

NOTICE OF PROPOSED AMENDMENTS TO THE NEW ZEALAND RULES OF HARNESS RACING

Rule 103A allows the HRNZ Board to change the Rules of Harness Racing subject to a specified consultation process.

Under Rule 103A of the New Zealand Rules of Harness Racing (the Rules), the Board of Harness Racing New Zealand Incorporated gives notice of the following proposed amendments to the Rules:

PROPOSED RULE AMENDMENTS

1. That clause 24 of the Rules of Practice and Procedure for the Judicial Committee and Appeals Tribunal set out in the Fifth Schedule to the Rules be amended by:
 - a. Deleting clause 24.3
 - b. Deleting to words “or without giving notice in accordance with clause 24.3” in clause 24.4 and renumbering it 24.3; and
 - c. Deleting to words “or subject to clause 24.3,” in clause 24.5 and renumbering it 24.4 –whereby clause 24 will state:

24 No appearance at hearing

24.1 At the hearing of an information if the respondent does not appear and the Judicial Committee is satisfied notice of the hearing was given in accordance with clause 13 the hearing may proceed in the absence of the respondent.

24.2 Where clause 24.1 applies:

- (a) evidence of a fact or opinion which could have been given orally may be given by way of written statement or affidavit; and*
- (b) the Judicial Committee shall have the same power to deal with the respondent as if the respondent had appeared before it.*

24.3 A respondent who fails to appear at the hearing without reasonable excuse commits a breach of the Rules.

24.4 Where on the hearing of an information only the respondent appears or neither the informant nor the respondent appears the Judicial Committee may dismiss the information or adjourn the hearing to such time and place and on such conditions as it thinks fit.

2. The proposed amendment will come into force on the date of notification in the Gazette.

BACKGROUND

At a meeting held on 11 February 2019 between members of the HRNZ Board, the Trainers and Drivers representative, the RIU, and the JCA regarding the use of the whip, agreement was reached that persons not attending hearings by admitting a breach of the rules was counter-productive.

The meeting recommended an amendment of the rules, to the Board.

The proposed amendments by the Board will remove the option of a person not attending the hearing by admitting a breach of the rules. The amendment to the rules does retain the discretion of the Judicial Committee to proceed in the absence of the person charged, to ensure hearings are not unnecessarily delayed.

The purpose of judicial proceedings in racing include to ensure racing is conducted within the rules, and to uphold and maintain the high standards expected of those participating in racing. Where appropriate there may be educational material provided at a hearing. It is proposed for a breach of the use of the whip rules to have available a video showing the use of the whip in accordance with the rules and regulations to educate drivers.

PROPOSED RULE CHANGES TO BE CONSIDERED BY THE BOARD

Pursuant to the Rules, notice is given to every Club and Kindred Body that the proposed amendments will be considered at the HRNZ Board Meeting to be held on **Friday 31 May 2019**.

INDUSTRY CONSULTATION

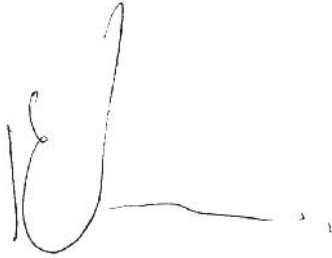
Clubs and Kindred Bodies may make written submissions to the Board as regards the proposed amendments and shall advise the Board if they wish to appear before the Board to make oral submissions on the proposed amendments **by 4.30 pm Tuesday 21 May 2019**.

Submissions should be addressed to:

Chief Executive
Harness Racing New Zealand Incorporated
PO Box 459
CHRISTCHURCH 8140
Email: leanne@hrnz.co.nz

Pursuant to the Rules and the provisions of the Racing Act 2003, notice has also been given of these proposed amendments to the Judicial Control Authority, New Zealand Thoroughbred Racing, Greyhound Racing New Zealand and the New Zealand Racing Board. Written approval is required from the New Zealand Racing Board prior to the consideration of these proposed amendments by the Board.

If subsequently approved, it is intended these changes will take effect following publication in the Official Gazette.

A handwritten signature in black ink, appearing to read 'Peter Jensen', with a long horizontal flourish extending to the right.

Peter Jensen
Chief Executive