

NOTICE OF AMENDMENTS TO THE NEW ZEALAND RULES OF HARNESS RACING

HARNESS RACING NEW ZEALAND INCORPORATED.

Harness Racing New Zealand Incorporated gives notice, under the Racing Act 2003 and the New Zealand Rules of Harness Racing, the following rules of the New Zealand Rules of Harness Racing were amended at the Annual General Meeting of Harness Racing New Zealand Incorporated held on 29 September 2018 at Auckland and the rules come into force on the date of notification in the Gazette being 9 October 2018.

1. Two year olds restrictions in races over 2200m

1.1 Rule 402(2) (a) was amended by deleting "2200 metres" and substituting "2400 metres".

2. Trainer Notifications

2.1 Rule 502 was amended by inserting a new sub-rule (1A) which states:

(1A) The Chief Executive may refuse to accept a Trainer Notification.

3. Betting on Horseman's Betting Account

3.1 Rule 505 was amended by inserting a new sub-rule (4) which states:

505 (4) For the purpose of this rule a bet placed on a horseman's betting account shall be a bet of the horseman regardless of who placed the bet.

4. Possession of Modified Gear

4.1 Rule 1001(1)(r) was amended by re-numbering sub-paragraph (ii) as (iii) inserting a new sub-rule (ii) where by rule 1001(1)(r) states:

- (i) at any time uses or permits or causes to be used or attempts to use or to cause to be used on or in relation to any horse any electrical, mechanical or galvanic device, equipment, appliance or apparatus which may affect either at the time of use or attempted use or subsequently the speed, stamina, courage or conduct of such horse; or
- (ii) at any time has in their possession any gear, equipment or device that has been modified in a manner which may cause pain, injury or distress to a horse; or
- (iii) inflicts undue suffering by any other means.

5. One clear day

5.1 The rules were amended by deleting rule 1004(6) and inserting after rule 1004 a new rule 1004AA which states:

- 1004AA (1) For the purposes of this rule:
- (a) the day of racing commences at 12.01 am on the day on which the horse is to race and concludes half an hour after the last race;
 - (b) one clear day means the twenty-four hour period before 12.01 am on the day the horse is to race; and
 - (c) to administer includes:
 - (i) to cause to be administered to, or ingested by, a horse;
 - (ii) to permit to be administered to, or ingested by, a horse;
 - (iii) to attempt to administer or be ingested by a horse; and
 - (iv) to attempt to cause or permit to be administered to, or ingested by, a horse.
- (2) No person shall administer to a horse entered in a race on the day of racing and one clear day before the horse is to race (except under the direction or supervision of a club veterinary surgeon, Racecourse Inspector, or Stipendiary Steward) any substance by:
- (a) gastric tube or nasal gastric tube;
 - (b) injection, hypodermic needle, or oral syringe;
 - (c) aerosol, ventilator, nebulizer, atomiser, or face mask;
 - (d) topical treatment to the skin or tissues that contains or claims to contain medication, or has or claims to have a therapeutic effect, including analgesia or anti-inflammatory actions; or
 - (e) by any similar method.
- (3) The Prohibited Substance Regulations made by the Board may include a list of substances and practices to which this rule shall not apply.
- (4) A breach of the sub-rule (2) is committed regardless of the nature of the substance administered.
- (5) Where an administration under sub-rule (2) occurs both the person who administers the substance and the trainer of the horse commit a breach of the rules and are each liable to the sanctions set out in rule 1004(7).
- (6) Any horse connected with a breach sub-rule (2) shall be disqualified from the race.

6. Testing of Horses

6.1 Rule 215(2) was amended to state:

- (2) Where the inspection, examination, observation, testing or sample taken from a horse indicates that a prohibited substance may have been administered a further blood or urine sample must be taken from the horse each time it races until the further blood or urine sample taken is free of any prohibited substance.

7. Prohibited Substance Rule Breaches

7.1 Rule 1004(8) was amended to state:

- (8) Any horse connected with a breach of this rule shall be disqualified from the race and may in addition be disqualified for a period not exceeding five years.

8. Timing of Disqualification from Races

8.1 Rule 1004D was amended to state:

- 1004D (1) Any horse taken to a racecourse for the purpose of engaging in a race which is found to have administered to it or ingested by it a prohibited substance (which includes out of competition prohibited substances) must be disqualified from that race.
- (2) The mandatory disqualification under sub-rule (1) applies regardless of the circumstances in which the substance came to be present in or on the horse.
- (3) When the owner and trainer of the horse has been advised of the analysis which indicates that a prohibited substance may have been administered to, or ingested by, the horse and the owner, trainer, or their authorised representative does not request under the Swabbing Instructions that the reserve sample be analysed at an approved laboratory by 4:00 pm on the third working day after being so advised, a Judicial Committee must disqualify the horse, amend the placings and the stakes shall be paid in accordance with that decision.
- (4) Where the owner, trainer, or their authorised representative does request the reserve sample be analysed at an approved laboratory by 4:00pm on the third working day after being advised of the analysis and the analysis of the reserve sample indicates that a prohibited substance may have been administered to, or ingested by, the horse, a Judicial Committee must disqualify the horse, amend the placings and the stakes shall be paid in accordance with that decision.
- (5) The owner or trainer of the horse subject to a positive result may notify in writing the General Manager of the Racing Integrity Unit that they intend to challenge the analysis and the basis for that challenge. The notification must be within 10 working days of being advised of the results of the analysis, or the result of the reserve sample (if applicable). The Judicial Committee shall then determine whether the horse is to be disqualified after hearing from the parties.
- (6) Disqualification and changes of placing under this rule, will take effect from the immediate Monday following the judicial decision or such other time as the Judicial Committee determines.
- (7) A disqualification under sub-rules (3) and (4) may not occur until after the 10 working day period in sub-rule (5).

9. Positive Tests for Out of Competition Substances

9.1 Rule 1004 was amended to state:

- 1004E (1) Where the inspection, examination, observation, testing or sample taken from a horse indicates that a prohibited substance referred to in clause 6.5 of the Prohibited Substance Regulations (anabolic androgenic steroids) or its

metabolites, artefacts, isomers and analogues may have been administered to, or ingested by, the horse that horse shall be:

- (a) ineligible to be entered or start in a race for a period of 12 months, from the date of inspection, examination, observation, testing, or on which the sample was taken; and
- (b) disqualified from any race in which it starts during the 12 month period referred to in paragraph (a).

10. Race Day Registrars (*proposed by HRNZ Board*)

- 10.1 The definition of Registrar in rule 105 is deleted.
- 10.2 Rule 813(5)(b) is amended by deleting the words "Secretary and Registrar" and substituting the words "and Secretary".
- 10.3 Rule 920(1) and 920(3) is amended by deleting the words "Registrar of the" whenever they appear.
- 10.4 Rule 920(3)(c) is amended by deleting the word "Registrar" whenever it appears and substituting it with the words "Judicial Committee".
- 10.5 Rule 920(3)(d) is amended by deleting the words "direct the Registrar to"
- 10.6 Rule 920(4) is amended by deleting the words "shall direct the Registrar to".
- 10.7 Rule 920(5)(b) is amended by deleting the word "Registrar" and substituting it with the words "Judicial Committee".
- 10.8 Rule 920(6) is amended by deleting the words "Registrar of the".
- 10.9 Rule 920(7) is amended by deleting the words "direction to the Registrar".
- 10.10 Rule 920(8) is amended by deleting the word "Registrar" and substituting it with the words "Judicial Committee".
- 10.11 Rule 1006 is amended by deleting the word "Registrar" and substituting it with the words "Judicial Committee".
- 10.12 Rule 1101, the definition of Registrar, is amended by deleting paragraph (b).
- 10.13 Rule 1105(a) is amended by deleting the words "Registrar of the".
- 10.14 Rule 1109(2) is amended by deleting the word "Registrar" and substituting it with the words "Judicial Committee".
- 10.15 Clause 3.1 of the Rules of Practice and Procedure for the Judicial Committee and Appeals Tribunal set out in the Fifth Schedule of the Rules is amended by deleting the definition of Registrar where it first appears and where it second appears deleting paragraph (a)(ii);
- 10.16 Clause 11.1(a) of the Rules of Practice and Procedure for the Judicial Committee and Appeals Tribunal set out in the Fifth Schedule of the Rules is amended by deleting the words "Registrar appointed for a race meeting" and substitution with the words "race day Judicial Committee".

11. Juniors Drivers Saving Scheme

- 11.1 Amend the rules by inserting a new 1513 which states:
 - 1513 (1) The Junior Drivers Saving Scheme may be established under this rule.
 - (2) The Junior Drivers Saving Scheme shall be conducted in accordance with Junior Drivers Saving Scheme Regulations made by the Board.

12. As a consequence of amendments to the Constitution of Harness Racing New Zealand Incorporated

- 12.1 The Rules are amended by deleting rules 108 and 113.

Signed by:


Chief Executive
HRNZ

Dated: 9/10/18.