

HRA RULE AMENDMENTS- APPROVED BY BOARD OF HRNSW

DECEMBER 2 2020

The following amendments to the Australian Harness Racing Rules (AHRR) have been approved by Harness Racing Australia.

Those amendments, except for AHRR 155A, were adopted by the Board of HRNSW on Thursday 26 November 2020 and are effective from that date.

DICTIONARY

Add definition:

“Veterinarian” or “registered veterinarian” 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 Controlling Body (including by way of permit, approval or licence) if required by a Local Rule of that Controlling Body.

2. STEWARDS

Powers

- Amend Rule 15(1)(d)

15. (1) Stewards are empowered -

- (d) to exclude or direct the removal of a person from any property being used for any aspect of the harness racing industry;

Presence of Stewards at meetings

- Amend Rule 18

18. Except with the approval of the Controlling Body or Stewards, a club shall not conduct a meeting or race in the absence of the Stewards.

For further information on this matter contact:
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3. MEETING AND RACES

Nominations and acceptances

- Amend Rule 23(13)

23. (13) The Controlling Body or Stewards may reject a nomination without assigning any reason.

Stable returns

- Amend Rule 25(1)(a), (b), (2), (3), (5)

25. (1) (a) A stable return containing true and correct particulars must be lodged with the Controlling Body or Stewards by the connections of a horse within the time and in the manner and form determined by the Controlling Body or Stewards and the connections shall ensure that all particulars on the stable return are true and correct.

(b) Unless otherwise determined by the Controlling Body or Stewards, a stable return shall be made on Form R25-A.

(2) In the event of a change to any of the particulars entered on the stable return, a fresh stable return containing the current particulars shall immediately be lodged with the Controlling Body or Stewards.

(3) If, after a horse is accepted but before the race is run, some dealing in or change of interest or event specified by the Controlling Body or Stewards occurs, particulars thereof shall be furnished to, and in the manner and form determined by, the Controlling Body or Stewards.

(5) The Controlling Body or Stewards may reject a stable return or impose on the return such conditions as it or they consider appropriate.

Security of horses

- Amend Rule 26(1), (2), (3), (6), (8), (9)

26. (1) The Controlling Body or Stewards shall in respect of any race determine all applicable security arrangements including those applying to a horse or horses.

(2) Where a determination is made under sub rule (1) the connections of every horse accepted for the race shall upon acceptance or by such other time determined by the Controlling Body or Stewards, notify the Controlling Body or Stewards where the horse will be located from the time of notification until the start of the race.

(3) Notification under sub rule (2) shall be in writing or given in such other form as the Controlling Body or Stewards may require.

(6) Where security arrangements apply the Controlling Body or Stewards may appoint persons to maintain surveillance of a horse.

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(8) Where security arrangements apply the connections shall comply with any direction given by the Controlling Body or Stewards which, in its or their opinion, is necessary or conducive to the more effective implementation of those arrangements.

(9) Without restricting the scope of sub rule (8), the Controlling Body or Stewards may direct that a horse be brought to a nominated place by a certain time.

Disqualification

- Amend preamble Rule 66

66. A horse may be disqualified from a race or placed in a lower finishing position in a race if the horse -

5. HORSES

Deregistration of a horse

- Amend Rule 96A(3)(a), 96A(4)(a), (b), (5)
- Amend Rule 96B

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

96A. (4) The owner or trainer of a registered horse at the time of its death shall:-

- (a) In the case of a horse which dies within fourteen (14) days of being entered for or participating in a race notify the Controlling Body or Stewards of the death within 24 hours of its occurrence.
- (b) In any other case notify the Controlling Body or Stewards of the death within seven (7) days of its occurrence.

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

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

Gait Change

- Amend Rule 97(1)

97. (1) The owner or lessee of a horse may make application to the Controlling Body or Stewards to change the gait of the horse.

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Medical and surgical procedures

- Amend Rule 100(1), (2)
 - Amend Rule 100A
100. (1) A person who has a horse gelded or submits it to a medical, surgical or other procedure of a type specified by the Controlling Body or Stewards, shall notify the Controlling Body or Stewards of that fact.
- (2) Notification under sub rule (1) shall be given within 7 days of the gelding or other procedure occurring, in writing or such other form as the Controlling Body or Stewards may determine and, if the horse is named, notification shall be accompanied by the horse's registration certificate.
- 100A. Notification of gelding or performance of other specified procedures shall be given to the Controlling Body or Stewards on Part B of Form R25-A.

Atrial Fibrillation

- Change heading from Cardiac Arrhythmia to Atrial Fibrillation
 - Amend Rule 101C(1), (2)
 - Add new Rule 101C(3)
- 101C. (1) If a horse suffers atrial fibrillation the trainer shall immediately and in any event within 24 hours notify the Stewards.
- (2) If the Stewards are satisfied that a horse has suffered atrial fibrillation the Stewards shall:
- (a) After the first attack stand the horse down from racing for a period of 14 days, require the horse to undergo an ECG prior to a trial and then trial to the satisfaction of the Stewards.
- (b) After the second attack stand the horse down from racing for a period of 28 days, require the horse to undergo an ECG before trialling and then trial on two occasions to the satisfaction of the Stewards.
- (c) After the third attack, bar the horse for life.
- (3) A trainer who fails to comply with sub-rule (1) or races a horse in contravention of sub-rule (2) is guilty of an offence.

Notification of disease or death

- Amend Rule 104(1), (3)
 - Amend Rule 104A(1), (2)
104. (1) If a horse contracts or is suffering any contagious disease or condition specified by the Controlling Body or Stewards, the connections of the horse must immediately and in any event within 24 hours of the horse being diagnosed as suffering from the disease or condition, notify the Controlling Body or Stewards in writing of that fact.
- (3) The Controlling Body or Stewards may take such action with regard to the horse as it or they may determine.

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- 104A. (1) The Controlling Body or Stewards may, by order in writing, declare an infectious or contagious animal disease or condition to be a contagious disease or condition for the purposes of this Rule.
- (2) A person who owns or is in charge of, or has in his or her possession or control, a horse which the person suspects or should reasonably suspect is infected with a contagious disease or condition and who does not, as soon as possible after the person should have suspected or became aware that the horse is infected and in any event within 24 hours of the horse being diagnosed as suffering from the disease or condition, notify the Controlling Body or Stewards in that State or Territory by the quickest means of communication available to the person, is guilty of an offence.

Passing of engagements and related matters

- Amend Rule 113(3)
113. (3) Notwithstanding anything in this rule, the Controlling Body or Stewards may make such determinations and give such directions with regard to the engagements of a horse and the rights and liabilities attaching thereto as it or they think fit

Relinquishment of training

- Amend Rule 119(1)
119. (1) A trainer shall on relinquishing the training of a horse immediately give notification of that fact to the Controlling Body or Stewards.

Temporary transfer of horse

- Amend Rule 119A(3)
- 119A. (3) The details of the request must be confirmed by the trainer in writing within the time and contain the information required by the Controlling Body or Stewards.

Transfer from disqualified trainer

- Amend Rule 120(2), (3), (5)
120. (2) A transfer must be approved by the Controlling Body or Stewards.
- (3) The Controlling Body or Stewards may at any time revoke the approval of a transfer if it or they form the view that the disqualified person is involved with or influencing the training of the horse.
- (5) A horse may be declared ineligible to race by the Controlling Body or Stewards if it or they form the view that the disqualified person is involved with or influencing the training of the horse.

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7. STARTING

Approvals

- Amend Rule 143(1)

143. (1) Unless the Controlling Body or Stewards otherwise direct or permit, all races shall be started by means of a starting barrier approved by the Stewards and which functions to their satisfaction.

9. DRIVERS

Pregnant Driver

- Amend Rule 153(1)

153. (1) Immediately a driver becomes aware that she is pregnant she shall notify the Controlling Body or Stewards.

Horse breaking gait

- Amend Rule 155A(2) – DOES NOT APPLY IN NSW

155A. (2) For the purposes of sub-rule (1) “covered” means when a horse has its nose in line with any part of the breaking horse’s body excluding its tail or extended hind legs when the nose of the horse which has broken gait reaches the finish line.

Offences - relating to sulkies

- Amend 170(4)
- Add new Rule 170(5)

170. (4) A driver who fails to comply with sub-rules (1) or (2) is guilty of an offence.

(5) Any person referred to in sub-rule (3) who fails to comply with the sub-rule is guilty of an offence.

12. PROHIBITED SUBSTANCES

Out of Competition Testing

- Amend Rule 190A(2)(t)
- Renumber existing 190A(2)(t) to 190A(2)(u)

190A. (2) For the purposes of sub-rule (1), the following substances are specified as prohibited substances:-

(t) zoledronic acid

(u) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (t).

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Bisphosphonates

- Amend Rule 190AB(1), (2)(a), (b), (c) (d), (3), (5)(a), (5)(b), (8)

190AB.(1) A horse must not at any time be administered an unregistered bisphosphonate or zoledronic acid.

(2) Any person who:-

(a) Administers an unregistered bisphosphonate or zoledronic acid

(b) Attempts to administer an unregistered bisphosphonate or zoledronic acid

(c) Causes an unregistered bisphosphonate or zoledronic acid to be administered and/or

(d) Is a party to the administration of or an attempt to administer any unregistered bisphosphonate or zoledronic acid to a horse is guilty of an offence.

(3) Where the Stewards are satisfied that a horse has, or is likely to have been, administered an unregistered bisphosphonate or zoledronic acid contrary to this rule, the Stewards may prevent the horse from starting in any relevant race.

(5) When a sample taken from a horse aged four years or older has detected in it

(a) A registered bisphosphonate other than zoledronic acid the horse is not permitted to start in any race for a minimum period of thirty days from the date of the collection of the sample in which the bisphosphonate was detected.

(b) An unregistered bisphosphonate or zoledronic acid the horse is not permitted to start in any race for a minimum period of twelve months from the date of the collection of the sample in which the bisphosphonate was detected.

(8) When a sample taken from a horse has detected in it a bisphosphonate in breach of this rule the trainer and any other person who is in charge of such horse at the relevant time shall be guilty of an offence.

Administering Substances

- Add new Rule 196D

196D. (1) A person shall not within eight (8) clear days of the commencement of a race administer, attempt to administer or cause to be administered an intra-articular injection to a horse nominated for that race.

(2) A Steward shall order the withdrawal or disqualification of a horse that has been either the subject of an administration or an attempted administration of an injection in breach of sub-rule (1).

(3) A person who fails to comply with sub-rule (1) is guilty of an offence.

(4) For the purposes of this Rule “one clear day” means the twenty four (24) hour period from 12.01 a.m. to midnight.

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14. GENERAL OFFENCES

Information

- Amend Rule 206

206. A person shall not inform the Controlling Body or Stewards, a club or other body conducting a meeting, a drivers' check clerk, or some other official or representative, that a driver shall drive at a meeting if that driver is unavailable to do so.

Horses

- Amend Rule 213B

213B. (1) A person other than a registered veterinarian shall not:

- (a) have in his possession or control any device capable of administering shockwave therapy to a horse;
- (b) perform shockwave therapy on a horse.

(2) A horse that has been subjected to any form of shockwave therapy shall be ineligible to race for seven (7) clear days following the therapy.

(3) For the purposes of this Rule "one clear day" means the twenty four (24) hour period from 12.01 a.m. to midnight.

Association with disqualified persons

- Amend Rule 230

230. Except with the consent of the Controlling Body or Stewards a person shall not associate or communicate for purposes relating to the harness racing industry with a disqualified person or a person whose name appears in the current list of disqualifications published or adopted by a recognised harness racing authority.

Assault and Interference

- Add new Rule 231(1)(g)

231. (1) A person shall not:-

- (g) bully

Employment

- Amend Rule 236

236. Except with the approval of the Controlling Body or Stewards, a person shall not employ or use a disqualified person in connection with the care, training, management, supervision or racing of horses.

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Publications and Related Matters

- Amend Rule 248

248. A person shall not say, publish or write or cause to be said, published or written anything malicious, intimidatory, obscene, offensive, defamatory, racist, threatening, harassing, discriminatory, abusive or otherwise improper about the Controlling Body, its members and employees or the Stewards or anyone else associated with the Harness Racing Industry.

Alcohol and related matters

- Amend Rule 252B(d), (e)(i)
- Amend Rule 252BB(d), (e)(i)

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

- (d) The driver must if requested submit to medical examination by a medical practitioner appointed by a Controlling Body or Stewards to advise it or them on the matters raised in sub-paragraphs (i), (ii) and (iii) of paragraph (c) of this rule.
- (e) The driver must:-
 - (i) Before driving make application to the Controlling Body or Stewards for permission to drive with a specifically prescribed banned substance in his system.

252BB. Notwithstanding the provisions of Rule 250A, the Stewards may permit a person referred to in Rule 250A to receive a specified banned substance, subject to the following conditions:-

- (d) The person carrying on or purporting to carry on licensed activities or official duties must if requested submit to medical examination by a medical practitioner appointed by a Controlling Body or Stewards to advise it or them on the matters raised in sub-paragraphs (i), (ii), and (iii) of paragraph (c) of this Rule.
- (e) The person carrying on or purporting to carry on licensed activities or official duties must:-
 - (i) Before engaging in the relevant activity make application to the Controlling Body or Stewards for permission to conduct the activity with a specifically prescribed banned substance in his system.

16. DISQUALIFIED PERSONS

Ineligibility of horse

- Amend Rule 261(2)

261. (2) The same ineligibility attaches to a horse which is established to the satisfaction of the Controlling Body or Stewards to be wholly or in part under the care, training, management or supervision of a person mentioned in sub rule (1).

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17. EQUIPMENT AND COLOURS

Application to change gear

- Amend Rule 269

269. In the case of a horse to compete in a race, application to change any gear must be made to the Controlling Body or Stewards by the connections at a time to be determined by the Controlling Body or Stewards.

21. GENERAL MATTERS

Notification

- Amend preamble Rule 307(1)

307. (1) Where the Controlling Body or the Stewards impose, make or give an order, direction, decision, determination or the like under these rules which is of general application or of general interest to participants in the harness racing industry, it or they may give notice thereof –

Service of Notices

- Renumber existing Rule 307(3) to Rule 308(3)

308. (3) After service has been effected the Controlling Body or Stewards, as the case may be, may proceed to deal with the matter including in the absence of the person served.