only relates to a person with an ownership interest (rather than a lease interest) in a horse.

(8) Any company or other business structure through which a trainer provides training services (including the billing of training services) is bound by these TOR Rules and must comply with them (to the intent that the requirements of the TOR cannot be avoided on account of a trainer providing training services through a corporate entity or other business structure which is not licensed or registered by Racing Australia or a PRA).

(9) The COA does not apply to Promoter Syndicates which own the whole of the ownership of a horse. Promoter Syndicates must however comply with the STA (subject to TOR Rules 1(2)(b), 1(3)(a) and 1(4)).

(10) If an owner's ownership interest in a horse is as a member of a registered Syndicate, including as a member of a Promoter Syndicate, then for the purposes of the TOR:

(a) the Syndicate Manager is responsible for representing the Syndicate;

(b) the Syndicate is deemed to be the only owner of the combined ownership interest held by the Syndicate, as if it was a separate legal entity, and the Syndicate Manager will be its expressly authorised legal representative; and

(c) all actions and decisions made by the Syndicate Manager will be taken to be made on behalf of the relevant Syndicate.

(11) To the extent that there is any conflict or inconsistency between a provision of these Australian Rules (including any of the TOR Rules) and a term of the STA or the COA (including as amended, whether in accordance with TOR Rule 1(3) or otherwise), or a term of any other separate agreement made in relation to training services or a horse ownership venture (whether made in accordance with TOR Rule 1(4) or 1(5) or otherwise), these Australian Rules (including the TOR Rules) prevail to the extent of the conflict or inconsistency.

(12) Racing Australia (including its officers and employees), each PRA (including its officers and employees) and each TDT (including its members), shall not be liable to any person, and no person shall be entitled to make any claim for damages, for any loss or damage sustained 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 TOR Rules.

(13) If a dispute between a trainer and an owner arises under the TOR Rules:

(a) neither party may commence external proceedings in respect of the matters the subject of the dispute, save as to proceedings seeking urgent interlocutory relief, until all processes set out in the TOR Rules through which training fees and/or training disbursements can be recovered, or disputes in relation to them resolved or determined, have been followed; and

(b) if a party commences external proceedings in respect of the matters the subject of the dispute, this subrule may be relied upon or pleaded by the other party as a bar to any such proceedings.

TOR Rule 2 – Powers of PRAs in relation to the TOR

(1) A PRA shall, in addition to the powers conferred by these Australian Rules, have power, in its discretion, to put in place Local Rules, regulations, policies or procedures, and/or take steps incidental or conducive to trainers and owners of horses complying with the TOR.

(2) Without limiting TOR Rule 2(1), a PRA has power:

(a) to appoint a person/s, who must have relevant experience in dealing with commercial disputes, as a TDT member for the purpose of determining disputes in relation to training fees and/or training disbursements;

(b) to make and enforce policies or procedures in respect of the role, powers and functions of the TDT, and any member of it;

(c) to freeze the payment of prize money to which an Owner would otherwise be entitled and pay that prize money to a trainer in payment of training fees and/or training disbursements due and payable to the trainer;

(d) to take whatever action it thinks fit (including to refuse to accept the nomination of a horse to race, or to take disciplinary action permitted by the Rules) against a person who breaches any provision of these TOR Rules or any regulations, policies or guidelines made by or pursuant to a direction of Racing Australia in relation to them;

(e) to require fees (including administrative, or transaction processing fees) to be paid to Racing Australia or to a PRA in connection with the TOR, including in connection with the operation of the TDT.

(3) If there is any inconsistency between a rule contained in these TOR Rules and that contained in a PRA's Local Rules, to the extent of any conflict or inconsistency, the provision in these TOR Rules will prevail (except where a PRA makes a local rule in relation to the TDT's role and/or processes under TOR Rule 8(8)).

TOR Rule 3 – Requirement for trainers to issue a Fees Notice

(1) (a) Subject to TOR Rule 3(3), a trainer must issue a Fees Notice to the manager within 7 days of the date on which he or she is appointed as the trainer of a horse.

(b) The manager must provide a copy of the Fees Notice to each owner within 5 days of being issued the Fees Notice by the trainer.

(c) If the manager does not object to the trainer within 14 days of being issued the Fees Notice, the basis for providing training services set out in that notice is deemed to have been accepted by the owner/s.

(2) The Fees Notice must set out:

(a) the training fees itemised by category of service or item provided;

(b) the anticipated training disbursements by name of service and anticipated provider (if known);

(c) the anticipated direct payment disbursements by name of service and anticipated provider (if known);

(d) any additional fees the trainer proposes to charge the owner, including bonuses for winning races, or commissions on the sale of a horse; and

(e) whether a trainer proposes to charge interest on any unpaid training fees and/or training disbursements. The trainer is entitled to do so from the day after an amount falls due and payable, at an interest rate not more than the rate prescribed from time to time for pre-judgment interest in the Supreme Court of the State or Territory of the TDT at which any dispute in relation to training fees and/or training disbursements would be heard pursuant to TOR Rule 5(4).

(3) If a trainer fails to issue a Fees Notice in accordance with TOR Rule 3(1)(a), the only consequence of such failure is that the trainer is not permitted to rely on the presumption of a training debt in respect of training fees and/or training disbursements relating to training services provided prior to the date on which a Fees Notice was issued.

TOR Rule 4 – Circumstances in which the presumption of a training debt arises

(1) As a condition precedent to a trainer being able to rely on the presumption of a training debt, the trainer must provide the trainer's invoice/s in relation to training fees and/or training disbursements to the owner of the relevant horse by the 15th day of any calendar month following a period of time in which training services were provided by the trainer to the owner.

(2) A trainer who fails to issue an invoice by the end of the 15th day of a month following a period of time in which training services were provided must wait until the subsequent month to seek to rely on the presumption of a training debt, and can then only do so if an invoice has been provided to the owner by the end of the 15th day of that subsequent month.

(3) If an invoice is issued in accordance with TOR Rule 4(1), the owner may formally dispute the invoice (or part of it) by serving a Dispute Notice which complies with the requirements in TOR Rule 5(1) on the trainer. A copy of the Dispute Notice must also be provided to Racing Australia.

(4) If a trainer issues an invoice in accordance with TOR Rule 4(1) and the invoice is not fully paid by the end of the month in which it is issued, then unless a Dispute Notice is provided by the owner to the trainer by the last day of the month in which the invoice is issued, the invoice is deemed to be due and payable to the trainer at the end of that month. (That is known as the presumption of a training debt against the owner).

(5) The provision of a Dispute Notice by an owner to a trainer by the last day of the month in which the invoice the subject of the dispute is issued has the effect that the presumption of a training debt does not arise. In that instance, unless the dispute is settled by consent, the trainer and owner each may apply in accordance with TOR Rule 5 to have the dispute heard and determined by the TDT.

TOR Rule 5 – Requirements in relation to, and the effect of, a Dispute Notice

(1) A Dispute Notice:

(a) must be in a form prescribed by Racing Australia from time to time, and must provide the information required by that form;

(b) must clearly identify the invoice/s (or part of the invoice/s) disputed by the owner, the amount in dispute, and the grounds for the dispute;

(c) must be provided by an owner to a trainer with supporting documentation (to be enclosed with the Dispute Notice) that the owner intends to rely on in relation to the dispute;

(d) must be served on the trainer, with a copy also required to be provided by the owner to Racing Australia:

(i) subject to TOR Rule 5(1)(e) and TOR Rule 6(2), within 6 months of the date of the relevant invoice; and

(ii) by the last day of the month in which the relevant invoice is issued if the owner wishes to prevent the presumption of a training debt arising; and

(e) must not be served on the trainer after an EAA is filed with Racing Australia by the trainer under TOR Rule (6)(1), and any purported service of a Dispute Notice after that time will not be valid.

(2) If a Dispute Notice challenges part, but not the whole of an invoice issued by a trainer to an owner, the owner must pay to the trainer the part not in dispute by the last day of the relevant month in which the invoice is issued in accordance with TOR Rule 4(1). Failing that, the part not in dispute is deemed due and payable to the trainer at the end of the month in which the invoice is issued.

(3) Once a Dispute Notice is served by an owner on a trainer in accordance with TOR Rule 5(1), each has the right to elect to have the dispute determined by a TDT by filing a Notice of Election of Hearing with Racing Australia within 14 days of the Dispute Notice being served, with a copy also required to be served on the other party to the dispute.

(4) Once a Notice of Election of Hearing is filed with Racing Australia, it will allocate the matter to the TDT of the relevant PRA as follows:

(a) the matter is to be allocated to the PRA of the State or Territory in which the trainer who is party to the dispute is licensed to train horses;

(b) if the trainer is licensed in more than one State or Territory of Australia, the matter is to be allocated to the PRA of the State or Territory in which the horse the subject of the dispute (or a majority of the horses where there is more than one horse the subject of the dispute) is predominantly located, based on the most recent Stable Return/s lodged by the trainer with Racing Australia in respect of the horse/s; and

(c) if the trainer is licensed in more than one State or Territory and has an equal number of horses the subject of the dispute predominantly located in more than one State or Territory, the matter is to be allocated to the PRA that Racing Australia thinks fit.

TOR Rule 6 – Consequences if the presumption of a training debt arises

(1) Once the presumption of a training debt arises, a trainer may file an EAA with Racing Australia (with a copy also required to be served on the relevant owner) seeking that one or more of the following consequences be applied against the owner:

(a) if the defaulting owner owns 50% or more of the total of the ownership of the relevant horse, that Racing Australia will not process any Stable Return seeking to transfer the horse to another trainer;

(b) that Racing Australia and/or the relevant PRA responsible for any registration function in respect of the relevant horse will not register any transfer of the owner's share or ownership interest in the horse; and

(c) that Racing Australia will notify the relevant PRA/s and the PRA/s will, other than in an exceptional circumstance determined in its discretion, freeze the payment of prize money to which the Owner would otherwise be entitled, and direct payment of that prize money to the trainer owed the training fees and/or training disbursements. Subject to any exceptional circumstance determined by a PRA, the defaulting owner expressly waives any right to objecting to a PRA's payment of that prizemoney to the trainer.

(2) Once an EAA is filed with Racing Australia by a trainer under TOR Rule 6(1), an owner is not permitted to serve a Dispute Notice on the trainer and any purported service of a Dispute Notice after that time will not be valid.

(3) Once an EAA is filed with Racing Australia by a trainer under TOR Rule (6)(1), unless Racing Australia or the relevant PRA, as applicable, considers that an exceptional circumstance warrants another course, each of the consequences stated in TOR Rule 6(1)(a) to 6(1)(c) which were applied for by the trainer will apply until:

(a) the relevant training fees and/or training disbursements which are due and payable are paid to the trainer;

(b) the trainer notifies Racing Australia that the trainer has come to a settlement with the owner in relation to the disputed amount; or

(c) the owner notifies Racing Australia that the owner has come to a settlement with the trainer in relation to the disputed amount and provides sufficient evidence (as determined by Racing Australia in its sole discretion) of such settlement.

(4) A trainer must notify Racing Australia in writing within 24 hours of becoming aware of having received payment from an owner of any training fees and/or training disbursements referred to in an EAA, and/or of becoming aware of the settlement with the owner of a dispute in respect of training fees and/or training disbursements the subject of an EAA.

(5) If, in respect of a horse owned or part owned by an owner:

(a) the horse is transferred from one trainer to another trainer;

(b) the owner owes training fees and/or training disbursements to both trainers; and

(c) both trainers have filed an EAA/s pursuant to TOR Rule 6(1)(c),

the earlier of the EAA/s filed will take precedence in respect of freezing the payment of prizemoney to which the owner would otherwise be entitled and directing payment of that prizemoney to the trainers.

TOR Rule 7 – Further trainer rights (when the presumption of a training debt has not arisen)

(1) If, despite the presumption of a training debt not having arisen, a trainer contends that training fees and/or training disbursements are due and payable to the trainer in respect of a horse, the trainer may object by written notice provided to Racing Australia to the transfer of the horse from the trainer to another trainer, or to the transfer of an ownership interest in the horse from one owner to another. A copy of that written objection must also be served on the relevant owner.

(2) If a trainer objects pursuant to TOR Rule 7(1):

(a) the following consequences apply:

(i) Racing Australia will notify the relevant owner of the objection;

(ii) if the owner owns 50% or more of the total ownership of the relevant horse, Racing Australia will not process any Stable Return seeking to transfer the horse to another trainer; and

(iii) Racing Australia and/or the relevant PRA responsible for any registration function in respect of the relevant horse will not register any transfer of an owner's ownership interest in the horse.

(b) the consequences stated in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will cease after 5 business days unless the trainer provides Racing Australia with copies of the invoice/s outstanding to the trainer (clearly

identifying the parts of them alleged to be due and payable to the trainer) within 5 business days of the proposed transfer (which period is not to be extended in any circumstance);

(c) upon receipt of that information, Racing Australia will notify the relevant owner who may then either:

(i) pay the amount of the invoice/s to Racing Australia (in which case Racing Australia will pay those funds to the trainer and Racing Australia and/or the relevant PRA, as applicable, will process the relevant transfer request); or

(ii) serve a Dispute Notice on the trainer (with a copy also required to be provided to Racing Australia). Once that is done, either party may elect to have the matter determined by the TDT by filing a Notice of Election of Hearing with Racing Australia within 14 days of the date of issue of the Dispute Notice (with a copy also required to be served on the other party). However, a Notice of Election of Hearing will only be valid and accepted by Racing Australia if the Dispute Notice related to the dispute was served within 6 months of the date of the invoice the subject of the dispute.

(3) If an owner serves a Dispute Notice in the circumstances referred to in TOR Rule 7(2)(c)(ii), and the owner still wishes for the relevant transfer to proceed without delay, the owner can pay the amount of the disputed invoice/s into the Training Disputes Trust Account pending determination of the dispute, at which point Racing Australia and/or the relevant PRA, as applicable, will process the relevant transfer.

TOR Rule 8 – Training Disputes Tribunal

(1) If an owner has served a Dispute Notice on a trainer in accordance with TOR Rule 5(1), either of them may, within 14 days of the service of the Dispute Notice, elect to have the dispute determined by a TDT by paying the filing fee to Racing Australia and at the same time filing a Notice of Election of Hearing with Racing Australia and serving it on the other party to the dispute. Once a valid Notice of Election of Hearing is filed with Racing Australia, it will transfer the filing fee to the PRA allocated the dispute in accordance with TOR Rule 5(4).

(2) A Notice of Election of Hearing will only be valid and accepted by Racing Australia if the Dispute Notice related to the dispute was served within 6 months of the date of the invoice the subject of the dispute and before any EAA was filed by the trainer.

(3) When a valid Notice of Election of Hearing is received by Racing Australia from an owner or a trainer, then the consequences set out in TOR Rule 7(2)(a)(ii) and 7(2)(a)(iii) will apply unless the amount disputed in the Notice of Election of Hearing has been paid by the owner into the Training Disputes Trust Account pending resolution of the relevant dispute.

(4) The TDT may make directions in relation to the preparation of the dispute for hearing as the TDT sees fit, except that a hearing on the papers can only take place if all parties agree to it.

(5) In relation to an oral hearing before the TDT:

(a) there is no immediate right to legal representation before the TDT; and

(b) the TDT may grant permission to the trainer and/or owner to be legally represented if in the opinion of the TDT that is warranted having regard to one or more of the following matters:

(i) the complexity of the issues arising on the dispute;

(ii) the amount disputed;

(iii) whether or not the case is of general importance to the racing industry;

(iv) the interests of justice in the circumstances of the case.

(6) In respect of a hearing before the TDT:

(a) the TDT:

(i) must, other than in exceptional circumstances, make all reasonable efforts to determine a dispute within 10 days of the hearing of that dispute; and

(ii) is only required to provide written reasons of the TDT's decision if at least one party to the dispute requests that;

(b) the decision of the TDT will be binding on all parties as a decision under these Australian Rules;

(c) the TDT may:

(i) determine whether training fees and/or training disbursements must be paid and in what amount, including in relation to any amounts paid into the Training Disputes Trust Account; and/or

(ii) recommend to any PRA that the PRA/s apply the Rules against a trainer or an owner in a manner recommended by the TDT (in which case it will then be a matter for the relevant PRA as to whether it implements that recommendation);

(d) if either party intends to challenge the decision of the TDT by way of external proceedings, it must provide written notice of that intention to the other party, the relevant PRA, and Racing Australia within 7 days of the TDT's decision. If that is done, then from that point Racing Australia and/or the relevant PRA, as applicable, must not take any action in relation to the relevant disputed training fees and/or training disbursements until, subject to TOR Rule 8(6)(e), the outcome of the external proceedings is known;

(e) if notice of an intention to commence external proceedings is provided in accordance with TOR Rule 8(6)(d), but the notifying party has not provided Racing Australia with evidence of the commencement of external proceedings within 28 days of the TDT's decision then:

(i) if the TDT has ordered that an amount be paid to a trainer in respect of training fees and/or training disbursements, the owner must pay the trainer the amount determined by the TDT within 2 days of that date (that is, within 30 days of the TDT's decision);

(ii) Racing Australia and/or the relevant PRA, as applicable, may take any action in relation to the relevant disputed training fees and/or training disbursements that it is permitted to take under the Rules, provided it does not receive evidence of the commencement of external proceedings before taking such action; and

(iii) if Racing Australia receives evidence of the commencement of external proceedings more than 28 days after the TDT's decision, then from that point Racing Australia and/or the relevant PRA, as applicable, must not take any action in relation to the relevant disputed training fees and/or training disbursements until the outcome of the external proceedings is known.

(f) if notice of an intention to commence external proceedings is not provided in accordance with TOR Rule 8(6)(d), and the TDT has ordered that an amount be paid to a trainer in respect of training fees and/or training disbursements, the owner must pay the trainer the amount determined by the TDT within 7 days of the TDT's decision;

(g) an unsuccessful party to an application before the TDT must bear the cost of the relevant filing fee in respect of that application;

(h) further to TOR Rule 8(6)(g), if the trainer succeeds before the TDT and the proceeding was commenced by the trainer, the unsuccessful owner must pay the successful trainer an amount equivalent to the filing fee within 7 days of the TDT's decision;

(i) further to TOR Rule 8(6)(g), if the owner succeeds before the TDT and the proceeding was commenced by the owner, the unsuccessful trainer must pay the successful owner an amount equivalent to the filing fee within 7 days of the TDT's decision; and

(j) other than as provided in TOR Rule 8(6)(g) to 8(6)(i), the parties to a dispute before the TDT must bear their own costs (including any legal costs) in connection with that dispute, except that the TDT retains a discretion to order that a party ("first party") pay some or all of the costs of the other party if the TDT is satisfied that:

(i) the first party commenced or responded to the TDT proceedings vexatiously; or

(ii) the first party's commencement of, or response to, the TDT proceedings had no reasonable prospect of success.

(7) A TDT has jurisdiction to determine all issues or questions relevant to determining a dispute between a trainer

and an owner/s in relation to the payment of training fees and/or training disbursements. A TDT does not have jurisdiction to determine disputes between co-owners.

(8) Despite anything in TOR Rule 8 and TOR Rule 2(3), a PRA is entitled to make its own rules and regulations specific to its State or Territory in relation to the role and/or processes of its TDT, provided that they are procedurally fair and are not inconsistent with the overriding purpose of TOR Rule 8, being to have in place a TDT to impartially and efficiently determine disputes in respect of training fees and/or training disbursements. This subrule means that a PRA is able to make local rules inconsistent with TOR Rules 8(4) to 8(6), but only if they are procedurally fair and not inconsistent with the stated overriding purpose of TOR Rule 8.

TOR Rule 9 – Facilitating payment after a TDT decision

(1) If a TDT makes an award in favour of a trainer:

(a) subject to TOR Rule 8(6)(d) and 9(2), the following consequences apply to the defaulting owner:

(i) if the owner owns 50% or more of the total ownership of the relevant horse, Racing Australia will not process any Stable Return seeking to transfer the horse to another trainer;

(ii) Racing Australia and/or relevant PRA responsible for any registration function in respect of the relevant horse will not register any transfer of the relevant owner's interest in the horse; and

(iii) the relevant PRA/s must, other than in an exceptional circumstance to be determined in its discretion, freeze the payment of any prize money to which the owner would otherwise be entitled.

(2) The consequences in TOR Rule 9(1)(a) will apply until the training fees and/or training disbursements the subject of the TDT's award are paid by the owner to the trainer.

(3) If 14 days have passed after a decision of a TDT and the trainer has not been paid by the owner as required by the decision of the TDT and informs Racing Australia of that, in addition to the consequences stated in TOR Rule 9(2):

(a) Racing Australia will notify the owner, the trainer and the relevant PRA/s of that, after which the relevant PRA/s must, other than in an exceptional circumstance to be determined in its discretion, pay any prize money to which the owner would otherwise be entitled to the trainer in payment of any training fees and/or training disbursements outstanding to the trainer. Subject to any exceptional circumstance determined by a PRA, the defaulting owner expressly waives any right to objecting to a PRA's payment of that prize money to the trainer;

(b) the relevant PRA/s will retain its powers under the Rules to take action against the defaulting owner (including to refuse to accept a nomination for a horse to race); and

(c) the trainer will retain the trainer's rights under the STA and at general law.

(4) For the purposes of TOR Rule 9(1)(a)(iii) and 9(3), if the PRA of the TDT in which the decision was made notifies Racing Australia that it is not in possession of an amount of prize money to which the owner would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any training fees and/or training disbursements outstanding to the trainer:

(a) Racing Australia will notify the owner, the trainer and any other PRA/s which may be in possession of such prize money; and

(b) if:

(i) one of those PRAs is in possession of an amount of prize money to which the owner would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any training fees and/or training disbursements outstanding to the trainer, that PRA is a relevant PRA and Racing Australia may direct that PRA to pay any outstanding training fees and/or training disbursements to the trainer from that prize money; and

(ii) if more than one of those PRAs is in possession of an amount of prize money to which the owner would otherwise be entitled that is sufficient to satisfy (in whole or in part) the payment of any

training fees and/or training disbursements outstanding to the trainer, those PRAs are each a relevant PRA and Racing Australia may determine the order in which one or more of those PRAs are, on Racing Australia's direction, to pay any outstanding training fees and/or training disbursements to the Trainer from that prize money.

(5) If Racing Australia or a PRA directs prize money to which an owner would otherwise be entitled be paid to a trainer pursuant to TOR Rule (3)(a), but the disputed amount has already been paid or settled as between trainer and owner by the time that payment is made to the trainer, the trainer must refund to the owner the amount paid to the trainer by that PRA within 7 days.

(6) A trainer must inform Racing Australia within 24 hours of becoming aware of having received payment from an owner of any training fees and/or training disbursements ordered by a TDT to be paid to the trainer.

SCHEDULE 3 – SYNDICATE RULES (SR)

SR 1 Members of Syndicates

A person is deemed to be a member of a Syndicate if the person has an ownership or lease interest with not more than 20 persons in total (or not more than 50 in total in the case of a Promoter Syndicate) in any undertaking, common enterprise, arrangement or scheme relating to the racing of one or more horses.

SR 2 Requirement of manager of a Syndicate

In order to enter or race a horse, a Syndicate must appoint a natural person as its Syndicate manager, with that person authorised to act for and on behalf of the Syndicate (to the extent permitted by the Rules and any agreement or instrument governing the Syndicate).

SR 3 PRAs may make rules or regulations in relation to Syndicates

(1) Any person who wishes to register a Syndicate must apply to a PRA to do so, providing information required by that PRA and as required by these Australian Rules.

(2) A PRA must approve a Syndicate's name before it can be registered and used.

(3) Racing Australia may make or amend rules (and regulations or policies) in relation to the formation, conduct and termination of Syndicates, including but not limited to:

- (a) the number of Syndicates that a person may have an interest in;
- (b) the information to be provided to a PRA in relation to the registration of a Syndicate;
- (c) the form of the written confirmation to be issued by it or a PRA in relation to a Syndicate, the person to whom it is to be issued, and the person required to retain possession of the record;
- (d) the representation of a Syndicate for the purposes of the Rules;
- (e) the name in which a Syndicate can be registered and the powers of a PRA to register, refuse to register, or require the alteration of the name of, a Syndicate;
- (f) the information to be provided to a PRA in relation to any additional horse to be raced by a Syndicate
- (g) the renewal or registration of a Syndicate and related matters;
- (h) the details in relation to a Syndicate which are to be published from time to time;
- (i) when and how the registration of a Syndicate can be cancelled;
- (j) how notices are to be served on a Syndicate, or its members;
- (k) the termination of a Syndicate;
- (l) procedures in relation to any change in membership of a Syndicate; and
- (m) the fees to be paid in relation to a Syndicate.

SR 4 Syndicate members bound by these Australian Rules

Every member of a Syndicate is bound by these Australian Rules (irrespective of the nature or extent of the interests or rights of the member/s in the Syndicate) and the provisions of any rules or constitution governing the Syndicate, or any agreement between the members of the Syndicate.

SR 5 No responsibility of a PRA for the actions of a Syndicate or its members

Neither Racing Australia nor any of the PRAs have any responsibility or liability for the actions of the persons in a Syndicate or who are party to any Syndicate agreement or any other instrument relating to a Syndicate, or for the performance of any legal or equitable obligations of the members of a Syndicate.

SR 6 Limits on the registration or continued operation of a Syndicate

(1) A Syndicate cannot be registered or continue to be registered:

- (a) if a horse owned or leased by the Syndicate is disqualified;

(b) if any member of the Syndicate is a person whose interest in any horse would under these Australian Rules operate to prohibit the horse from being entered for or started in any race.

(2) A PRA may at any time call upon the Syndicate manager or the Syndicate members to show cause why the registration of the Syndicate should not be cancelled or suspended.

(3) If, but for this subrule, a horse would under these Australian Rules be ineligible for a race by reason of the interest of a Syndicate member, and the horse has started in or is nominated for a race, a PRA or the Stewards may (after considering the circumstances associated with the ownership, leasing or membership of the horse and any other circumstances they think fit) rule that the horse was eligible for the race in which it started or for which it is nominated.

(4) In circumstances where a PRA or the Stewards rule a horse eligible under subrule (3), if the horse has won or wins prize money, the proportion of the prize to which the relevant Syndicate member would otherwise have been entitled will be retained by and become the property of the Club holding the meeting.

SR 7 Penalties for breach of Syndicate Rules

Without limiting any other powers or rules in these Australian Rules, if a person breaches any rule in this Schedule 3 a PRA or the Stewards may:

(a) penalise the person; and

(b) disqualify any horse owned or leased by the Syndicate of which the person was, at the relevant time, a member.

SR 8 Additional horses to be owned or leased by a Syndicate

If a Syndicate which wholly or partly owns or leases a horse wishes to wholly or partly own or lease an additional horse/s, a separate registration form must be lodged with the relevant PRA for each additional horse, and be accompanied by any fee prescribed by a PRA from time to time to be paid in relation to that registration.

SR 9 Promoter Syndicates

(1) Any person who wants to make an offer to promote shares in a horse/s must:

(a) hold an Australian Financial Services Licence ("AFSL") issued by ASIC;

(b) comply with any provision of the Corporations Act in relation to the promotion, offering, or issue of shares in horses; and

(c) comply with the provisions and requirements of any applicable ASIC Class Order or instrument (including *ASIC Corporations (Horse Schemes) Instrument 2016/790*, or any successor to it) in relation to the promotion, offering, or issue of shares in horses.

(2) Before an offer of shares in a horse/s is made, an AFSL holder must be recorded as a registered Promoter in the Register of Promoters held by a PRA.

(3) Promoters must obtain approval from a PRA for each Product Disclosure Statement prior to an offer of shares in a horse being made.

SR 10 Applications for Syndicates

(1) An application to a PRA for approval for a Syndicate to race a horse must be in writing in the form required by a PRA and:

(a) signed by all members of the Syndicate if the Syndicate is not a company; and

(b) where a company is an applicant or member of a Syndicate, signed by an authorised officer of that company.

(2) An application to a PRA for approval for a Syndicate to race a horse must be accompanied by:

(a) a copy of the Syndicate agreement (except where a company is the sole applicant);

(b) an address to be the registered address for the Syndicate;

(c) the prescribed fee;

(d) details of registration of the Syndicate by any other PRA;

(e) in the case of an applicant which is an unincorporated organisation, a copy of the certificate of registration of business name and any renewal of it.

SR 11 Requirements for Syndicate agreements and their registration

(1) A Syndicate agreement must be in a form prescribed or approved by a PRA.

(2) A PRA may require that matters including the following be included in a Syndicate agreement:

(a) the name, address and date of birth of each member, and the share of each member in the horse;

(b) 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;

(c) provision for the appointment of a Syndicate manager in whom the legal possession of the horse is to be vested on behalf of the Syndicate;

(d) a declaration that each member has read these Australian Rules (including these Syndicate Rules) and any Local Rules of the PRA to which the application is made in relation to Syndicates and interests in horses, and that except for traffic convictions involving a fine, has not been convicted of any criminal offence;

(e) a term imposing on a Syndicate manager in whom legal possession of the horse is vested on behalf of the Syndicate an obligation to keep proper books of account and to send to each member of the Syndicate a copy of the Syndicate's accounts each and every 3 months, and to send each member an audited copy of the annual accounts;

(f) any other provisions that the relevant PRA considers fit.

(3) All Syndicate agreements, and any other instrument in relation to the Syndicate that a PRA considers necessary, must be approved and registered by a PRA.

(4) A PRA which approves a Syndicate must:

(a) register and record the name of:

(i) every company approved as a Syndicate;

(ii) every person approved to be a Syndicate manager;

(b) publish the information referred to in subrule (4)(a); and

(c) issue a Certificate of Registration in relation to the Syndicate to the Syndicate manager.

SR 12 Applications for companies to race horses as a Syndicate

(1) An application for approval for a company to race a horse as a Syndicate must be made in a form prescribed from time to time by a PRA together with any prescribed fee. An application must be accompanied by information including:

(a) the Certificate of Incorporation of the company;

(b) if the company has a Constitution, its Constitution;

(c) the name, address and date of birth of each director of the company;

(d) the name and address of each member of the company; and

(e) the address of the registered office of the company.

(2) The PRA to which an application by a company to race a horse as a Syndicate is made may in its discretion and to the extent it thinks fit, dispense with any requirement to submit the names and addresses of persons who are directors or members of the company.

SR 13 PRA's powers to approve and register a Syndicate

(1) A PRA has complete discretion whether to approve any Syndicate as the owner or lessee of a horse, or any members of it as lessees or as Syndicate manager.

(2) Notwithstanding subrule (1), a PRA must refuse to approve a Syndicate where any member is a disqualified person.

(3) A PRA has the absolute discretion at any time and without assigning any reason, to suspend or cancel the registration of a Syndicate.

(4) Notwithstanding subrule (3), registration of a Syndicate must be cancelled if:

(a) any member, Syndicate manager, director or officer of the Syndicate is or becomes a disqualified person or a person whose interest in a horse would, under these Australian Rules, operate to prohibit the horse from being entered for or starting in a race;

(b) the manager or any member of the Syndicate fails to supply information required by a PRA or the Stewards within a stipulated time frame;

(c) in relation to a company registered as a Syndicate:

(i) a winding up order is made or a receiver, receiver and manager, or official manager is appointed in respect of the company; or

(ii) any manager for or officer of the company fails to supply information required by a PRA or the Stewards within a stipulated time frame.

(5) The registration of a Syndicate will not be affected by the fact that a member of the Syndicate, other than the Syndicate manager, has disposed of the whole or part of his or her share in the horse since the relevant Syndicate agreement was registered, provided no share of any member is disposed of more than once in any period of 28 days and provided that:

(a) notification of each disposition is signed by the transferor and the transferee and is lodged with the relevant PRA within 7 days of the disposition; and

(b) that notification contains a declaration by the transferee that he or she possesses a copy of the Syndicate agreement for the Syndicate and has read these Australian Rules (including these Syndicate Rules) and any Local Rules of the PRA which registered the Syndicate in relation to Syndicates and interests in horses.

(6) The registration of a Syndicate will not be affected by the fact that a member of the Syndicate has died, provided that:

(a) written notification of that person's death is lodged with the relevant PRA within 28 days of death; and

(b) if the PRA has previously sent to the registered address of the Syndicate notice of a new formal agreement being required to be lodged with it, then at the expiration of 28 days after the date of the notice or any other period that the notice may prescribe, the registration of the agreement previously lodged will be cancelled.

(7) The registration of a Syndicate will not be affected by the fact that there has been a change of the directors and/or the shareholders of a company registered as a Syndicate (or of the members of a Syndicate not being a company), provided that notification of those changes is made to the relevant PRA within 28 days of each change. The relevant PRA may publish those changes to the extent it considers appropriate.

(8) A PRA may cancel the registration of a Syndicate on written application by the Syndicate manager if the PRA is satisfied that:

(a) the Syndicate manager has given written notice of the application to each member of the Syndicate; and

(b) after the expiration of one month from a notice having been given, the members of the Syndicate holding an ownership interest of at least 25% in the Syndicate have not given notice in writing to the PRA of their objection to the application.

(9) The registration of a Syndicate will be cancelled by a PRA if the Syndicate has so resolved by resolution passed by members holding an ownership interest of at least 75% in the Syndicate.

(10) A PRA must publish notice of the suspension, cancellation or reinstatement of the registration of a Syndicate, and such publication shall be deemed sufficient notice to all members and other persons.

SR 14 Renewal of the registration of a Syndicate

(1) Application for renewal of registration of a Syndicate must be made annually or at any other renewal frequency required by a PRA.

(2) An application for renewal of a Syndicate must be accompanied by information required by a PRA and payment of the relevant prescribed fee.

SCHEDULE 4 – LIST OF RESTRICTED RACES

1. Maiden and Trophy Races

(1) A "Maiden Race" is a race restricted to horses which at the time of starting have never won a race on the flat at a registered meeting or any advertised race in any country.

(2) A "Trophy Race" is a race in which the prize money and/or value of any trophy to the winner does not exceed $5,000.

2. Class A and Class B Races

(1) A "Class A Race" is a race restricted to horses which, at the time of starting, have not earned prizes in total worth more than $6,000 for wins in races on the flat, and have never won a race on the flat outside Australia.

(2) A "Class B Race" is a race restricted to horses which, at the time of starting, have not earned prizes in total worth more than $12,500 for wins in races on the flat, and have never won a race on the flat outside Australia.

(3) The value of the prize to the winner of a Class A Race must not exceed $6,000.

(4) The value of the prize to the winner of a Class B Race must not exceed $12,500.

(5) Class A and/or Class B Races are not permitted to be programmed for TAB meetings, except in the Northern Territory, King Island and approved country areas of Western Australia.

(6) Each PRA should restrict Class A and Class B Races to "remote/minor" race meetings, as determined by the PRA.

(7) For the purpose of determining the value of the prize to the winner and the eligibility of any horse for a Class A or Class B Race, no account is required to be taken of prizes 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 in that race.

3. Class 1 to Class 6 Races

(1) A "Class 1 Race" is a race restricted to horses which, at the time of starting, have not won more than 1 race on the flat, provided that:

   (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and

   (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(2) A "Class 2 Race" is a race restricted to horses which, at the time of starting, have not won more than 2 races on the flat, provided that:

   (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and

   (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(3) A "Class 3 Race" is a race restricted to horses which, at the time of starting, have not won more than 3 races on the flat, provided that:

   (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse;

   (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(4) A "Class 4 Race" is a race restricted to horses which, at the time of starting, have not won more than 4 races on the flat, provided that:

   (a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy races other than a win as a Maiden horse; and

   (b) the winner of any Group Race, Listed Race or Restricted Listed Race will be ineligible.

(5) A "Class 5 Race" is a race restricted to horses which, at the time of starting, have not won more than 5 races on the flat, provided that:

(a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races other than a win as a Maiden horse; and

(b) the winner of the following races will be ineligible:

(i) any Group Race;

(ii) any Listed Race or Restricted Listed Race in which horses older than 2 years old could run; or

(iii) more than one Listed Race or Restricted Listed Race in which 2 year olds only could run.

(6) A "Class 6 Race" is a race restricted to horses which, at the time of starting, have not won more than 6 races on the flat, provided that:

(a) in determining the eligibility of any horse, no account will be taken of any wins in Class A, Class B or Trophy Races, other than a win as a Maiden horse; and

(b) the winner of the following races will be ineligible:

(i) any Group Race;

(ii) any Listed Race or Restricted Listed Race in which horses older than 2 years old could run; or

(iii) more than one Listed Race or Restricted Listed Race in which 2 year olds only could run.

SCHEDULE 5 – TABLE OF COMPARATIVE PROVISIONS

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2. **Comparison between Australian Rules of Racing as at 1 March 2019 (new rules) and 1 August 2018 (old rules)**

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Note: *These tables of comparative provisions are intended as a guide only.*

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Local Rules of Racing as at 1 August 2018 (old rules)	**Local Rules of Racing as at 1 March 2019 (new rules)**
Interpretation	
LR 1	LR 1
Transitional Provision	
LR 2	LR 2A
Application of these Rules	
LR 3	LR 2
LR 4	LR 4
LR 5	deleted
Racing Victoria Integrity Council	
LR 5A	LR 7A
The Racing Appeals and Disciplinary Board	
LR 6A	LR 8A
LR 6B	LR 8B
LR6C	LR 8C
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LR6E	LR 8E
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LR 6G	LR 9A
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LR 6I	LR 9C
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LR 7A	LR 10
LR 7AA	deleted
LR 7B	LR 11
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LR 7D	deleted
LR 7E	deleted
LR 7F	LR 12
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LR 8B	LR 6B
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LR 8E	deleted
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LR 9	LR 15

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LR 10	LR 14
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LR 27	deleted
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LR 28	LR 28
LR 29	LR 61
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LR 36E	deleted
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LR 36G	LR 41
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LR 36K	LR 37
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Note: *These tables of comparative provisions are intended as a guide only.*

2. Comparison between Local Rules of Racing as at 1 March 2019 (new rules) and 1 August 2018 (old rules)

Local Rules of Racing as at 1 March 2019 (new rules)	Local Rules of Racing as at 1 August 2018 (old rules)
Interpretation	
LR 1	LR 1
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LR 2A	LR 2
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LR 7A	LR 5A
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LR 10 Appointment of Stewards and Investigators	LR 7A
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LR 35	LR 36J

LR 36	LR 36CA
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Note: *These tables of comparative provisions are intended as a guide only.*

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1. PRELIMINARY

1.1 Title

These Rules may be cited as the Rules of Race Betting. [amended 1/7/10]

1.2 Purpose

The purpose of these Rules is to provide rules for the conduct of Betting pursuant to a Club Bookmakers Licence other than Sports Betting.

1.3 Authorising provision

These Rules are made pursuant to:

(a) section 91A of the *Racing Act 1958*; and

(b) the Rules of Racing.

1.4 Application

These Rules apply to all Bets, other than Sports Betting, conducted:

(a) at any race meeting held under the Rules of Racing; or

(b) pursuant to a Club Bookmaker's Licence.

1.5 Bookmaker to provide copy

A Bookmaker must give a copy of these Rules to a Customer upon request.

1.6 Bookmaker may specify additional terms

1.6.1 Bookmaker may specify

A Bookmaker may specify additional terms for Bets with his or her Customers in respect of issues not dealt with by these Rules, provided that:

(a) the additional terms are in writing and clearly identified as "Additional Terms Applicable to Bets with (name of Bookmaker)"; and

(b) a copy of the additional terms is given by the Bookmaker to:

(i) his or her Customers before any Betting transaction is entered into which is subject to them; and

(ii) Racing Victoria.

1.6.2 Racing Victoria may disallow

Racing Victoria may disallow any or all such additional terms.

1.7 Applicable law

All Bets between a Bookmaker and his or her Customers are subject to the laws of Victoria.

1.8 Consequence of non-compliance

A failure by a Bookmaker to comply with any obligation imposed on him or her by these Rules may not be used by the Bookmaker to cancel a Bet.

1.9 Transitional

1.9.1 Definitions

In this Rule 1.9:

"Appointed Day" means the day on which sections 3 and 6 of the *Racing (Racing Victoria Limited) Act 2001* come into operation.

"RVL Rules" means the Rules of Betting made by the Directors of Racing Victoria pursuant to the Rules of Racing as in effect immediately before the Appointed Day.

1.9.2 Commencement

These Rules come into operation and effect on and from the beginning of the Appointed Day.

1.9.3 Preservation of effect, decision, rights and obligations

Everything arising, done or suffered under the Racing Victoria Rules is deemed to have arisen, been done or suffered under these Rules and, without limiting the generality of the foregoing:

(a) Decisions made and action taken under Racing Victoria Rules: all decisions made, action taken and discretions and powers exercised under or pursuant to the Racing Victoria Rules are deemed to be fully effective and to continue in force as if properly and validly made or taken under or pursuant to these Rules.

(b) Rights, entitlements, obligations and liabilities: all rights, entitlements, obligations and liabilities (including of a pecuniary nature) arising, accruing or incurred under or pursuant to the Racing Victoria Rules are deemed to have arisen, accrued or incurred under or pursuant to these Rules.

(c) Offences: any offence under or breach of the Racing Victoria Rules is deemed to be an offence under or breach of these Rules.

(d) Penalties and disabilities: all penalties, disabilities, disqualifications, suspensions and obligations of any kind (including pecuniary obligations) imposed, incurred or arising under or pursuant to the Racing Victoria Rules are deemed to be imposed, incurred or to arise under or pursuant to these Rules.

(e) Inquiries, investigations and proceedings: all inquiries, investigations and other proceedings of any nature initiated or conducted under or pursuant to the Racing Victoria Rules are deemed to be initiated or conducted under or pursuant to these Rules.

2. DEFINITIONS

In these Rules:

(a) unless the context necessarily requires otherwise, all terms have the same meaning as in the Club Bookmakers' Licence Rules; and

(b) the following terms have the meaning ascribed below:

"All-in" means that the Bet stands and no refund is payable whether or not a horse which is the subject of the Bet does not start in the race on which the Bet was made.

"Approved Algorithm" means the algorithm approved by the Australian Racing Board from time to time for the purpose of calculating deductions. Note: an explanatory memorandum of the Approved Algorithm is published on the Racing Victoria website. [added 1/8/11]

"Bet" includes wager and "Betting" includes wagering.

"Betting Ticket" means a ticket issued in accordance with the Club Bookmakers' Licence Rules 2010 and the Bookmakers' Licence Levy Rules 2001. [amended 1/7/10]

"Customer" means a person from whom a Bookmaker accepts a Bet.

"Dividend" means the agreed payout or return, including any Stake, on a Bet.

"Face Value" Face Value of the ticket means the total sum of moneys payable to the backer including the stakes in the event of a Bet being successful. [added 1/7/07]

"Odds" means either:

(a) when expressed in monetary terms, the return for an outlay of a certain monetary unit, inclusive of the unit of outlay; or

(b) when expressed in fractional terms, the ratio of win to Stake, in either case as agreed to by the Bookmaker and Customer at the time the Bet is made.

"Racing Victoria" means Racing Victoria Limited.

"Rules" means these Rules of Race Betting 2001 as amended from time to time.

"Stake" means the monetary outlay (whether paid at the time or not) by a Customer in placing a Bet.

"Starting Price" means the final price fluctuation officially declared by Racing Victoria Stewards. [added 1/7/07, amended 1/9/16]

"Starting Price Insurance" means the highest of either the price agreed at bet placement or the final Starting Price declared for that horse. [added 1/7/07]

"Top Fluctuation" means the highest official price fluctuation recognised by Racing Victoria Stewards during the entire betting period of the particular race. [added 1/7/07, amended 1/9/16]

"Void" means that the Bet is cancelled as if it had not been made and the Stake must be refunded.

"Warrnambool May Racing Carnival" means the racing carnival held at the Warrnambool Racing Club in or around May, on dates as prescribed or set by Racing Victoria.

"Win" means the profit portion of a Dividend, being the Dividend less any Stake outlaid by the customer.

3. GENERAL RULES

3.1 Possibility to win is essential

A Bet is Void if, at the time that the Bet is made, there is no possibility for the Customer to win.

3.2 Bets are "All-in"

3.2.1 General rule

All Bets are All-in unless:

(a) otherwise agreed between the parties to the Bet; or

(b) otherwise expressly provided by these Rules.

3.2.2 Bets which are not All-in unless agreed

Unless otherwise agreed by the parties to the Bet, the following Bets are not All-in:

(a) Bets made on the day of the race;

(b) Bets on a postponed race;

(c) Bets on a contest between two horses; and

(d) Bets made after the running numbers are officially placed on the number board in respect of a horse that is not subsequently under the Starter's orders.

3.3 No betting on photo finish

A Bookmaker must not Bet on the result of a photo finish or an objection lodged pursuant to AR 165. Any such bets made are Void.

[3.4 deleted 1/7/10]

3.5 Horses in more than one event on the day

If a person bets on a horse engaged for more than one event to be run on the same day and does not specify to which event the Bet relates:

(a) the Bet is on the first race in which such horse starts; and

(b) if the first event is a walk-over, the Bet is Void.

3.6 Bets by letter, facsimile or electronically

A Bookmaker must not accept a Bet from a person where that bet is made by letter, facsimile or by electronic means which are not approved by Racing Victoria. [amended 1/7/10]

3.7 Place Bets on interstate events

Winning place Bets on interstate events at starting price Odds must, if the favourite starts Odds on, be paid at Odds equivalent to those of the place totalisator.

3.8 Bets which are Void

3.8.1 Bets made in running [heading changed 1/7/07]

All Bets made on horses in running are Void if:

(a) the race is ordered by the Stewards to be run again;

(b) the horses run from a false or void start; or

(c) the winner of the race is disqualified by the Stewards for being short of weight.

3.8.2 Division of races

If a race is divided in accordance with the Rules of Racing, all Bets on the race made before the announcement that the race is to be divided are Void.

3.8.3 Bets with defaulters

All Bets with any person who is declared after the making of such Bets to be a defaulter are Void.

3.8.4 Bets involving a contest between two horses

All Bets on a contest between any two horses are Void if:

(a) after the Bets are made but before the race is run, the horses become the property of the same person or of a person and his or her associate; or

(b) neither of the horses wins, unless the parties otherwise agree.

3.8.5 Bet after race determined

Any Bet made after the result of the race has been determined is Void.

3.9 Allegation of fraud or corruption

The Stewards may investigate any allegation of fraud or corrupt practices and declare any particular Bets Void.

3.10 Bets on horses disqualified prior to correct weight

For the avoidance of doubt, provided that the bet is not made in running, Bets made on horses that are disqualified prior to correct weight shall not be void by reason of the disqualification.

[3.10 added 1/7/07; existing 3.10 renumbered to become 3.11]

3.11 Questions not covered by these Rules

The Stewards may determine any question which is not provided for by these Rules. [formerly 3.10, renumbered 1/7/07]

4. DETERMINATION OF RESULTS OF BETS

4.1 Bets to be won as horses placed

(a) Subject to the following paragraph 4.1(b), Bets go to the backers of horses as placed by the Judge.

(b) If an objection or protest is entered in accordance with the Rules of Racing before the riders of the horses placed by the Judge have been weighed in, Bets are decided on the basis of the Stewards' decision on the objection or protest.

4.2 Disqualification of horse or jockey

4.2.1 Bets may be declared Void

If a horse or jockey is disqualified and there are circumstances in connection therewith which in the opinion of the Stewards require further investigation, then:

(a) the Stewards may forthwith make an order postponing the settlement of all Bets on such race, and report the matter to the Directors; and

(b) the Directors may make such declaration as they think fit in respect of the Betting and in particular may declare all or any Bets on such race to be Void.

4.2.2 Effect of an appeal

If there is an appeal under the Rules of Racing against a disqualification referred to in Rule 4.2.1, and notice of appeal has been made in accordance with the Rules of Racing, the Directors may deal with the Betting on the race in the manner set out in Rule 4.2.1 on the basis of evidence given on such appeal.

4.3 Withdrawal of horse or horses

4.3.1 Application of this Rule 4.3

This Rule 4.3 applies if the Stewards:

(a) permit or authorise the withdrawal of a horse from a race after:

(i) final acceptances for races on which future win/place betting operates;

(ii) final scratching time for all other races;

(b) declare a horse to be a non-starter, including under AR 128(2), AR 130 or AR 134A; or

(c) in the case of the Melbourne Cup, a horse withdrawn after the commencement of "Call of the Card".

[amended 6/2/03, 1/8/11]

4.3.2 One horse withdrawn

If one horse is withdrawn or declared a non-starter as described in Rule 4.3.1, then:

(a) Subject to paragraph 4.3.2(b):

(i) all Bets made on the horse for such race are void; and

(ii) all Bets that are win Bets, place Bets or doubles Bets made before such withdrawal or race start (whichever is applicable) on the horses remaining in the race stand, but the Stewards may declare that all such Bets:

(A) are at the official starting price; or

(B) subject to Rule 4.3.5, will be subject to deductions that are calculated in accordance with the Approved Algorithm and applied to the Face Value of the Betting Ticket; or

(C) in the event that the Stewards are unable for any reason to make a declaration in accordance with Rule 4.3.2(a)(ii)(B), and subject to Rule 4.3.5, will be subject to deductions as set out in accordance with the table in Appendix "B" to these Rules and applied to the Face Value of the Betting Ticket,

(iii) all concession other Bets made before such withdrawal or race start (whichever is applicable) on the horses remaining in the race stand, but the Stewards may declare that all such Bets:

(A) are at the official starting price; or

(B) subject to Rule 4.3.5, will be subject to deductions as set out in accordance with the table at Appendix "A" to these Rules and applied to the Face Value of the Betting Ticket.

(b) Where Rule 4.3.2(ii)(C) or 4.3.2(iii)(B) applies, if the Odds prevailing for the one horse which is withdrawn or prevented from starting are outside the limits (at either end) of the Odds enumerated in Appendix "A" or Appendix "B" (as applicable) or are included in the Odds so enumerated, the matter of the settlement of all Bets is in the sole discretion of the Stewards to determine as they see fit.

[amended 6/2/03, 1/7/07, 1/8/11]

4.3.3 Two or more horses withdrawn

If more than one horse is withdrawn or prevented from starting as set out in Rule 4.3.1 Stewards may determine the deductions and settlement of all Bets as follows:

(a) in relation to win Bets, place Bets or doubles Bets, Bets placed prior to the withdrawals shall stand subject to a declaration calculated in accordance with the Approved Algorithm (or as otherwise determined by the Stewards in their discretion) and declared by the Stewards and applied to the Face Value of the Betting Ticket; or

(b) in relation to all other Bets, in their sole discretion.

[amended 1/8/11]

4.3.4 Bets on races outside Victoria

In respect of all Bets made on a race run outside Victoria, deductions are to be made at the discretion of Racing Victoria Stewards, either:

(a) on the same basis as is ordered by the Stewards officiating at the race meeting at which such race is held; or

(b) in accordance with the Approved Algorithm or Appendix "A" or "B" (as applicable).

[amended 1/8/11, 1/9/16]

4.3.5 Limit on totalisator odds

If the Stewards in the exercise of their powers hereunder order totalisator Odds to be paid such Odds must not be in excess of one hundred to one.

4.3.6 Limit on deductions

(a) Notwithstanding the provisions contained in Appendix "A", Appendix "B" or any calculation made in accordance with the Approved Algorithm, but subject to paragraph (b), except in the case of a dead-heat, no deduction may be made which would return to the Bettor a sum less than the Stake or amount Bet by him or her.

(b) At race meetings where there is no win and place totalisator the Stewards may exercise discretion as to whether or not a deduction must be made.

(c) Where a Top Fluctuation bet has been made with a bookmaker, any deduction declared by Stewards in the event of a horse being withdrawn must be calculated against the Top Fluctuation for the entire betting period.

[amended 1/7/07, 1/8/11]

4.4 Dead-heats

4.4.1 Dead-heats for first place

If there is a dead-heat for first place, the money Bet on such horses must be put together and equally divided.

4.4.2 Triple dead-heat for second

If there is a triple dead-heat for second place the Customer must be paid two thirds of the face value of the place Bet.

4.4.3 Dead-heat for third in place betting

If there is a dead-heat for third place, money Bet on such horses in place Betting must be put together and equally divided.

4.4.4 One-on-one betting

If a Bet is made horse against horse and the horses dead heat for any official placing, then the backer of the horse wins half the face value of the ticket.

5. BETTING OBLIGATIONS OF BOOKMAKERS

Any Bookmaker Betting on a racecourse offering fixed Odds against a horse and conducting face to face betting via cash or account, is required to accept a fixed Odds bet in the categories described below up to the maximum amounts for the Bookmaker to lose as specified below:

5.1 Metropolitan Race Meeting

5.1.1 Rails

(a) In any one win, win/place or each-way Bet: to lose $3,000
(b) In any one place Bet: to lose $1,500.

5.1.2 Other areas

(a) In any one win, win/place or each-way Bet: to lose $1,000

(b) In any one place bet: to lose $500

5.2 Non-Metropolitan Race Meetings

(a) In any one win, win/place or each-way Bet: to lose $1,000
(b) In any one place Bet: to lose $500.

5.3 Warrnambool May Racing Carnival

5.3.1 Rails

(a) Betting on Country Races:

i. in any one win, win/place or each way Bet: to lose $3,000

ii. in any one place Bet: to lose $1,500.

(b) Betting on interstate Races:

i. in any one win, win/place or each way Bet: to lose $1,500.

ii. in any one place Bet: to lose $800.

5.3.2 Other areas

(a) In any one win, win/place or each way Bet: to lose $1,000.

(b) In any one place Bet: to lose $500.

[5.2 amended 1/9/04, 10/11/04, 1/7/07, 1/8/11]

[5.3 deleted 1/9/04 , replaced 31/03/16, replaced 23/4/19]

[5.1 and 5.2 amended 1/10/16]

6. WIN AND PLACE AND EACH WAY BETTING

6.1 Place Bets

Place Bets are:

(a) 1,2,3 if there are eight or more horses in the race when a Bet is made; and

(b) 1,2 when there are not less than three nor more than seven horses in the race when the Bet is made.

6.2 Win and place Bets

A Bookmaker must not lay Odds for a win and place in any race unless:

(a) the Bookmaker Bets win and place about every horse in any such race; and

(b) the Bookmaker clearly displays both Win and Place odds (separately).

6.2A Each way Betting

A Bookmaker must not lay each way Odds in any race unless:

(a) the Bookmaker Bets each way about every horse in any such race; and

(b) the Odds for a place are:

(i) where there are eight or more horses in a race when the Bet is made: one-fourth of the Odds for a straight out win; and

(ii) where there are not less than three nor more than seven horses in the race when the Bet is made: one-third of the Odds for a straight out win.

6.3 Withdrawal of horses

If the Stewards permit or authorise the withdrawal of a horse or horses from a race which results in the field being reduced to less than three runners, all place Bets are Void.

7. DOUBLE EVENT BETS

"Double event" Bets are subject to the following Rules:

7.1 First event lost

Bets are determined when the first event is lost.

7.2 Dead-heats

(a) If either event is decided in the backer's favour and the other results in a dead-heat, the money Betted must be put together and equally divided.

(b) If both horses backed run dead-heats, the money Betted must be put together and divided in the proportion of one-fourth to the Customer and three-fourths to the Bookmaker.

7.3 When bets are Void

Bets made on the course on the day of the race on which both events are run are Void if:

(a) the horse backed for the first event:

(i) does not come under the Starter's orders; or

(ii) is withdrawn;

(b) the horse backed for the second event is scratched before the starting time of the first event; or

(c) the first event is divided after the Bet is made.

7.4 Second event divided

Notwithstanding the provisions of Rule 3.7.2, if the horse backed for the first event wins and the second event is divided after the Bet is made, one half of the Bet must be paid to the backer whose double finishes with the winner of a division of the second event.

7.5 Scratching or withdrawal

If the first horse of a doubles Bet wins and either:

(a) the other horse named in the Bet is scratched or withdrawn after the starting time for the event in which the first horse was engaged; or

(b) the second event of a double is abandoned or declared no race, the backer of the first horse must be paid at starting price Odds to be determined by Racing Victoria Bookmakers' Supervisor or the Stewards acting at the meeting.

7.6 Deductions

(a) In the event of the withdrawal of a horse or the declaration by the Stewards that a horse is a non-starter, where a deduction is made under Rule 4.3.2(a)(ii) or Rule 4.3.2(a)(iii), a deduction may be made on the Face Value of successful doubles Bets Betting Tickets or as otherwise directed by the Stewards as the case may be.

(b) Where a deduction is so made in respect of each race forming the leg of a winning double the deduction for the first leg must be applied before the deduction for the second leg.

[amended 1/8/11]

7.7 Feature Doubles

For all fixed price feature race doubles bets, whereby the time of the bet placement

(1) is before final acceptances have been declared for one or both races:

(a) all bets shall be regarded as "all-in".

(2) is after final acceptance for both races:

(a) the withdrawal of a selected horse from one such event shall result in the stake being invested on the selected horse in the alternate leg at the agreed fixed price odds for such horse;

(b) the withdrawal of the selections from both races shall result in the stake being refunded;

(c) the withdrawal of any horse from a leg of the double shall result in winning bets being subject to deductions made in accordance with Rule 4.3.2(a)(ii)(B) or Rule 4.3.2(a)(ii)(C) or as otherwise directed by the Stewards;

(d) the winning payment shall be the multiple of the stake and the product of the cumulative prices of the winning horses subject to any deductions given in accordance with part (c) of this rule.

[7.7 adopted 1/6/06; amended 1/8/11]

7.8 Quinella Bets

(1) If a late withdrawal is odds-on at the time of its withdrawal, all quinella bets on the race will be void and all moneys refunded.

(2) If one of the nominated horses in a quinella is even money or longer at the time of its withdrawal, all quinella bets incorporating the withdrawn horse are off, and all moneys are to be refunded. Winning bets made prior

to the time of the withdrawal are subject to a deduction in accordance with the scale of deductions in Appendix A for quinella betting.

(3) If one horse wins and the other horse dead heats for second, the backer wins half the face value of the ticket.

[7.8 added 1/7/07]

8. TREBLE EVENT BETS

All "treble events" Bets made on the course on the day on which the events are run shall be subject to the following Rules:

8.1 First event lost

Bets are determined when the first event is lost.

8.2 Determination of Odds

(1) In any case where:

(a) the first horse wins and the other horses named in the Bet are scratched or withdrawn after the starting time for the event in which the first horse is engaged the backer of the first horse mentioned in the bet shall be paid at starting price Odds to be determined by the Racing Victoria Bookmakers' Supervisor or the Stewards acting at such meeting.

(b) the first horse wins, the horse backed for the second event is scratched after the first horse has won, and the horse backed for the third event wins, the backer shall be paid a dividend calculated by multiplying the starting price dividend of both winners as determined by the Racing Victoria Bookmakers' Supervisor or the Steward acting at such meeting.

(c) the horses backed for the first and second events win, and the horse backed for the third event is scratched after the advertised starting times for the events in which the other horses are engaged, the backer shall be paid a dividend calculated by multiplying the starting price dividend of both winners as determined by the Racing Victoria Bookmakers' Supervisor or the Steward acting at such meeting.

9. "3 OR 4 PLACED HORSES" BETS

In "3 or 4 placed horses" Bets:

9.1 Definition

Backers select a horse from each of 3 or 4 races displayed on the Bookmakers' board on which each runners' price is displayed. The Odds are added to achieve Bet Value.

9.1.1 Bets are determined when the first event is lost

Bets are determined when the first event is lost.

9.2 Result of scratchings

9.2.1 Scratchings after the first leg

Provided that all scratching(s) occur after the starting time of the first leg:

(a) If a scratching(s) prevents a win, the remaining placed runners must be paid at the product of the relative totalisator place Odds.

(b) If there are three scratchings the remaining placed runner must be paid at the relative totalisator place Odds.

9.2.2 Bet Void if scratching before first leg

If any one or more of the selected horses are scratched or withdrawn before the running of the first leg the Bet is Void.

9.3 Winning Bets not subject to deductions

Winning Bets are not subject to any Betting deductions for late withdrawals.

9A. JOCKEY CHALLENGE BETTING

9A.1 Definition

"Jockey Challenge" is betting on a jockey achieving the highest aggregate points scored in accordance with these rules for achieving a place in races conducted at a particular race meeting or over a racing carnival. A racing carnival shall include a series of race meetings as approved by Racing Victoria.

9A.2 Bookmakers to prepare list of jockeys and opening prices

Prior to commencement of betting, bookmakers will prepare a list of jockeys and opening prices. Jockey selections that are included in the list will be sourced from the official jockey list published by Racing Information Services Australia Pty Ltd (**RISA**). The list will also include an "any other" selection that represents any jockeys who are not included in the list as an individual selection. At all times the "any other" selection shall be treated as one entity.

9A.3 Abandoned or postponed race meeting

In the event of a race meeting being abandoned or postponed all bets are void and moneys are to be refunded except as provided by Rules 9A.4 and 9A.5.

9A.4 Incomplete race meeting

In the event of a race meeting not being completed as originally programmed all bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing Victoria Stewards that a jockey has an unassailable lead, in which case all bets stand.

9A.5 Incomplete racing carnival

In the case of Jockey Challenge betting on a racing carnival, should any of the programmed carnival race meetings not be completed in their entirety, all bets shall be deemed void and moneys are to be refunded, except when it is determined by Racing Victoria Stewards that a jockey has an unassailable lead, in which case all bets stand.

9A.6 Postponed and abandoned races

No points shall be allocated in relation to a race scheduled to be conducted at a race meeting if that race is postponed to another race meeting, abandoned or declared a non-race by the Stewards on the day of the race meeting.

9A.7 Determination of Jockey Challenge winner

9A.7.1 Winner

The winner will be the jockey who has the most points accumulated at the end of the competition. Points will be accrued per race and calculated as follows:

(a) 3 points for a winning ride;

(b) 2 points for a second placed ride; and

(c) 1 point for a third placed ride.

9A.7.2 Allocation of points

Points will only be allocated to the jockey(s) who actually rides the winning or placed horse(s) in a race. Points will not be allocated to any rider who may have been engaged to ride a horse but was subsequently replaced by permission or direction of the Stewards.

9A.7.3 No refunds on replacement of rider

There will be no refunds of bets should a jockey be replaced by another rider.

9A.8 Dead Heats and Triple Dead Heats

9A.8.1 Dead heat

In the event of a dead heat for any or all of the placings, jockey points will be allocated on a proportionate fractional basis as follows:

Dead Heat for a Win	Dead Heat for Second	Dead Heat for Third
Points	Points	Points
1st – 2.5, 2.5	1st – 3	1st – 3
2nd – 0	2nd – 1.5, 1.5	2nd – 2
3rd – 1	3rd – 0	3rd – 0.5, 0.5

9A.8.2 Triple dead heat

In the event of a triple dead heat for any or all of the placings, points will be allocated on a proportionate fractional basis as follows:

Triple Dead Heat for a Win	Triple Dead Heat for Second	Triple Dead Heat for Third
Points	Points	Points
1st – 2, 2, 2	1st – 3	1st – 3
2nd – 0	2nd – 1,1,1	2nd – 2
3rd – 0	3rd – 0	3rd – 0.3, 0.3, 0.3

9A.9 Tie

In the event of two or more jockeys being tied on the same number of points at the completion of the competition all successful bets will be paid by dividing the Face Value of the Betting Ticket by the number of jockeys involved in the tie.

9A.10 Future disqualification

Allocated points will not be subject to change in the case of any future disqualification.

9A.11 Payment to be declared

Payment will be declared at the end of each race meeting or carnival, unless otherwise directed by the Stewards.

9A.12 Stewards to determine matters

Any matter in respect to a Jockey Challenge at a race meeting or racing carnival not provided for in this Rule shall be determined by the Stewards officiating at the race meeting or racing carnival to which that matter relates.

[Rule 9A added 1/7/10]

10. CONCESSION BETTING

10.1 Definition

Concession Betting means a Bet to win with the stake being refunded to the backer if the horse concerned is placed second or third.

10.2 There must be at least three runners

Concession Betting must not be conducted on any race in which there are less than three horses running.

10.3 Stewards declaration of totalisator Odds

If the Stewards declare win and place bets be paid at totalisator Odds, winning Concession Bets must:

(a) have their stake divided half for win and half for place; and

(b) be paid at totalisator Odds.

10.4 Dead-heat for first

In the event of a dead-heat for first, Concession Bettors must be paid an amount equivalent to their Stake plus a sum equal to the Bookmakers' Stake divided by the number of horses adjudged to have dead-heated.

10.5 Eight or more starters

If there are eight or more horses in the race when the Bet is made:

10.5.1 Refund for second and third

The backers of the second and third horses must have their Stake refunded.

10.5.2 Dead-heat for second

If there is a dead-heat for second, the backers of the dead-heaters must be paid an amount equal to their Stake divided by half the number of horses adjudged to have dead-heated for second.

10.5.3 Dead-heat for third

If there is a dead-heat for third the backers of the dead-heaters must be paid their Stake divided by the number of horses adjudged to have dead-heated for third.

10.6 Three to seven starters

If there are no less than three and no more than seven horses in the race when the Bet is made:

10.6.1 Refund for second

The backers of the second horse must have their Stake refunded.

10.6.2 Dead-heat for second

If there is a dead-heat for second in a race, the backers of the dead-heaters must be paid their Stake divided by the number of horses adjudged to be dead-heated.

11. FAVOURITE-OUT BETTING

11.1 Definition

Favourite-out Betting means Bookmakers may Bet win and place on a race while excluding from that Betting the odds-on favourite, and where the finishing position of such horse or the withdrawal of such horse has no bearing on how bookmakers will settle bets for such event.

11.2 Approval required to conduct

11.2.1 Grant of approval

A Bookmaker must not conduct Favourite-out Betting unless, no later than one hour before the advertised starting time of the event, the Bookmaker is granted approval by the Betting Supervisor or Stewards to operate Favourite-out Betting.

11.2.2 Bookmaker must not conduct other betting

A Bookmaker granted approval to conduct Favourite-out Betting must conduct only that form of betting for the duration of that race.

11.2.3 Limit on approvals

No more than 40% of Bookmakers operating on an event may operate favourite out Betting. If more than that number of Bookmakers seek approval, a ballot will be conducted by the Betting Supervisor or the Stewards to select the Bookmakers to be granted approval.

11.3 Horse withdrawn or declared a non-runner

If a horse, other than the horse excluded from Betting, is withdrawn or declared a non-runner, payment of Bets must be based on deductions for Favourite-out Betting as declared by the Stewards and calculated pursuant to the Approved Algorithm or otherwise in accordance with the scale of deductions in Appendix B to these Rules (as determined by the Stewards in their discretion). [amended 1/8/11]

12. TOTALISATOR ODDS

12.1 Definition

Totalisator Odds means Odds which are determined or to be determined by the result of the operation of a totalisator on any event where such totalisator is operated by a person or company licensed in Australia. [amended 2/9/10]

[12.2 deleted 1/6/06]

12.3 Bookmakers making or offering Totalisator Odds

The Chairman of Stewards or Racing Victoria may by order or declaration:

(a) permit bookmakers carrying on their business at a race meeting to make or offer Totalisator Odds or odds referable to Totalisator Odds for any bet type on any race on which off-course totalisator betting is conducted by the licensee within the meaning of Chapter 4 of the *Gambling Regulation Act 2003* (Vic), or

(b) require any bet or bets to be paid at Totalisator Odds.

[deleted and replaced 1/6/06; amended 2/9/10]

[Rule 12 effective on and from 15/8/05; amended 1/9/05, 1/6/06]

APPENDIX A

BETTING DEDUCTIONS – QUINELLA AND CONCESSION BETTING

Dividend Of Withdrawn Horse	Concession Deduction	Quinella Deduction	Dividend Of Withdrawn Horse	Concession Deduction	Quinella Deduction
1.05	0.70	N/A	2.90	0.30	0.60
1.06	0.70	N/A	3.00	0.29	0.55
1.07	0.70	N/A	3.10	0.28	0.55
1.08	0.70	N/A	3.20	0.27	0.55
1.09	0.70	N/A	3.30	0.26	0.55
1.10	0.70	N/A	3.40	0.25	0.50
1.12	0.70	N/A	3.50	0.25	0.50
1.14	0.70	N/A	3.60	0.24	0.50
1.16	0.70	N/A	3.70	0.24	0.50
1.18	0.70	N/A	3.80	0.23	0.50
1.20	0.70	N/A	3.90	0.23	0.45
1.22	0.70	N/A	4.00	0.22	0.45
1.24	0.68	N/A	4.20	0.21	0.45
1.26	0.66	N/A	4.40	0.21	0.40
1.28	0.66	N/A	4.60	0.20	0.40
1.30	0.64	N/A	4.80	0.19	0.40
1.35	0.62	N/A	5.00	0.18	0.40
1.40	0.61	N/A	5.50	0.17	0.35
1.45	0.59	N/A	6.00	0.16	0.35
1.50	0.56	N/A	6.50	0.14	0.30
1.55	0.55	N/A	7.00	0.14	0.30
1.60	0.53	N/A	7.50	0.12	0.25
1.65	0.52	N/A	8.00	0.12	0.25
1.70	0.50	N/A	8.50	0.11	0.25
1.75	0.48	N/A	9.00	0.11	0.20
1.80	0.47	N/A	9.50	0.09	0.20
1.85	0.46	N/A	10.00	0.09	0.20
1.90	0.45	N/A	11.00	0.08	0.16
1.95	0.43	N/A	12.00	0.08	0.16
2.00	0.42	0.70	13.00	0.07	0.16
2.05	0.41	0.70	14.00	0.07	0.14
2.10	0.40	0.70	15.00	0.06	0.12
2.15	0.39	0.70	16.00	0.06	0.12

2.20	0.38	0.65	17.00	0.06	0.12
2.25	0.38	0.65	18.00	0.05	0.12
2.30	0.37	0.65	19.00	0.04	0.10
2.35	0.37	0.65	20.00	0.04	0.10
2.40	0.36	0.65	21.00	0.04	0.08
2.45	0.35	0.65	26.00	0.03	0.08
2.50	0.35	0.65	31.00	0.03	0.06
2.60	0.33	0.65	41.00	0.02	0.04
2.70	0.31	0.60	51.00	0.02	0.04
2.80	0.31	0.60			

APPENDIX B

BETTING DEDUCTIONS – WIN, PLACE AND DOUBLE BETTING

Dividend Of Withdrawn Horse	Win	3 PLACE @ 1/4 ODDS	2 PLACE @ 1/3 ODDS	DOUBLE	Dividend Of Withdrawn Horse	Win	3 PLACE @ 1/4 ODDS	2 PLACE @ 1/3 ODDS	DOUBLE
1.05	0.80	0.30	0.44	0.80	2.90	0.32	0.21	0.29	0.32
1.06	0.80	0.30	0.44	0.80	3.00	0.31	0.21	0.28	0.31
1.07	0.80	0.30	0.44	0.80	3.10	0.30	0.20	0.27	0.30
1.08	0.80	0.30	0.44	0.80	3.20	0.29	0.20	0.27	0.29
1.09	0.80	0.30	0.44	0.80	3.30	0.28	0.20	0.26	0.28
1.10	0.80	0.30	0.44	0.80	3.40	0.27	0.19	0.26	0.27
1.12	0.80	0.30	0.44	0.80	3.50	0.27	0.19	0.25	0.27
1.14	0.80	0.30	0.44	0.80	3.60	0.26	0.19	0.25	0.26
1.16	0.80	0.30	0.44	0.80	3.70	0.25	0.19	0.25	0.25
1.18	0.79	0.30	0.44	0.79	3.80	0.25	0.18	0.24	0.25
1.20	0.78	0.30	0.44	0.78	3.90	0.24	0.18	0.24	0.24
1.22	0.77	0.30	0.44	0.77	4.00	0.23	0.18	0.23	0.23
1.24	0.75	0.29	0.43	0.75	4.20	0.22	0.17	0.23	0.22
1.26	0.74	0.29	0.43	0.74	4.40	0.21	0.17	0.22	0.21
1.28	0.73	0.29	0.43	0.73	4.60	0.20	0.16	0.21	0.20
1.30	0.72	0.29	0.42	0.72	4.80	0.19	0.16	0.21	0.19
1.35	0.69	0.29	0.42	0.69	5.00	0.19	0.16	0.20	0.19
1.40	0.67	0.28	0.41	0.67	5.50	0.17	0.15	0.19	0.17
1.45	0.64	0.28	0.41	0.64	6.00	0.16	0.14	0.18	0.16
1.50	0.62	0.28	0.40	0.62	6.50	0.14	0.13	0.16	0.14
1.55	0.60	0.27	0.39	0.60	7.00	0.13	0.12	0.16	0.13
1.60	0.58	0.27	0.39	0.58	7.50	0.12	0.12	0.15	0.12
1.65	0.57	0.27	0.38	0.57	8.00	0.12	0.11	0.14	0.12
1.70	0.55	0.27	0.38	0.55	8.50	0.11	0.11	0.13	0.11
1.75	0.53	0.26	0.37	0.53	9.00	0.10	0.10	0.13	0.10
1.80	0.52	0.26	0.37	0.52	9.50	0.10	0.10	0.12	0.10
1.85	0.51	0.26	0.36	0.51	10.00	0.09	0.10	0.12	0.09
1.90	0.49	0.25	0.36	0.49	11.00	0.08	0.09	0.11	0.08
1.95	0.48	0.25	0.35	0.48	12.00	0.08	0.08	0.10	0.08
2.00	0.47	0.25	0.35	0.47	13.00	0.07	0.08	0.09	0.07
2.05	0.46	0.25	0.35	0.46	14.00	0.07	0.07	0.09	0.07

2.10	0.45	0.24	0.34	0.45	15.00	0.06	0.07	0.08	0.06
2.15	0.43	0.24	0.34	0.43	16.00	0.06	0.07	0.08	0.06
2.20	0.42	0.24	0.33	0.42	17.00	0.05	0.06	0.07	0.05
2.25	0.42	0.24	0.33	0.42	18.00	0.05	0.06	0.07	0.05
2.30	0.41	0.24	0.33	0.41	19.00	0.05	0.06	0.07	0.05
2.35	0.40	0.23	0.32	0.40	20.00	0.05	0.05	0.06	0.05
2.40	0.39	0.23	0.32	0.39	21.00	0.04	0.05	0.06	0.04
2.45	0.38	0.23	0.32	0.38	26.00	0.03	0.04	0.05	0.03
2.50	0.37	0.23	0.31	0.37	31.00	0.03	0.03	0.04	0.03
2.60	0.36	0.22	0.30	0.36	41.00	0.02	0.03	0.03	0.02
2.70	0.35	0.22	0.30	0.35	51.00	0.02	0.02	0.02	0.02
2.80	0.33	0.21	0.29	0.33					