

## WHIP RULES (EFFECTIVE 1 SEPTEMBER 2020)

AUGUST 21 2020

HRNSW Stewards remind all industry stakeholders that effective 1 September 2020, the updated 'Whip Rules' will take effect.

These amendments build upon the industry's continuous moderation in this area which has been progressing at regular intervals since 2010.

Industry participants are encouraged to familiarise themselves with the new rules and take a proactive approach to self-moderation in advance. To assist industry with the required changes a training video has been developed and can be found by the below link.

<https://vimeo.com/448037744>

The Rules amendments are set out below in **bold italics**:

### WHIP RULE AMENDMENTS

#### **Rule 156**

- (1) (a) A driver shall only use and be in possession of a whip approved by the Controlling Body.
  - (b) A whip, once approved –
    - (i) shall not be modified in any manner; and,
    - (ii) shall be maintained in a satisfactory condition.
  - (c) A whip that does not comply with sub-paragraph (b) may be confiscated by the Stewards.
  
- (2) (a) A driver shall only apply the whip in a ***wrist only*** flicking motion whilst holding a rein in each hand with the tip of the whip pointed forward in an action which does not engage the shoulder.
  - (b) ***For the purposes of sub-paragraph (a), "wrist only flicking motion" means:-***
    - (i) ***Ensuring no force is generated by the use of the elbow or shoulder when applying the whip.***
    - (ii) ***The forearm is not raised beyond forty-five degrees relative to the racing surface.***
    - (iii) ***Not applying the whip with overt force.***
  
- (3) A driver shall not use a whip in an unapproved manner.
  
- (4) For the purposes of sub-rule (3) a driver shall be deemed to have used the whip in an unapproved manner in the following circumstances which are not exclusive:-
  - (a) If the whip is applied excessively, continuously and/or without allowing the horse time to respond.
  - (b) If the whip is applied when the horse:-
    - (i) is not visibly responding;
    - (ii) is not in contention;
    - (iii) cannot maintain or improve its position;
    - (iv) is clearly winning;

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(v) has passed the winning post at the finish of a race.  
(c) If the reins are lengthened so as to result in loose reining regardless of whether the whip is being used at the same time.

***(d) If the whip is used in a prodding or jabbing fashion.***

- (5) A driver shall not use the whip in a manner which causes injury to a horse.
- (6) A whip shall not be used so as to obstruct, strike or endanger another driver or horse.
- (7) A driver shall not allow a whip to project outside the sulky.
- (8) A person who fails to comply with any provision of this Rule is guilty of an offence.

**Stewards Guide - AHRR 156 (4) (a)**

For the purposes of sub-rule (3) a driver shall be deemed to have used the whip in an unapproved manner in the following circumstances which are not exclusive:-

- (a) If the whip is applied excessively, continuously and/or without allowing the horse time to respond.
  - Term excessively, continuously and/or without allowing the horse time to respond will take their common meaning.
  - **The use of the whip on more than twenty (20) occasions over the final 400 meters would be considered excessive.**

Notwithstanding point 2, the following conditions must also be considered;

- Rapid use of the whip for a short or long period would be considered unapproved.
- A clear break when applying the whip must be displayed.

**Stewards Guide – AHRR 156(7)**

- This refers to the positioning of the whip regardless if it is being used or not;
- The whip should be positioned within the confines of the sulky and not in a position to obstruct or danger another horse or driver;
- The use of the whip to strike the wheel disk or in a side action would be considered outside the sulky.

The use of the whip irrespective of whether the whip is striking the dust/splash sheet or sulky shaft, does not provide justification and action under the Rules will still occur.

**PENALTY GUIDELINES –**

For the purpose of Penalty only, all drivers as from 1 September 2020, will have their offence record for the purpose of whip use only, reset to determine the starting point for an offence under these Rules.

The current penalty structure as outlined in the HRNSW Penalty Guidelines will remain.

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It is also determined that the reset period of 60 drives or a period of 60 days, whichever occurs first, will also remain.

To afford drivers appropriate time to adjust their action and comply with the new whip Rules a 1st offence in the month of September will result in a Reprimand being imposed. Any further offences during the month of September will activate the HRNSW Penalty Guidelines as displayed below. Notwithstanding the above, any breach of the Rules which is considered deliberate, egregious or displays a win at all cost attitude would result in higher penalties being imposed including the loss of opportunity for a Reprimand as a 1st offence in September.

<b>1st Offence</b>	Fine - \$ 200
<b>2nd Offence</b> – If a Driver reoffends within 60 drives or a period of 60 days, whichever occurs first, of the 1st Offence.	Fine - \$ 400
<b>3rd Offence</b> – If a Driver reoffends within 60 drives or a period of 60 days, whichever occurs first, of the 2nd Offence.	Fine \$ 400 and 7 days suspension
<b>4th Offence</b> – If a Driver reoffends within 60 drives or a period of 60 days, whichever occurs first, of the 3rd Offence.	Fine \$ 1000 and/or 14 days suspension (at Stewards discretion)
<b>5th Offence</b> – If a Driver reoffends within 60 drives or a period of 60 days, whichever occurs first, of the 4th Offence.	21 days suspension

An Offence as mentioned in the above table shall include all offences occurring in breach of Rules 156(2)(a) and (3) in total.

In instances where a Driver is found to have breached the “Whip Rules” on more than eight (8) occasions in any twelve month period HRNSW may require the Driver to show cause as to why he remain licensed by the Controlling Body.

In the event a Driver is required to show cause the Controlling Body may direct that the Driver not be permitted to drive pending the said Driver responding to such Notice.

Until 1 September 2020, HRNSW Stewards will monitor the use of the Whip and provide feedback to participants who may be in breach of the new Whip Rules.

All drivers are encouraged to contact the HRNSW Integrity department and seek further clarification if unsure on any aspects of the new Rules or policing within NSW.

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