

HRA RULE AMENDMENTS - APPROVED BY BOARD OF HRNSW

MARCH 8, 2023

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

Those amendments, except for AHRR 162(1)(u) and AHRR 189A(1), have been adopted by the Board of HRNSW and are now in effect in NSW:

DICTIONARY

Add definitions:

“Approved Method” means an analytical method that the National Association of Testing Authorities (NATA) has formally recognised as capable of meeting the competency requirements to produce reliable technical results when used by the drug testing laboratory approved by the Controlling Body.

“Australian bred” means a foal that is registered in Australia and is the progeny of a mare registered in the Australian Trotting Stud Book domiciled in Australia at the time of service by a stallion registered in the Australian Trotting Stud Book at the time of service.

“Co-owner” means a natural person who owns a horse together with at least one other natural person and is registered or is intended to be registered with a Controlling Body as an owner.

“Manager” means a natural person registered by a Controlling Body as the manager of a horse owned or leased by a natural person, a group of natural persons or a Syndicate.

“Owner” means a natural person with an actual interest, beneficial interest or share in a horse.

Amend definitions:

“Foreign horse” means a horse foaled outside Australia which is not Australian bred.

“Sample” means a sample or specimen of saliva, urine, perspiration, breath, blood, tissue, skin, hair or any other excretion, bodily fluid, tissue or matter taken from a person or horse.

2. STEWARDS

Entry Upon Land

- Repeal heading Entry Upon Land
- Repeal Rule 15A(1)

Powers

- Add new Rule 15A(1)(a) – (h)
- Amend Rules 15A(3), (4)

15A. (1) Without limiting Rule 15 the Stewards have the power at any time to enter upon land and premises owned, or occupied by or under the control of a licensed person and used in any manner for harness racing purposes to :-

- (a) Inspect and search the premises.

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

(b) Inspect and search any item or thing in or on the premises.

(c) Inspect and search any vehicle, float, trailer, gear or equipment in or on the premises.

(d) Take extracts from or make copies of, or download or print-out, any documents found in the course of the inspection.

(e) Photograph or film anything in or on the premises.

(f) Secure against interference anything that cannot be conveniently removed from the premises.

(g) Require any person who is on the premises to:-

(i) State his or her full name and address.

(ii) Answer (orally or in writing) questions put to them that are relevant to the investigation.

(iii) Give any information in the person's possession or control that is relevant to the inspection.

(iv) Operate equipment or facilities on the premises for inspection purposes.

(v) Give any translation, code, password or other information necessary to gain access to or interpret and understand any document or information located or obtained by the Stewards in the course of the inspection relevant to the investigation.

(vi) Give other assistance that the Stewards reasonably require to carry out the inspection.

(h) Inspect and search any licensed person.

(2) A Steward who enters and remains upon land or premises under this rule shall not thereby commit a trespass thereon and no action shall be brought or maintained against the Stewards or the Controlling Body for any damages or relief in respect of such entry or remainder.

(3) For the purposes of this rule premises include land, buildings or any fixed or removable structure including any vehicle.

(4) A person who obstructs, hinders, frustrates or impedes, or endeavours to obstruct, hinder, frustrate or impede a Steward from exercising a power in sub-rule (1) is guilty of an offence.

- Add new Rule 15B(1)(a), (b)
- Add new Rule 15B(2)

15B. (1) Without limiting Rules 15 and 15A the Stewards are empowered to:-

(a) Require production of and take possession of any mobile phone, computer, tablet, storage device or other electronic device for the purpose of examining (by any means) its data and/or contents.

(b) Require production of any documents or records (including, but not limited to, phone, veterinary or bank records).

(2) A person who obstructs, hinders, frustrates or impedes or endeavours to obstruct, hinder, frustrate or impede a Steward from exercising a power in sub-rule (1) is guilty of an offence.

3. MEETINGS AND RACES

Stable returns

- Amend Rule 25(1)(a), (b)
- Renumber existing Rule 25(5) to (4)
- Renumber existing Rule 25(4) to (5)

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

25. (1) (a) When a horse enters the stable of a trainer 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 within twenty four hours and in such form as the Controlling Body may determine.

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

(5) A person who fails to comply with any provision of this rule is guilty of an offence.

Change of Horse Location – Trainer Obligations

- New heading
- Add new Rule 25B(1)(a), (b), (c), (2)(a), (b), (3)(a)(i), (ii), (b), (4), (5)(a), (b)

25B. (1) A trainer must:

(a) disclose any change in the previously notified location of a horse in their care within 24 hours of the day on which that change is made, by notifying the Stewards or Controlling Body in such manner or form as may be determined by the Controlling Body; and

(b) lodge a Stable Return within 24 hours of a horse joining or leaving the trainer's stable;

(c) lodge an amendment to a Stable Return immediately if any particulars on the Stable Return have changed.

(2) For the purposes of sub-rule (1):

(a) if a trainer's stable is comprised of more than one registered training establishment, the trainer must disclose at which registered training establishment 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.

(3) A person is not required to comply with sub-rules (1)(a) and (2)(a) if:

(a) the horse is away from its previously notified location for no more than 30 days and during that period the horse is:

(i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or

(ii) under the direct care of a qualified veterinary surgeon, for the purpose of obtaining treatment from a qualified veterinary surgeon; or

(b) the horse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

(4) Nothing in this rule affects a trainer's Stable Return obligations under AHRR25.

(5) 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;

(a) the entry of the horse for any race or official trial may be rejected or cancelled.

(b) the horse may be disqualified from any race in which it has competed.

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

Change of Horse Location – Owner Obligations

- New heading
- Add new Rule 25C(1)(a), (b), (2)(a), (b)

25C. (1) The managing owner of a horse must, unless otherwise contained in a Stable Return lodged by a trainer in accordance with these rules, disclose:

(a) any change in the previously notified location of the horse within 24 hours of the day on which that change is made, by notifying the Stewards or Controlling Body in such manner or form as may be determined by the Controlling Body; and

(b) the location of the horse upon request by the Controlling Body, including as required under any registration, transfer of ownership, or other form.

(2) The requirement referred to in sub-rule (1)(a) does not apply where the named horse is in the care of a trainer and the managing owner proves to the satisfaction of the Stewards that he or she was not aware, and could not reasonably have been aware, of:

(a) the change in the previously notified location of the horse; or

(b) the trainer's non-compliance with his or her obligations under this rule.

5. HORSES

Retirement and Death of a Horse

- Change heading - Deregistration of a Horse to Retirement and Death of a Horse
- Repeal Rule 96A(4)(a), (b), (5), (6), (7), (8), (9), (10)
- Repeal Rule 96B
- See Stud Book Regulations 11

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 whilst in the care of a licensed trainer immediately notify the Stewards of the death.

(b) In any other case notify HRA and the Controlling Body or Stewards of the death within twenty four hours 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.

(6) The person in possession of the dead horse's registration certificate shall within 7 days of such notification return the certificate to the Controlling Body.

(7) The owner or trainer shall comply with any direction given by the Stewards or the Controlling Body to verify the death.

(8) The owner or trainer of a horse whose death has been notified, or which should have been notified, under sub-rule (4)(a) shall not dispose of the carcass without the permission of the Stewards or the Controlling Body.

(9) Where notification of retirement of racing has been given to the Registrar as provided by the SBR the horse is ineligible to race unless it is re-registered.

(10) A person who fails to comply with this rule is guilty of an offence.

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

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

Horse Retired to Industry Participant

- New heading
- Add new Rule 96C(1)(a), (b), (c), (2)(a), (b), (c), (d), (3)(a)(i), (ii), (b), (4)

96C. (1) This rule applies where:

(a) a horse is retired from racing in accordance with SBR 11 or a decision is made not to commence racing the horse (for the purposes of this rule, “retired racehorse”);

(b) the retired racehorse is not registered for breeding; and

(c) the person responsible for the retired racehorse is licensed or registered under the Rules (for the purposes of this rule, “responsible person”).

(2) During the period in which the responsible person is responsible for the care of the retired racehorse, within 7 days of any of the following occurring that person must notify the Controlling Body by lodging the relevant prescribed form;

(a) the transfer of the retired racehorse to any other person;

(b) the change of the retired racehorse’s location;

(c) the decision to retire the retired racehorse from any post-racing career, including but not limited to equestrian pursuits; or

(d) the death of the retired racehorse.

(3) A person is not required to comply with sub-rule (2)(b) if:

(a) the retired racehorse is away from its previously notified location for no more than 30 days and during that period the horse is:

(i) located at a veterinary clinic, or under the direct care of a veterinary clinic; or

(ii) under the direct care of a qualified veterinary surgeon,

for the purpose of obtaining treatment from a qualified veterinary surgeon; or

(b) the retired racehorse is away from its previously notified location for no more than 7 days for the purpose of being offered for sale at a physical public auction.

(4) A person who fails to comply with this rule is guilty of an offence.

Status Update for Inactive Horse

- New heading
- Add new Rule 96D(1)(a), (b), (c), (2), (3), (4)

96D. (1) Within seven days of a horse not having been the subject of any activity for a period of six consecutive months, the connections must by lodging a Stable Return where applicable or giving notice in such manner or form as determined by the Controlling Body notify the Controlling Body of the following matters;

(a) the current status of the horse;

(b) the location of the horse; and

(c) any other matters in respect of which a notification should have been made under any rule in that six-month period.

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

(2) Prior to the horse reaching the six-month period of inactivity referred to in sub-rule (1), the Controlling Body will notify the connections of the upcoming notification requirement.

(3) For the purposes of this rule, “activity” includes but is not limited to the lodgement or notification of a Stable Return, nomination, scratching, transfer of ownership, change of location, retirement from racing, or death.

(4) A person who fails to comply with this rule is guilty of an offence.

Breach of Traceability Rules

- New heading
- Add new Rule 96E(1), (2)(a), (b), (c)

96E. (1) If a person provides any false or misleading information in respect of any form lodged or notification as required by Rules SBR11, SBR12, 96C and 96D, the person may be penalised.

(2) If a person fails to lodge any document or provide any notification as required by Rules SBR11, SBR12, 96C and 96D, the Controlling Body may:

(a) restrict that person or any relevant horse from participating in the Standardbred racing and breeding industry; and/or

(b) restrict the payment (including payments under bonus schemes) or awarding of any prize to that person, until the relevant form has been properly lodged or the relevant notification has been properly made; and/or

(c) may refuse to accept any future Mare Return, Stallion Return or Declaration of Service (as applicable) from the relevant person or in respect of the relevant horse.

Medical and surgical procedures

- Amend Rule 99A(2)

99A. (2) For the purposes of this rule blistering means the application or injection of an irritating substance onto or into soft tissue of a horse to create an inflammatory reaction which results in the vesiculation of the skin and/or underlying tissues.

Ownership, legal interests, leases

- Repeal Rule 109A
- Repeal Rule 110A(1), (2)
- Repeal Rule 111A

109A. Notification of a lease shall be given on form R109-A.

110A. (1) Notification of surrender or other termination of a lease shall be made on form R110-A.

(2) Notification of extension of lease shall be made on form R109-A.

111A. An application under rule 111 shall be made on form R111-A.

- Amend Rule 111(2)(a), (b)

111. (2) All transfers of ownership of a named horse must be lodged with the Controlling Body by both the outgoing owners and the incoming owners:

(a) within 7 days of each transfer taking place; or

(b) at least 24 hours before the horse is entered for a race, whichever is earlier.

7. STARTING

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

False Start

- Amend Rule 141(3)

141. (3) The starter may declare a false start if the starter considers a horse's prospects in the race are adversely affected by any incident that occurs immediately prior to or at the time of start.

9. DRIVERS

Offences – Relating to dress – Driver's Attire

- New heading
- Repeal Rule 159(1), (2), (3)
- Add new Rule 159(1), (2), (3), (4), (5), (6), (7)

159. (1) A driver shall dress for a race in the manner determined by the Controlling Body.

(2) A driver's jacket shall be of approved material and colour and trousers shall be white and made of suitable material.

(3) A driver shall wear boots which may be black or dark tan and which entirely cover feet and ankles and afford reasonable protection.

(4) A driver's attire shall be clean and tidy.

(5) Where the Stewards consider that the climatic conditions at a meeting warrant the wearing of gear other than or in addition to that mentioned in the foregoing sub-rules, such as the wearing of gumboots, they may direct or give permission for this to be done.

(6) The Stewards may confiscate any item of attire which they consider should not be worn by a driver in a race.

(7) A driver who fails to comply with any provision of this rule is guilty of an offence.

Offences – Relating to dress – Helmets

- New heading
- Repeal Rule 159A(1), (2), (3), (4), (5), (6), (7), (8), (9)(a), (b), (10)
- Add new Rule 159A(1)(a), (b), (c)(i), (ii), (2), (3)(a), (b), (c), (4)(a), (b), (5), (6), (7)

159A. (1) When driving or riding a horse the driver must wear a properly affixed helmet the make and model of which has been approved by HRA and entered in the Register of Helmets and which:

(a) Is in a satisfactory condition.

(b) Has not been modified in any way save and except for any art or decorative work.

(c) 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 HRA.

(2) Every driver is responsible for the care and condition of their own helmet.

(3) A helmet will be deemed not in a satisfactory condition and must be immediately replaced by a driver if:-

(a) Five years have expired since its date of purchase or acquisition as a brand new helmet or eight years have expired since its date of manufacture, whichever is earlier; or

**For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655**

(b) It sustains a severe impact; or

(c) The wearer suffers from concussion following a fall.

(4) Further to sub-rule (3)(a) a driver is required to:-

(a) Retain and maintain documentary evidence (such as a receipt) of the date on which the driver purchased or acquired a helmet in his or her possession; and

(b) Produce such evidence to a Controlling Body or the Stewards at any time required by either 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 including as a result of general wear and tear or the manner in which it has been stored or maintained.

(6) When driving or mounted on a horse during darkness every driver must affix to his or helmet a safety warning light of a type approved by a Controlling Body or the Stewards (except that this rule does not apply to any location where the Stewards have ruled that sufficient artificial lighting exists).

(7) A driver who fails to comply with any provision of this rule is guilty of an offence.

Offences – Relating to dress – Protective Vests

- New heading
- New Rule 159B(1)(a), (b), (c), (2), (3), (4)

159B. (1) When driving or riding a horse the driver must wear a properly fastened protective vest the make and model of which has been approved by HRA and which:-

(a) Is in a satisfactory condition.

(b) Has not been modified in any way.

(c) Has attached to it a manufacturers label that states it complies with a standard prescribed by HRA.

(2) A driver required by these Rules to wear a protective vest must not have in his or her possession a protective vest that does not comply with the requirements in sub-rule (1).

(3) The Stewards may confiscate or order the satisfactory repair of any protective vest that does not comply with the requirements in sub-rule (1).

(4) A driver who fails to comply with any provision of this rule is guilty of an offence.

Offences – matters at the start and during the race

- Amend Rule 162(1)(m), (u)- Rule 162(1)(u) – DOES NOT APPLY IN NSW

162. (1) A driver shall not -

(m) interfere with a driver or horse during the score up or the start;

(u) drive in a way which causes or could cause interference or jostling;

12. PROHIBITED SUBSTANCES

Determination of prohibited substance

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

- Amend Rule 188A(3)

188A. (3) The following are not prohibited substances:

- antiparasitics approved and registered in Australia by the APVMA for use in horses

Testing

- Repeal Rule 189A
- Add new Rule 189A(1), (2)(a), (b)(i), (ii), (3)- Rule 189A (1) – DOES NOT APPLY IN NSW

189A. (1) Subject to sub-rule (2) any sample taken from a horse shall only be analysed by a laboratory approved by the Controlling Body.

(2) The Stewards or a Controlling Body:-

(a) 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 analysis (including screening tests).

(b) May in their discretion but subject to sub-rule (3):

(i) Determine whether they communicate the result of their own internal analysis.

(ii) Use the result of any analysis for the purpose of investigations, enquiries and intelligence or prosecuting a breach of the rules.

(3) If an internal analysis is used to prosecute a breach of the rules the Stewards or the Controlling Body must communicate the results of that analysis to the person(s) the subject of the prosecution.

Log Book

- Add new Rule 190B(2)(xvi)

190B. (2) For the purposes of this rule treatment includes:

(xvi) the taking of a blood sample.

Stomach tubing, atomisers and other devices

- Amend Rule 193(2)

193. (2) A person shall not attempt to use or use an atomiser, face mask or other device on a horse nominated for a race or event within one clear day of the commencement of the race or event.

Unregistered substances

- Add new Rule 194B(1), (2)

194B. (1) A person must not have in his or her possession or on his or her premises any injectable product which contains cobalt salts.

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

Administering substances

- Amend Rule 196C(4)(d)

196C. (4) Alkalinising agent:-

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

(d) 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 a drug testing laboratory approved by the Controlling Body of a TCO₂ concentration in a horse in excess of the threshold described by Rule 188.

- Add new Rule 196E(1)(a), (b), (c), (d), (2), (3)

196E. (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 a product containing cobalt salts to a horse by injection.

(2) Where the Stewards are satisfied that a horse has or may have been administered a product containing cobalt salts by injection contrary to sub-rule (1) the horse shall either be withdrawn or disqualified from the race.

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

17. EQUIPMENT AND COLOURS

Colours

- Amend Rule 272(7)

272. (7) A person shall not start a horse in a race at a meeting unless the driver is dressed in the colours that have been registered with the Controlling Body.

Offences

- Amend Rule 273(1), (2), (3)
- Add new Rule 273(7)

273. (1) A person shall not use or permit the use of any gear or equipment that is not listed on the HRA Approved Gear List except with the permission of the Chairman of Stewards.

(2) A person shall not present to start or start a horse in a race in gear which in the opinion of the Stewards is:-

- (a) Incorrectly fitted.
- (b) Insecure.
- (c) Of inadequate quality.
- (d) In poor condition.
- (e) Of insufficient strength and quality to cope with the stresses likely to be imposed on it in a race.

(3) A person shall not without the permission of the Stewards start a horse in a race unless the horse is fitted with:

- (a) A false belly band.
- (b) Retaining straps.

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655

- INTEGRITY NOTICE**
- (c) A throat lash.
 - (d) A breast plate.
 - (e) A cavesson or noseband.
- (7) A person shall not modify or permit the modification of any gear or equipment except with the permission of the Chairman of Stewards.

For further information on this matter contact:
HRNSW Integrity Department
(02) 9722 6655