

Policy: 644.10

Effective: 1 November 2024

Revised: 31 October 2024

Subject: Licensing Policy

Reference: *Harness Racing Act 2009*
Australian Harness Racing Rules
HRNSW Board Meeting – 21 February 2012
HRNSW Board Meeting – 23 October 2012
HRNSW Board Meeting – June 2016
HRNSW Board Meeting- 14 February 2019
HRNSW Board Meeting- 26 March 2020
HRNSW Board Meeting – 28 July 2022
HRNSW Board Meeting – 30 November 2023
HRNSW Board Meeting – 5 September 2024
HRNSW Board Meeting – 31 October 2024

LICENSING POLICY

1. BACKGROUND

- 1.1 HRNSW is responsible for the regulation of the Harness Racing Industry in NSW.
- 1.2 HRNSW may licence or regulate any activity connected with the Harness Racing Industry in accordance with Australian Harness Racing Rule 90(1).
- 1.3 HRNSW may grant a licence for such period and up such terms and conditions as it thinks fit, and may refuse a licence without assigning any reason whatsoever.
- 1.4 HRNSW may without limiting the powers under the Harness Racing Act 2009 and the Australian Harness Racing Rules, in its discretion;
 - (a) Vary or amend the licensing criteria at any time,
 - (b) Require additional information to accompany a licence application,
 - (c) Impose terms and conditions on the granting of a licence, and/or
 - (d) Take into account any other matter it considers relevant in determining a licence application.

2. POLICY

2.1 Licensing Committee

1. HRNSW may appoint a Licensing Committee at any time to undertake any or all of the powers of the Controlling Body, to collate and investigate information relevant to any application as required by the Board or where requested to make recommendations in regards to any application.

2. HRNSW will appoint persons to the Licensing Committee as required.
3. The Licensing Committee will meet as determined and will provide a report of its activity to the Board monthly.
4. The Licensing Committee charter is appendix A to this policy.

- 2.2 Applicants note that before making an application for a Driver or Trainer's licence, an applicant must have held a Stablehand licence for a minimum period of six (6) months, complete the Basic Horsemanship Examination and Online Training Requirements.
- 2.3 All persons making application to be licensed by HRNSW must be domiciled in NSW and provide evidence.
- 2.4 All first time applicants for a Drivers or Trainer's licence are required to enrol and complete the approved HRNSW Training Program before progressing past a C Grade licence.
- 2.5 If a previous licence has lapsed for a period of 24 months or more an application by that person will be treated as a new application.
- 2.6 Any Applicant who has held a Licence in another jurisdiction, including overseas, will be required to furnish a written clearance from the jurisdiction in which he/she was last licensed together with their disciplinary record and submit an application for a licence in NSW together with any required insurance levy.
- 2.7 Interstate Licence holders who have relocated and applied for a licence in NSW must have:
 - (a) held an interstate licence for a period of 2 years of the same category as the licence applied for in NSW; or
 - (b) met all of the required criteria of the similar licence type in NSW as outlined in this policy, including having enrolled in the HRNSW Training Program, where required.

Should an applicant not meet the above criteria then a licence of a lower category may be considered by the HRNSW Licensing Committee.

2.8 Cognitive Testing

All drivers licensed by HRNSW are required to undertake an initial mandatory baseline cognitive test as required by HRNSW and/or HRNSW Stewards.

In addition, all licensed drivers are required to undertake an annual cognitive test as part of the licence renewal process. A licence for any driver who has not undertaken the initial baseline cognitive test or any **subsequent test as** directed by HRNSW and/or HRNSW Stewards will not be renewed in the next licensing period.

Further, in circumstances where a driver is currently licensed and has failed to provide an initial baseline cognitive test and/or subsequent cognitive test as required, HRNSW and/or HRNSW Stewards may review the status of that licence.

2.9 C Grade Driver Licence

The holder of a C Grade Driver licence is licensed to drive at trials, shows and to carry out track work on a registered track. In addition, they may drive at any meeting to prepare a horse to race at that meeting, other than drive a horse in its immediate pre-race preliminary at a race meeting.

A 'C' Grade Driver's licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.10 B Grade Driver Licence

The holder of a B Grade Driver licence may drive at trials and shows and is licensed to drive at country or provincial race meetings including country or provincial class meetings at a metropolitan racecourse, however, is not licensed to drive at Metropolitan Class race meetings. Furthermore, the holder of a B Grade licence may not drive in Group 1, Group 2 or Group 3 events or any event with prizemoney of \$50,000 or more.

A 'B' Grade Driver's licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

To be eligible to drive in races a B Grade Driver must complete at least twenty (20) satisfactory drives at Official Trials, at which a HRNSW approved Trial Supervisor or a HRNSW Steward is present.

In qualifying as a B Grade Driver the person will record his "trial drives" on the form prescribed and have a HRNSW approved Trial Supervisor or a HRNSW Steward sign the record. The Driver may only record one satisfactory drive at each attendance.

B Grade Driver licence holders permitted to drive in "C" Class races at Metropolitan meetings from 1 July 2022 until 31 December 2022, will be permitted to drive in any race at Metropolitan Class race meetings, with the exception of Group 1, Group 2 or Group 3 events.

Commencing 1 January 2023 B Grade Driver licence holders (including those previously permitted to drive in "C" Class races at Metropolitan meetings) will no longer be permitted to drive in races at Metropolitan meetings, with the exception of invitational races such as the J.C Caffyn Plate, Rising Stars and Lady Drivers.

2.11 A Grade Driver Licence

The holder of an "A" Grade Driver licence is licenced to drive at any race meeting.

An 'A' Grade Driver's licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.12 Concession Drivers

Refer [here](#) for information.

2.13 "C" Grade Trainer Licence

The holder of a C Grade Trainers Licence is licensed to prepare, educate and exercise a horse but, cannot trial it nor nominate it to race.

The holder of a C Grade Trainers Licence is not permitted to drive in any trials, including education or green trials.

A 'C' Grade Trainer's licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.14 “B” Grade Trainer Licence

The holder of a “B” Grade Trainer licence may train any registered horse which the person owns or partly owns or which is owned by the person’s spouse, other domestic partner, parent, sibling or child.

The holder may also train up to a maximum of three (3) horses for outside clients (ie not family related) at any one time by seeking written approval from HRNSW.

The holder of a B Grade Trainers Licence is not permitted to drive in any trials, including education or green trials.

A ‘B’ Grade Trainer’s licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.15 “A” Grade Trainer Licence

The holder of an A Grade Trainer licence may train any registered horse.

The holder of an A Grade Trainer Licence is not permitted to drive in any trials, including education or green trials.

An ‘A’ Grade Trainer’s licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.16 Training Partnerships

HRNSW will consider applications from Trainers to train in partnership.

Only Trainers who have attained an A Grade Trainers Licence, or exhibit competencies which would qualify for that Licence, are eligible to make application to train in partnership.

2.17.1 Stablehand (Non-driving)

The holder of a Stablehand licence is licensed to perform stable duties, under the supervision or instruction of a licensed Trainer as follows:

- (a) Assist with the training, management, care and control of horses; and
- (b) Assist with pre-race preparation of, and post-race procedures affecting a horse, including at a race meeting or official trials.

A Non-Driving Stablehand licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.17.2 Stablehand (Driving)

The holder of a Stablehand licence is licensed to perform stable duties, under the supervision or instruction of a licensed Trainer as follows:

- (a) Carry out track work.
- (b) Assist with the training, management, care and control of horses

- (c) Assist with pre race preparation of, and post-race procedures affecting a horse

A Driving Stablehand licence may be issued to a person who has complied with the criteria prescribed in Schedule 1.

2.18 Mini Trots

Refer to www.nswminitrots.org.au for terms and conditions.

2.19 Visiting Trainer Permit

- (a) Trainers visiting NSW from interstate with a horse or horses intending to stable overnight in NSW before or after a race must submit an application to HRNSW for approval. Any Trainers intending on staying for a period greater than 2 months must apply for an extension.
- (b) Trainers and Drivers visiting NSW from overseas will be required to submit an application in NSW and pay any required insurance levy. In addition, they will be required to furnish a written clearance from the jurisdiction in which he/she is licensed together with their disciplinary record.

2.20 Disqualified person reapplying for a Licence

- (a) If a licensed person is disqualified the licence automatically ceases.
- (b) Persons wishing to apply for a new licence after disqualification therefore must apply as an unlicensed participant and are required to meet the usual licensing criteria including payment of the required licence fee.
- (c) In addition, a disqualified person who is seeking to be relicensed may be required, as part of their application, to appear before HRNSW, the Licensing Committee or one or more delegates. HRNSW or the Licensing Committee may require the Applicant to show cause as to why they should be granted a new licence in light of any previous matters pertaining to harness racing.

2.21 Reinstating Previous Driver Licence

- (a) Any person wishing to reinstate/renew their driver's licence who has not driven consistently in the last two (2) seasons at a race meeting, will be required to satisfactorily complete a number of satisfactory trial drives as determined by HRNSW.
- (b) Upon the completion of the required drives the licence category reinstatement/renewal will be at the discretion of HRNSW.
- (c) Any person who has had an application for a licence refused by HRNSW must not make a further application until the expiration of twelve (12) months from the date of such refusal. The Board of HRNSW may, however, in its discretion reduce this period.

In circumstances where the decision to refuse a licence has been subject to Appeal, the period of twelve (12) months will not commence until the appeal decision is handed down.

In order for an application submitted following the expiration of twelve (12) months, the Applicant is required to demonstrate changes in their circumstances that would warrant consideration of the subsequent application.

Unless the applicant can satisfy the HRNSW Licensing Committee and/or Board of HRNSW that a change in their circumstances would warrant consideration of that subsequent application, the HRNSW Licensing Committee and/or Board of HRNSW may refuse to consider that application.

2.22 Renewal of an A Grade Drivers Licence

The renewal of any A Grade Drivers Licence will be conditional upon the applicant having a minimum of 30 race drives during the previous season and maintaining a satisfactory disciplinary record.

Where an exceptional circumstance has limited an Applicant's driving during the previous season, he may be required to provide details of such occurrence for the consideration of the Licensing Committee.

2.23 Surrender of Licence

A person may surrender a Licence at any time.

After the expiration of a period of five (5) clear days from the date a Licence is surrendered, and regardless of whether the holder contacts HRNSW, the Licensing Committee may cancel the said Licence.

Any attempt to surrender a Licence will not terminate or effect any audit or Inquiry into any aspect involving the Licence, including retrospectively.

2.24 Fit and Proper Person

Suitability of Licensees

All Licensees and Applicants for licences must meet and continue to meet suitability requirements. These requirements address whether or not a licensee is a "fit and proper person" to be licensed.

Criteria for a fit and proper person will be applied.

"Fitness"

A person must be fit and able to perform the duties of the relevant licence

1. Where a person is not physically fit to perform the duties of a particular license category in person, but is able to supervise and direct an exception may be considered provided there is no risk to other persons, animals or to the good conduct of racing and training. Such persons would require the facilities, equipment, experience, knowledge, and other personal qualities necessary for successfully functioning in this manner.
2. Fit also requires the person to have the stated skills and knowledge required for a licence. HRNSW may require appropriate evidence of skills and knowledge through testing, training and assessment or other means.
3. Fit includes the person's mental fitness to make correct decisions in relation to behaviour by demonstrating a continuing moral commitment to good behaviour and good character.

"Propriety"

Propriety relates to the general level of integrity of the person. It is primarily concerned with general behaviour and conduct but not limited to:

1. History
2. Reputation
3. Integrity
4. Honesty
5. Character

Propriety will be assessed on the basis of general behaviour and conduct but not limited to, in particular:

1. Disciplinary history
2. Evidence of dishonesty
3. Behaviour towards officials and staff of HRNSW and other NSW harness industry participants
4. Any conduct or statement likely to impact the person's reputation and more broadly on the reputation of other licensees, officials of HRNSW and the NSW harness racing industry
5. Demonstrated ability to consistently operate within the rules and policies of HRNSW, the *Harness Racing Act 2009* and any other laws and regulations applicable to the conduct of the industry and its participants including gaming laws
6. Evidence of improper behaviour, misconduct, breach to adhere to the HRNSW Code of Conduct, including police records, court records and letters of complaint regarding the person.
7. A history of indebtedness including being bankrupt or a previous declared bankrupt.
8. A failure to adequately demonstrate sufficient and acceptable financial means to fulfil the requirements of the license
9. Where a licensee or applicant for a licence has been convicted of or pleaded guilty to a criminal offence in any state or territory of Australia or in any other country.

All offences will be considered, particularly those considered to have a direct impact on an applicant's suitability such as but not limited to offences relating to:

1. dishonesty, fraud or forgery
2. cruelty to animals
3. aggravated assault
4. sexual assault
5. possession, use or supply of illegal substances
6. serious crimes

In general crimes committed in the last 10 years will be considered relevant.

2.25 Medical Standards

- (a) Where an application requires an examination by a Medical Practitioner, a Report shall be furnished on the form prescribed by HRNSW.
- (b) HRNSW or the Stewards may at any time require any person making application for or holding a licence under these Rules, to be assessed medically, psychologically or physically in relation to any matter or thing impacting upon their capacity to comply with the requirements of such licence, including by a medical practitioner prescribed or approved by HRNSW.
- (d) Where the physical, psychological and/or medical examination raises, any unsatisfactory issues about the capacity of the person to comply with the requirements of such licence, HRNSW, the Licensing Committee or the Stewards may attach such condition to the licence as appropriate.
- (d) The Stewards may suspend the licence of any person if, in any assessment or report arising therefrom raises unsatisfactory issues in relation to the person's capacity to drive or perform any other duties relating to the licence.
- (e) Any licensed person who fails or refuses to submit to any physical, psychological and/or medical assessment procedure when required to do so by HRNSW or the Stewards may have the licence revoked or suspended and may be penalised.
- (f) An applicant for any licence, including the renewal of a licence, may elect not to undertake an examination prescribed by HRNSW, but a licence will not be granted by HRNSW unless a Report is furnished as prescribed.
- (g) HRNSW may appoint a Medical Practitioner to undertake a physical, psychological and/or medical examination, to report and to provide advice on any issue relative to an Applicant or Licensed Person.

Schedule 1 HRNSW Licensing Requirements

Licence Type	Minimum Age	Education Requirements	Conditions
<u>Stablehand Licence</u>			
Non-Driving Stablehand	14 years	Nil (Trainer/Workplace Induction)	<ol style="list-style-type: none"> 1. Submit completed application or renewal document. 2. Birth certificate or other acceptable form of photo identification. 3. Digital National Police Certificate (DNPC) if 18yrs and older. 4. Provide digital photograph. 5. Payment of applicable fee.
Driving Stablehand	14 years	Nil (Trainer/Workplace Induction)	As above and in addition: <ol style="list-style-type: none"> 1. Complete Medical Assessment. 2. Complete HRNSW cognitive test
<u>Driver's Licence</u>			
C Grade Driver	15 years	<ol style="list-style-type: none"> 1. Enrolled into a First Aid Course 2. Complete basic horsemanship examination 3. Enrolled into online training. 4. Enrolled into a HRNSW approved training program or RPL Skills Gap Analysis if not previously licensed with HRNSW. 	<ol style="list-style-type: none"> 1. Must be 15 years or older. 2. Held a Driving Stablehand licence for a minimum of 6 months. 3. Submit completed application, renewal or upgrade document. 4. Birth certificate or other acceptable form of photo identification. 5. Digital National Police Certificate (DNPC) if 18yrs and older. 6. Provide digital photograph. 7. Complete Medical Assessment. 8. Complete HRNSW cognitive test. 9. Payment of applicable fee. 10. Steward's Information Session.
B Grade Driver	16 years	<ol style="list-style-type: none"> 1. Successfully completed First Aid Course 2. Successfully completed HRNSW approved training program or RPL if held same grade of license for a minimum period of 5 years previously or RPL Skills Gap Analysis if not previously licensed with HRNSW. 	As above and in addition: <ol style="list-style-type: none"> 1. Must be 16 years or older. 2. Successfully undertaken 20 official trial drives.
A Grade Driver	17 years	As above.	As above and in addition: <ol style="list-style-type: none"> 1. Must be 17 years or older. 2. Held a B Grade driver's licence for a minimum of 18 consecutive months, completed 200 race drives and driven 15 winners; 3. In circumstances where a driver has driven 50 winners, the minimum requirement of 18 consecutive months may be waived by the HRNSW Licensing Committee.

POLICY STATEMENT

			<ol style="list-style-type: none"> 4. Not incurred 3 or more suspensions for driving related matters in the past 200 race drives 5. Not incurred 12 or more infringements for driving related matters in the past 200 race drives 6. Stewards Panel competence assessment.
<u>Trainer's Licence</u>			
Licence Type	Minimum Age	Education Requirements	Conditions
C Grade Trainer	18 years	<ol style="list-style-type: none"> 1. Enrolled into a First Aid Course 2. Complete basic horsemanship examination 3. Enrolled into online training. 4. Enrolled into a HRNSW approved training program or RPL Skills Gap Analysis if not previously licensed with HRNSW. 	<ol style="list-style-type: none"> 1. Must be 18 years or older. 2. Held a Stablehand licence for a minimum of 6 months. 3. Submit completed application, renewal or upgrade document. 4. Birth certificate or other acceptable form of photo identification. 5. Digital National Police Certificate (DNPC) if 18yrs and older. 6. Provide digital photograph. 7. Working with Children Check (WWCC). 8. Provide two references from currently licenced A Grade Trainers (not related). 9. Complete HRNSW cognitive test. 10. Complete Medical Assessment. 11. Lease, own or share suitable stabling facilities (must be PIC registered). 12. Demonstrate access to funds sufficient to care for the horses being trained. (\$4000) 13. Stable inspection. 14. Steward's information session and assessment.
B Grade Trainer	18yrs or older	<ol style="list-style-type: none"> 1. Successfully completed First Aid Course 2. Successfully completed HRNSW approved training program or RPL if held same grade of license for a minimum period of 5 years previously or RPL Skills Gap Analysis if not previously licensed with HRNSW. 	As above.

POLICY STATEMENT

A Grade Trainer	18yrs or older	As above.	As above and in addition: 1. Held 'B' Grade Trainer Licence for a minimum of 12 months. 2. Submits responses in support of upgrade application	
Returning after Time Away – (Anyone who hasn't held a licence within the last 24 months will be considered as a new application)				
Driving/Non-Driving Stablehand	Any	Any	Nil (Trainer/Workplace Induction)	1. Must complete initial licensing requirements.
<u>Driver</u> C Grade	Any	Any	1. Complete First Aid Course 2. Complete basic horsemanship examination & complete online training. 3. Enrolled to complete a HRNSW approved training program or RPL Skills Gap Analysis if not previously licensed with HRNSW.	1. Must complete initial licensing requirements.
<u>Driver</u> A Grade B Grade	Any	Less than 5 years	1. Complete First Aid Course 2. Complete HRNSW approved training program or RPL if held same grade of license for a minimum period of 5 years or RPL Skills Gap Analysis if not previously licensed with HRNSW.	1. Must complete initial licensing requirements. 2. Successfully undertaken 5 official trial drives.
<u>Driver</u> A Grade B Grade	Any	5 to 10 years	As above.	1. Must complete initial licensing requirements. 2. Successfully undertaken 10 official trial drives.
<u>Driver</u> A Grade B Grade	Any	More than 10 years	As above.	1. Must complete initial licensing requirements. 2. Successfully undertaken 20

POLICY STATEMENT

				official trial drives.
Trainer C Grade	Any	Any	<ol style="list-style-type: none"> 1. Complete First Aid Course 2. Complete basic horsemanship examination & complete online training. 3. Enrolled to complete a HRNSW approved training program or RPL Skills Gap Analysis if not previously licensed with HRNSW. 	<ol style="list-style-type: none"> 1. Must complete initial licensing requirements.
Trainer A Grade B Grade	Any	Any	<ol style="list-style-type: none"> 1. Complete First Aid Course 2. Complete HRNSW approved training program or RPL if held same grade of license for a minimum period of 5 years or RPL Skills Gap Analysis if not previously licensed with HRNSW. 	<ol style="list-style-type: none"> 1. Must complete initial licensing requirements.
<p>Returning after period of Disqualification (Anyone returning from a disqualification will be considered a new applicant)</p>				
Never previously disqualified and returning from a disqualification of <u>no more than 12 months</u>			<p>In addition to meeting the general criteria listed above for the required licence category:</p> <ol style="list-style-type: none"> 1. Submit a written 'show cause' response, outlining why a license should be granted and addresses the 'fit and proper' test outlined at clause 2.24 of the policy <p>Where the Licensing committee is satisfied with the written response of the applicant and no other concerns arise from the application process, a licence may be granted <u>without</u> having to attend a show cause hearing</p>	
Previously disqualified and/or returning from a disqualification <u>greater than 12 months</u>			<p>As above and in addition:</p> <ol style="list-style-type: none"> 1. Attend before the HRNSW Licencing Committee for formal 'show cause' hearing 	