

# RULES OF RACING



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## PART I

### PRELIMINARY

#### Short title and commencement

- 1 These Rules may be cited as the Malayan Racing Association's Rules of Racing and shall include the Regulations and any Notices issued from time to time by the Committee and shall come into operation on the 1st day of January 2007.

#### Revocation and savings provisions

- 2 The Rules of Racing of the Association that were in force immediately prior to the date of coming into operation of these Rules shall be repealed at and from that day, but such repeal shall not:
  - (1) affect the previous operation of any rule so repealed or anything duly done or suffered thereunder; or
  - (2) affect any right, privilege, obligation or liability acquired, accrued or incurred under any rule so repealed; or
  - (3) affect any penalty or disqualification incurred in respect of any offence committed under any rule so repealed; or
  - (4) affect any investigation, proceedings or remedy in respect of any such right, privilege, obligation, liability or penalty as aforesaid,

and any such investigation, proceedings or remedy may be instituted, continued or enforced, and any such penalty or disqualification may be imposed as if these Rules have not been promulgated.

#### Persons bound by these Rules

- 3 Every person who takes part in any matter or activity coming within these Rules agrees with the Association and each and every Associated Club to be bound by them.

- 4 (1) These Rules shall, except where otherwise provided, apply to:
- (a) all races held under the authority, management and/or control of the Association or any Associated Club;
  - (b) all persons who are licensed and/or registered by the Association or any Associated Club, under these Rules. (Amended 1/1/15)
  - (c) owners of horses registered under these Rules including, but not limited to, Recognised Companies, Partnerships, Syndicates and Racing Clubs; (Amended 1/1/15)
  - (d) the Association, an Associated Club and its committees, stewards, officials, members and employees thereof; and
  - (e) all races held at any place under the authority, management and/or control of the Association or any Associated Club.
- (2) All persons to whom these Rules apply shall be deemed to have notice of these Rules and all Regulations and Notices made thereunder. Such persons shall be deemed to have notice of their rights, liabilities and obligations hereunder and shall further be deemed to have agreed to be bound by the decisions and acts of tribunals and persons authorised under these Rules to act and to give decisions in respect of any acts or omissions done while these Rules apply to them regardless of whether, at the time when such decisions and acts of the abovementioned tribunals and authorised persons are given or done, such persons may still fall within Rule 4(1) above.
- (3) All persons coming within the application of these Rules shall be deemed to have agreed not to seek any remedy available in law in a court of law in respect of anything done or omitted to be done under these Rules until and unless they have exhausted all remedies provided by or under these Rules in respect of anything done or omitted to be done.

## **Liability**

- 5 The Association, its Associated Clubs and all their stewards, officials and authorised personnel shall in no way be held liable to any person for any loss or damage arising, whether directly or indirectly, from any act or lawful exercise of their powers or duties under these Rules, including all things done in the *bona fide* belief of the existence of such powers or duties.

## Interpretation

- 6 (1) In these Rules and any Regulations made thereunder, unless the context otherwise requires:

“**Acceptance**” means, in relation to a horse entered for a race, a horse which has not been withdrawn at the time fixed for final acceptance as specified by the Local Committee holding the race meeting.

“**Advertised**” means published as a notification in a publication of the Association or Associated Club including but not limited to the Official Calendar, Official Race Program or in a newspaper.

“**All Weather Track**” means a track with a racing surface other than turf.

“**Amateur Rider**” means a person who holds a licence issued by the Association or a local permit issued by the Local Committee, to ride as an amateur.

“**Appeal Panel**” means the panel appointed by the Local Committee pursuant to Rule 165(1) to hear appeals against the decisions of the panel of Stewards. (1/8/12)

“**Appellate Steward**” means any person appointed by the Local Committee to the Appeal Panel under Rule 165(1). (1/8/12)

“**Apprentice Jockey**” means a person who has satisfied the Local Committee that he or she is, between the age of sixteen (16) years and twenty six (26) years, duly bound for a term of five (5) years and has been licensed by the Local Committee as an Apprentice Jockey, and is serving as apprentice: (Amended 16/6/17)

(a) with a Home Based Trainer; and (Amended 16/6/17)

(b) has within three (3) months of the date of commencement of apprenticeship and/or the transfer of the apprentice to another trainer (or such further time as the Local Committee may allow) lodged a duplicate or certified copy of the Articles of Apprenticeship in accordance with the approved standard form of Agreement. (Amended 1/1/15)

“**Apprentice Jockey Licence**” means an Apprentice Jockey licence issued to either a citizen of Malaysia or Singapore by the Local Committee. (1/1/15)

**“Arrears”** means any sum due to be paid (and interest imposed by the Association on such Arrears at a reasonable rate to be determined by the Association from time to time) by virtue of these Rules and/or Regulations, regardless of whether this term appears in a Rule or Regulation. “Arrears” when used in a Rule shall include sums due under the Regulations, and *vice versa*; “Arrears” shall include the following:

- (a) any sum payable for fines, fees, stakes, subscriptions, or forfeits in respect of any race under these Rules; and/or
- (b) any sum in respect of which a person has been declared a defaulter and any sum which, in the opinion of the Stewards, has been improperly or mistakenly paid to any person for stake or otherwise.

Provided that Arrears and forfeits in respect of a meeting at any place other than the place at which the race is run shall not be included, unless notice of such forfeits being overdue has been published in writing, signed by the Secretary or to the person indebted, before ten (10) p.m. of the evening preceding the race.

**“Associated Club”** means the Penang Turf Club, Perak Turf Club, Selangor Turf Club and Singapore Turf Club and any other turf club that may be admitted as an Associated Club of the Association.

**“Association”** or **“The Association”** means the Malayan Racing Association.

**“Authorised Agent”** means an agent authorised in writing by an Owner and where the written authorisation is lodged with the Secretary of the Association or, if appointed for the purpose of a single meeting only, is lodged with the Secretary of the Club holding the meeting except that in the case of a Recognised Company it shall be the registered agent duly appointed by the company as required in Rule 62.

**“Benchmark”** means the handicap rating designated as the starting point of the handicap in an Open Benchmark race.

**“Bleeders Test”** means a test in which a horse gallops over a distance of at least a 1000 metres in the presence of a Stipendiary Steward, followed by a clinical examination of the horse by a veterinary surgeon that will include trotting up, auscultation of the heart and lungs and an endoscopic examination of the upper and lower respiratory tracts.  
(1/12/12)

**“Blinkers”** means additional headgear, correctly fitted under a horse’s bridle, with the intention of preventing or restricting the horse from seeing sideways or behind.

**“Blinker / Pacifiers”** means additional head gear, correctly fitted under a horse’s bridle and is a combination of both blinkers and pacifiers.

**“Club”** means any one of the Associated Clubs.

**“Committee”** means the Committee of the Malayan Racing Association.

**“Conditions Race”** means any flat race which is not a handicap race and where the weight allotment to horses is governed by the specific criteria published for that race in the Official Programme or Horsemen Guide and includes term races, set weight races and handicap races with limited conditions.

**“Control Sample”** means any sample collected for the purpose of establishing that the equipment used in connection with the collection of urine sample(s) was free of Prohibited and/or Specified Substance(s) when used to collect a urine sample under Rule 134 and/or 135. (Amended 15/6/13)

**“Course”** means a racecourse, and includes any stable, track or training ground over which an Associated Club has the control and management of.

**“Day”** means any twenty-four (24) hour period ending at midnight.

**“Disqualification”** means the measures taken against a person or horse, in accordance with the Rules, in the following manner:

- (a) As regards any person, that he shall not be qualified to subscribe or enter or run or train or ride any horse either in his own name or in the name of any other person for any race under these rules. (Amended 1/7/11)
- (b) As regards any horse, that it shall not be eligible to run in any race under these rules. In addition, any horse which shall be proved to the satisfaction of the Committee, Local Committee or Racing Stewards to be under the ownership, care, training, management, superintendence or control, direct or otherwise, of any disqualified person shall itself be disqualified.

- (c) Paragraphs (a) and (b) do not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List); or (1/7/11)
- (d) When a person is warned off the course he shall be disqualified and the licence of any disqualified person shall be cancelled with immediate effect. (1/7/11)

**“Disqualified Person”** means a person who is the subject of Disqualification. (1/1/15)

**“Drenches”** means the administration of any fluid to a horse by nasogastric means.

**“Embargo”** means any suspension, disqualification or any other impediment to riding or racing as may be imposed under these Rules and/or by any other recognised racing authority.

**“Equine Dentist”** means a person who has been issued with an MRA Pass by the Association to provide equine dental care in the stables of a licensed Trainer under the supervision of the Associated Clubs’ respective Veterinary departments. (17/3/17)

**“Equine Massage Therapist”** means a person who has been issued with an MRA Pass by the Association to provide equine massage in the stables of a licensed Trainer under the supervision of the Associated Clubs’ respective Veterinary departments. (17/3/17)

**“Fine”** means a sum payable as a penalty imposed for breaches of any of the MRA Rules of Racing or its Regulations and shall be paid in the currency of the country where such breach has taken place. The "\$" symbol in the MRA Rules of Racing and its Regulations denotes a unit of currency of either Singapore or Malaysia, depending on where such breach has taken place.

**“Forfeit List”** means a record of any person or body, corporate or unincorporated, in arrears as published under the authority of the Committee.

**“Handicap”** means a race in which the weights to be carried by the horses entered for the race are set by the handicapper for the purpose of equalising their chances of winning the race.

**“Handicapper”** means a person appointed by the Association or by an Associated Club and designated to be a handicapper for the purpose of allocating weights to horses entered to race in races under these Rules. (Amended 1/7/07)

**“Handicap Rating”** means the published numerical value of the Handicapper’s assessment of the horse’s revealed ability.

**“Home Based Trainer”** means a person who holds a Trainer licence issued by the Committee and to whom the Local Committee has allocated stables at the Associated Club. (16/6/17)

**“Horse”** means any stallion, mare, gelding, colt, filly and, unless inconsistent with the context, includes a pony.

**“Immediate Family”** means:

- (a) a spouse;
- (b) a child (including an adopted child, a step-child, a daughter-in-law or a son-in-law);
- (c) a father or mother (including a father-in-law or mother-in-law); and
- (d) a brother or sister (including a half-brother, a half-sister, an adopted brother, an adopted sister, a step-brother or a step-sister, a brother-in-law or a sister-in-law). (Amended 1/12/12)

**“Jockey”** means a person who holds a Jockey licence or a Visiting Jockey licence or an Apprentice Jockey licence or a Visiting Apprentice Jockey licence issued by the Local Committee, unless otherwise specified. (Amended 1/1/15)

**“Jockey Licence”** means a jockey licence issued to a citizen of Malaysia or Singapore by the Local Committee. (1/1/15)

**“Local Committee”** means the Committee of an Associated Club.

**“Listed Race”** means a flat race which is published in the Pattern Race Book.



**“Maiden”** means a horse which, at time of starting, has never won a race at any recognised race meeting, in any country. Any horse which was either first past the winning post or which was declared a winner and which, in either case, was subsequently disqualified as a result of any contravention of any provision of the Rules shall not be regarded as a winner of that race. (Amended 1/4/09)

**“MARA”** means the Malayan Amateur Racing Association.

**“Medical Officer”** means registered medical practitioner retained by the Association or a Club.

**“Metabolite”** means a substance or substances resulting from the metabolism of a prohibited substance.

**“Month”** means a calendar month.

**“MRA”** means the Malayan Racing Association.

**“MRA Approved Referee Laboratory”** means any laboratory as may be approved, from time to time by the Committee, for the purpose of performing Referee Analysis. (10/12/07)

**“MRA Laboratory”** is the laboratory or laboratories approved for the time being as the MRA approved Laboratory. The MRA approved Laboratories for the time being are the Singapore Turf Club Laboratory and the USAINS Holding Sendirian Berhad Laboratory. Should the MRA approved Laboratory not have the requisite equipment or expertise to carry out a specific test or set of tests, the MRA approved Laboratory may sub-contract the test/s to another laboratory with ISO/IEC 17025 accreditation which shall for those purposes and the limited time become a MRA Laboratory. In the event of an emergency and should no laboratory with ISO/IEC 17025 accreditation be available to carry out the specific test or set of tests, the MRA approved laboratory may sub-contract the test/s to any other laboratory which shall for those purposes and the limited time become a MRA Laboratory. (Amended 13/11/15)

**“Occupier”** means Professional Trainer, Jockey and Stable Employee. (13/11/15)

**“Objections”** means an objection in relation to any incident occurring from the start to the finish of a race, or in relation to an allegation that a horse did not carry its correct weight, or an objection lodged in terms of the Rules and their consideration by the Stewards shall constitute an inquiry. (18/4/11)

**“Official”** means such person as is appointed by the Committee or the Local Committee to carry out any function as required under these Rules and includes, but is not limited to, Stewards, Clerk of the Course, Clerk of Scales, Judges, Starter, Analyst, Handicapper and Veterinary Surgeons as well as Assistants or Deputies of the aforementioned.

**“Official Handicap”** means the official listing of weights allotted to the horses entered in their respective races.

**“Owner”** in relation to a horse, means any person registered as the owner of the horse and includes any part owner, or lessee not being under the age of twenty one (21), or the entity having ownership of the horse under any of the categories of recognised ownership provided for in Rule 56(1). (Amended 1/1/15)

**“Pacifiers”** means additional head gear, correctly fitted under a horse's bridle, with the intention of ‘toning down’ the horse's all-round vision by means of mesh protection covering the eyes.

**“Panel of Stewards”** means the panel appointed by the Local Committee under Rule 156(1) consisting of Racing Stewards, Stipendiary Stewards and/or other persons appointed to this panel by the Local Committee. (1/8/12)

**“Partnership”** means a group of persons who have been approved and registered as a partnership by the Committee.

**“Plate”**, in relation to gear, means a horse shoe.

**“Pony”** means a horse measuring 1.47 metres (i.e. 14 hands 2 inches) or under.

**“Prohibited Substance”** means any substance or its metabolite which falls into any of the categories contained in the List of Prohibited Drugs and/or Specified Substance(s) published by the Association from time to time. (Amended 15/6/13)

**“Race”** means a race in which a horse runs with any other horse or horses for any purpose whatsoever. (1/8/12)

**“Race Day”** shall mean any one particular day of a Race Meeting including an Amateur (Pro-Am) Meeting or any part thereof.

**“Race Meeting”** shall mean a meeting recognised and authorised by the Committee, where horses race under the Rules of the Association and unless otherwise stipulated, shall refer to the entire duration of race days or any part thereof.

**“Racing Calendar”** means the periodical published under that name by/or under the authority of the Association and includes the supplements.

**“Racing Club”** means a club which has been approved and registered as a Racing Club by the Association. (Amended 1/1/15)

**“Racing Steward”** means:

- (a) a Steward who is appointed by the Local Committee pursuant to Rule 11(1) and/or Rule 11(2), including a Senior Racing Steward;
- (b) a Professional Steward who is an Official appointed by the Association or the Local Committee and designated as such, and (Amended 26/11/14)
- (c) a Steward who is appointed by the Associated Club pursuant to Rule 152A(9) including a Senior Racing Steward. (26/11/14)

**“Racing Year”** means the period commencing on 1<sup>st</sup> January and terminating on 31<sup>st</sup> December of each year.

**“Recognised Company”** means a company incorporated under any statutory enactment and whether with limited or unlimited liability which has been approved and registered as a Recognised Company by the Committee.

**“Referee Analysis”** means any analysis conducted by a MRA Approved Referee Laboratory acting on the direction of the Stipendiary Stewards, for the presence of Prohibited Substance(s) and/or its artefact(s) and/or its metabolite(s) in a Referee Sample. (10/12/07)

**“Referee Sample”** means an aliquot, sub-portion or split portion of the sample collected under Rule 134 and/or 135 and/or 136 and/or recovered under Rule 133(1)(m), which is reserved for the sole purpose of being used to undertake a Referee Analysis by a MRA Approved Referee Laboratory, acting on the directions of the Stipendiary Stewards. (Amended 1/12/10)

**“Registered”** means registered with the Association under these Rules.

**“Rider”** means any licensed or registered person, authorised under these Rules, to ride a horse in a race or at trackwork, whether as a jockey, apprentice, amateur or track rider.

**“Rules”** unless otherwise specified means the Rules of Racing approved and issued by the Malayan Racing Association and shall include the Regulations and any Notice issued by the Committee from time to time.

**“Sample”** means, where used in connection with a horse, any sample taken from a horse, including but not limited to tissue, body fluids, blood or excreta, biological specimen and biological sample. (1/10/07)

**“Secretary”** means the officer of any Club entrusted with the management of the affairs of the Club under the direction of the Local Committee.

**“Specified Substance(s)”** shall refer to any substance(s) that shall be published by the Association from time to time. (Amended 6/4/18)

**“Stable Employee”** shall include an assistant trainer, a stable supervisor, a syce, a farrier, a track rider, a stable manager or a stable clerk, or anyone who has been issued with an MRA Pass by the Association to work in the stables of a licensed Trainer. (Amended 13/11/15)

**“Stable Manager”** is an employee of a Trainer who is in charge of the daily operations in a thoroughbred racing office with duties such as liaising with existing and/or prospective owners. (16/6/14)

**“Stewards”** means Racing Stewards and/or Stipendiary Stewards.

**“Stipendiary Steward”** means an official appointed by the Association or by an Associated Club and designated as such. (Amended 1/7/07).

**“Suspended”**

- (a) as regards a person means that he shall be deprived of such rights and privileges under these Rules, and for such term, as the Committee, Local Committee or the Stewards may determine.
- (b) as regards a horse means a ban from racing and/or training under these Rules, and for such term, as the Committee, Local Committee or the Stewards may determine.

**“Time of Entry”** means the time fixed, by a Local Committee, for the closing of entries for a particular race or race meeting.

**“Trainer”** means a person who either:

- (a) holds a Trainer licence granted by the Committee in terms of these Rules; or
- (b) holds a Visiting Trainer licence granted by the Local Committee to train horses for a specific period, race meeting or race which may, or may not be, open to International entries. (Amended 1/1/15)

**“Trainer Licence”** means a Trainer licence issued to any person by the Committee. (1/1/15)

**“Unrecognised Meeting”** means a race meeting held in Singapore or West Malaysia which has been organised by any person or Club not registered under these Rules.

**“Veterinary Examination”** means an examination of any horse by the Veterinary Surgeon which shall comprise: (1/10/07)

- (a) a visual appraisal of the horse;
- (b) a physical examination of the horse; and
- (c) any other examination as may be directed by the Stipendiary Stewards.

**“Veterinary Surgeon”** means an official Veterinary Surgeon appointed or authorised by the Committee or Local Committee, unless otherwise specified.

**“Visiting Jockey”** means a person who holds or has held a valid Jockey licence issued by another Racing Authority recognized by the Committee, and who has been granted a Visiting Jockey licence or a Visiting Apprentice Jockey licence by the Local Committee for a specific period, race meeting or race which may, or may not be, open to International entries or a person who holds a certificate of graduation from a recognized apprentice training academy of any of the Associated Clubs. (Amended 24/6/16)

**“Visiting Jockey Licence”** means a Visiting Jockey licence issued to Visiting Jockeys or Visiting Apprentice Jockeys by the Local Committee. (Amended 24/6/16)

**“Visiting Trainer”** means a person who holds or has held a valid Trainer licence issued by another Racing Authority recognised by the Committee, and who has been granted a Visiting Trainer licence by the Local Committee for a specific period, race meeting or race which may, or may not be, open to international entries. (1/1/15)

**“Visiting Trainer Licence”** means a Trainer licence issued to Visiting Trainers by the Local Committee. (1/1/15)

**“Weight for Age Race”** means a race in which weights are apportioned to horses according to their ages or sex, and remains a weight for age race, even if there are penalties and allowances, or the race be confined to horses of the same age.

- (2) The expression “person” in these Rules includes any company or association or body of persons, corporate or unincorporated.
- (3) Words importing the masculine gender include the feminine gender.
- (4) Words in the singular include the plural and words in the plural include the singular.

## PART II

### UNRECOGNISED RACE MEETINGS

- 7 (1) Any race meeting held in Singapore or West Malaysia, unless held under the authority, control and/or management and/or sanction and/or approval of the Association or an Associated Club or any other club affiliated to the Association, shall be deemed to be an unrecognised meeting.
- (2) Any horse registered by the Association running at an unrecognised meeting shall be disqualified from running at any subsequent meeting held under the control and management of the Association or Associated Club.

- (3) No person licensed or registered by the Association or an Associated Club shall take part in, or attend any unrecognised meeting save with the prior written consent of the Association or Associated Club.

### **PART III**

#### **THE COMMITTEE, LOCAL COMMITTEE AND RACING STEWARDS**

##### **General Powers of the Committee**

- 8 (1) The powers of the Committee under Rule 7 of the Rules of the Malayan Racing Association (Constitution) (annexed hereto as Annex A) are deemed to be incorporated hereunder as part of these Rules.
- (2) The Committee shall have the power from time to time to promulgate rules and/or regulations pursuant to Rule 7 of the Rules of the Malayan Racing Association (Constitution).
- (3) Such rules and/or regulations, when promulgated, shall be deemed to form part of these Rules and Regulations from the date of such promulgation.
- (4) In granting licences or MRA passes and approving registrations, the Committee shall have the power in its absolute discretion to impose restrictions on the validity of such licences, passes and registrations. (1/7/07)
- (5) Without prejudice to the generality of the foregoing Sub-Rules (1), (2), (3) and (4) and save where any Rule expressly provides otherwise, to make such arrangements as they think fit, for anyone or more of their powers or other functions under the Rules of the Malayan Racing Association (Constitution) or Rules of Racing to be exercised on their behalf and in their name, by the Local Committee of an Associated Club where they are satisfied that it is in the interest of the efficient administration of horse racing and the operation of these Rules and the Rules of Racing to do so.

Further the Committee has power at any time, to ratify the exercise or purported exercise of any power or function on their behalf, by the Local Committee of an Associated Club where they think fit, notwithstanding that the Local Committee may not have been duly authorised by the Committee at the relevant time. (1/1/15)

### General Powers of the Local Committee

- 9
- (1) The Local Committee shall have the power to determine any matter relating to its own Club's affairs in respect of race meetings held in the Club's premises and shall have the power to enforce all penalties, fines or forfeits provided for in these Rules.
  - (2) The Local Committee shall have the power to do, or delegate to any other person or persons where appropriate, to do anything necessary for carrying into effect any of the provisions of these Rules.
  - (3) The Local Committee of any Associated Club, through its Stewards or officials, shall have power to enter and search any premises owned, used, managed and/or controlled by its own Club including but not limited to its racecourse stables and any vehicle found in such premises and to take such action as it deems appropriate for any offence disclosed under these Rules. Trainers and all other licensed persons shall provide access for such search and in other respects provide all possible assistance to facilitate the search.
  - (4) The Local Committee of each Associated Club shall have the absolute discretion to elect to adopt either (Amended 1/8/12):
    - (a) the disciplinary process provided under Rules 11 to 15, 18, 19, 21, 22, 23 and Part XI of the Rules, and where so elected, the provisions under Parts XIII and XIV of the Rules shall not apply; or (1/8/12)
    - (b) the disciplinary process provided under Parts XIII and XIV of the Rules, and where so elected, the provisions under Rules 11 to 15, 18, 19, 21, 22, 23 and Part XI of the Rules shall not apply. (1/8/12)
  - (5) Where the disciplinary process provided for under Rule 9(4)(a) is elected and adopted by the Local Committee pursuant to Rule 9(4), any question or matter which is not provided for by these Rules shall be determined (Amended 1/8/12):
    - (a) if arising on a race day, by the Racing Stewards conducting the meeting;
    - (b) if arising out of a non-race day event, by the Stipendiary Stewards; but in any event, the Local Committee shall have the overriding power to determine such question or matter.



- (6) Where the disciplinary process provided for under Rule 9(4)(b) is elected and adopted by the Local Committee pursuant to Rule 9(4), any question or matter which is not provided for by these Rules shall be determined by the panel of Stewards, whether arising on a race day or arising out of a non-race day event, but in any event, the Local Committee shall have the overriding power to determine such question or matter. (1/8/12)
- (7) The Local Committee shall have the power to grant or to refuse to grant and to renew or to refuse to renew Jockey licences, Visiting Jockey licences, Apprentice Jockey licences, Visiting Apprentice Jockey licences and Visiting Trainer licences at any time without assigning any reason whatsoever, to suspend, vary or revoke any such licence.

Provided always that the Local Committee shall not grant a licence to any person whose application to the Committee for the grant or the renewal of any licence, permit or pass was previously rejected, unless that person shall have first obtained leave of the Committee. (20/8/16)

Every application for renewal of any licence shall be treated and regarded in all respects and for all purposes as if it were the first application by the applicant for such a licence. (1/1/15)

- (8) In granting licences, the Local Committee shall have the power in its absolute discretion to impose its own rules and conditions for the issuance of licences, and to impose restrictions on the validity of such licences except as provided under these Rules. (Amended 16/6/17)

#### **Members of a Local Committee having an interest in a dispute before them**

- 10 (1) In the event that any member of the Local Committee or any member of his immediate family or his servant or agent is in any way interested in any dispute or any question before them, that member shall be obliged to declare his interest and shall not be competent to enter into and shall immediately withdraw from taking part in the discussion, consideration and/or adjudication of the dispute or question. The remaining members of the Local Committee may call upon, on an ad-hoc basis, an equal number of members of the Local Committee not interested in the dispute or question in place of the Local Committee member so withdrawing.

- (2) No member of the Local Committee who in any way has an interest in a horse, whether personally or through his immediate family, servant or agent, shall take part in any discussion with or give any instructions or directions to any official employed or appointed by the Association or Local Committee of a Club where that official is performing his professional duties or responsibilities in connection with or in relation to the horse or a race in which the horse has been entered or has run.
- (3) Any member of the Local Committee who fails to declare any interest in the above-mentioned matters shall forfeit the stake money in respect of the particular horse.
- (4) Such failure to declare any interest in the above-mentioned matter shall not in any event render void or invalidate any such discussion, consideration and/or adjudication of the dispute or decision.

### **Panel of Racing Stewards conducting an Inquiry**

- 11 (1) (a) On any race day, the Local Committee shall appoint a panel of Racing Stewards consisting of a minimum of three (3) Racing Stewards of whom, at least one (1) must be a Professional Steward. The Chairman of the panel of Racing Stewards on any race day shall be selected by the Local Committee. (Amended 18/4/11)
- (b) In the event that any one or more of the Racing Stewards or Professional Steward are unable to attend on any race day or disqualify themselves for any reason whatsoever, or in the event a Professional Steward has yet to be appointed, the vacancy shall be filled by an appointment made by the Local Committee. (Amended 18/4/11)
- (c) The quorum for the panel of Racing Stewards to conduct an inquiry shall not be less than three (3) Racing Stewards of whom, at least one (1) must be a Professional Steward. The decision shall be that of the majority. All members of the panel of Racing Stewards shall have one vote each, except that in the event of a tie, the Chairman of the panel shall have a casting vote. A decision reached by majority shall be the decision of the Racing Stewards and shall be announced as such and no reference shall be made then or subsequently to any minority or dissenting view. (18/4/11)

- (d) In the event that any one or more of the Racing Stewards or Professional Steward are unable to attend an inquiry or disqualify themselves for any reason whatsoever, or in the event a Professional Steward has yet to be appointed, the vacancy shall be filled by an appointment made by the Local Committee. Such person or persons may be appointed to fill such vacancy regardless of whether such person or persons were or were not present on the relevant race day. (18/4/11)
  - (e) In respect of any non-race day matter, the Local Committee shall appoint a panel of Racing Stewards consisting of a minimum of three (3) Racing Stewards to conduct an inquiry. The Chairman of the panel of Racing Stewards shall be selected by the Local Committee. (18/4/11)
  - (f) The quorum for the panel of Racing Stewards to conduct an inquiry on any non-race day matter shall be not less than three (3) members. All members of the panel of Racing Stewards shall have one vote each, except that in the event of a tie, the Chairman of the panel shall have a casting vote. A decision reached by majority shall be the decision of the Racing Stewards and shall be announced as such and no reference shall be made then or subsequently to any minority or dissenting view. (18/4/11)
  - (g) Any member of the Panel who is absent from any part of the inquiry shall not take any further part in that inquiry. The absence of any member of the Panel, at any stage of the inquiry, for any reason whatsoever, shall not invalidate the proceedings nor the decisions of the panel, provided always that the remaining members of the panel otherwise constitute a quorum pursuant to Rule 11(1)(c). In the event the remaining members of the panel do not constitute a quorum the remaining members shall grant to the person or persons appearing before the panel the choice of either continuing with the inquiry with the remaining members of the panel or having the inquiry heard de novo by a reconstituted panel. (18/4/11)
- (2) (a) In the event that any one or more of the Racing Stewards (including one or all of the Professional Stewards) are unable to attend or disqualify themselves for any reason whatsoever on any Race Day or any inquiry or appeal arising therefrom, or in the event that a Professional Steward has yet to be appointed, the vacancy shall be filled by appointments made by the Local Committee. Such person or persons may be appointed to fill such vacancy regardless of whether or not the inquiry or the appeal has already commenced, and regardless of whether such person or persons were or were not present on that Race Day.

- (b) Any member of the Panel who is absent from any part of the inquiry or appeal shall not take any further part in that inquiry or appeal. The absence of any member of the Panel, at any stage of the inquiry or appeal, for any reason whatsoever, shall not invalidate the proceedings nor the decisions of the panel, provided always that the remaining members of the panel otherwise constitute a quorum pursuant to Rule 11(1). In the event the remaining members of the panel do not constitute a quorum the remaining members shall grant to the person or persons appearing before the panel the choice of either continuing with the inquiry or appeal with the remaining members of the panel or having the inquiry or appeal heard de novo by a reconstituted panel.
- (3) The quorum for the panel of Racing Stewards shall be not less than three Racing Stewards. The decision at an inquiry, objection or appeal shall be that of the majority. All members of the panel of Racing Stewards shall have one vote each, except that in the event of a tie, the Chairman of the panel shall have a casting vote.
- (4) No Racing Steward officiating a race or in respect of any inquiry or appeal arising therefrom shall (Amended 2/4/12):
  - (a) have an interest in a bet or bets on any horse in that race or an interest in any lottery drawn which is based on the outcome of that race, whether by himself or through his immediate family, servant or agent;
  - (b) have an interest in any horse, whether by himself or through his immediate family, servant or agent, which is entered for that race. (Amended 2/4/12)
- (5) In the event that any member of the Panel of Racing Stewards or any member of his immediate family or his servant or agent is in any way interested in any dispute or question before the Panel, that member shall not be competent to enter into and shall immediately withdraw from taking part in the discussion, consideration and/or adjudication of the dispute or question. The vacancy may be filled by an appointment made by the Local Committee.
- (6) No member of the Panel of Racing Stewards who in any way has an interest in a horse, whether by himself or through his immediate family, servant or agent, shall take part in any discussion with or give any instructions or directions to any official employed by the Association or Local Committee of a Club where that official is performing his professional duties or responsibilities in connection with or in relation to the horse or a race in which the horse has been entered or has run.

- (7) Notwithstanding the provisions of Rules 11(4) to 11(6) above, any breach of Rules 11(4) to 11(6) shall not invalidate the decision of the Racing Stewards made while officiating at any Race Meeting.

### **Powers and duties of the Racing Stewards**

- 12 (1) The Racing Stewards shall have the power to do, or to delegate where appropriate, the power to another person or persons, to do anything necessary for carrying into effect any of the provisions of these Rules.
- (2) Without prejudice to the generality of the foregoing the Racing Stewards may exercise all, or delegate where necessary, any of the following powers:
- (a) to make, alter, or vary all or any of the arrangements for the conduct of any race meeting under their control;
  - (b) to require and obtain the production and take possession of any entry forms, books and documents relating to any meeting;
  - (c) to enter upon and take control of all land, booths, buildings, stands, enclosures, and other places used in connection with a race meeting, including but not limited to "off-course centres", and to expel or exclude or cause to be expelled or excluded any person from the same;
  - (d) to regulate, control, inquire into and adjudicate upon the conduct of all officials and licensed persons, persons attendant on or connected with a horse and all other persons on a racecourse;
  - (e) to regulate, control, inquire into and adjudicate upon all matters arising from horse racing generally;
  - (f) to penalise any person who in their opinion is guilty of improper conduct or unseemly behaviour;
  - (g) to penalise any person who is in breach of these Rules, or who refuses to obey any proper direction of any official, fails or refuses to attend any Inquiry or hearing, or whose conduct or negligence has led to a breach of these Rules;
  - (h) to determine all questions arising or objections made in reference to racing at a race meeting and such decisions shall be final subject to the provisions of Rule 18(2);

- (i) to order the examination of any horse for the purposes of ascertaining its age or identity, or for any other purposes connected with the Rules;
- (j) to disqualify any horse entered for any race at a race meeting which is removed from the course contrary to the orders of the Local Committee, the Racing or Stipendiary Stewards, or which is not produced at their request, and to punish the Owner and/or any person having charge of such horse;
- (k) to require any Owner to satisfy them that he and any horse owned by him is not subject to any disability under these Rules;
- (l) to make or cause to be made any test in their opinion desirable to determine whether any prohibited substance has been administered to any horse;
- (m) to take possession on the course or elsewhere of any horse for any of the purposes aforesaid and to detain such horse for such period as they consider necessary;
- (n) to search, on any course (whether a race meeting is being conducted thereon or not), any person or gear or equipment used by or about to be used by him and to take possession of any article or thing found as a result of such search which the Racing Stewards making such search believes could afford evidence of a breach of or an offence under these Rules;
- (o) to order any Rider off a horse without assigning any reason and if they think fit to substitute another Rider without being liable for any loss or damage whatsoever resulting from their action therein;
- (p) to prohibit any horse from starting in a race;
- (q) to order the removal of any shoes, racing plates, equipment or gear which in their opinion is unsuitable, unsafe or ineffective, and to penalise any person responsible for the use of the same;
- (r) in exceptional cases or where the delay in declaring the all-clear of a previous race has rendered the commencement of the next race at the advertised time impossible, to extend the time allowed for weighting-out, declaring weight, for the start of or for any other requirement under these Rules or conditions of a race;

- (s) if the course is deemed unsafe by them in consequence of inclement weather or other causes or in case of urgent necessity, or with the permission of the Local Committee for any other reason, to postpone any race whether before or after the commencement of the meeting to a later time on that day, or to such other day as the Local Committee may decide or to transfer any race to another course subject to the conditions of that race or to abandon any race; (Amended 1/5/07)
- (t) to remove at any time during the hours of racing the Judge, Starter, Clerk of Scales, or other official and appoint a substitute for any such official;
- (u) to appoint any official necessary for the conduct of a race meeting if the Local Committee has failed or neglected to do so and, at the request or with the approval of the Local Committee, to appoint a deputy for or assistant to any such official, or both a deputy and assistant;
- (v) on a report from the Starter, to penalise at their discretion any Rider who has disobeyed the Starter's orders, or who has been guilty of improper conduct, and to prohibit him from riding in the race about to be run and to disqualify for that race the horse he was to ride or to permit another Rider to be substituted;
- (w) to order the withdrawal of a horse from any race at any time before the start if in their opinion or on the recommendation of the Veterinary Surgeon or on the receipt of reliable information whether or not from the authorities that it is unfit to run or unable to start without unreasonable delay, or that it is unsafe or unsuitable or is otherwise considered inappropriate for it to race;
- (x) to call on any person entering a horse for a race, or in whose name a horse is so entered, to show proof:
  - (i) that the horse is not the property either wholly or in part of any person whose name is on the Forfeit List or who is disqualified or otherwise not qualified; or
  - (ii) of the extent of his or any other person's interest in the horse.
  - (iii) Rule 12(2)(x)(i) does not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/7/11)

- (y) to penalise any person obstructing them in the exercise of their powers or duties;
- (z) to suspend or disqualify any person, or any horse, for any period of time and/or to impose any fine not exceeding \$150,000. (Amended 10/8/10)
- (aa) to accept, in writing on the prescribed form, an Admission of Guilt, in respect of any infringement of any Rule and/or Regulation which is punishable by a maximum fine not exceeding \$,1000 from which there shall be no appeal.

### **Additional Powers of Racing Stewards**

- 13 (1) The Racing Stewards may at any time inquire into, adjudicate upon and deal with any matter in connection with any race meeting or any matter or incident related to racing. In addition any powers conferred by these Rules on the Stipendiary Stewards are also vested in the Racing Stewards.
- (2) In addition to the powers conferred by these Rules and Regulations, the Racing Stewards shall have general supervisory and revisionary jurisdiction over all matters falling within these Rules and Regulations.

### **Racing Stewards may admit or exclude persons from Inquiries**

- 14 (1) The Racing Stewards shall have the power to admit or exclude any person from any inquiry conducted by them and may appoint any person, including but not limited to, any legal counsel to assist them.
- (2) Where the Racing Stewards have appointed any legal counsel to assist them in any inquiry conducted by them, any person attending or required to attend such inquiry shall also have the right to appoint counsel to advise them.

### **Action against person giving false or misleading evidence**

- 15 The Racing Stewards or the Local Committee shall investigate under Rule 21 any person who gives, or causes to be given, at any inquiry or appeal any evidence which, in their opinion, is false or misleading in any particular matter and thereafter impose such penalty as they deem fit on the conclusion of such an investigation.



**Racing Stewards to report all penalties to the Committee**

- 16 (1) The Racing Stewards shall report to the Committee all penalties meted out by them.
- (2) It shall not be mandatory for the Racing Stewards of any meeting to give written reasons or explanations for any decision arrived at unless requested to do so by the Committee or required to do so by a court of law.

**Disputes relating to bets**

- 17 The Racing Stewards shall not entertain any disputes relating to bets.

**Decision of Racing Stewards to be final**

- 18 (1) The decisions of the Racing Stewards shall be final in all cases where:
- (a) it relates to an objection against placed horses arising from any incident during a race; or
  - (b) the penalty imposed is a fine not exceeding \$150,000 and/or a suspension or disqualification not exceeding three (3) years. (Amended 10/8/10)
- (2) Subject to the provisions of Rule 18(1) there shall be a right of appeal, to the Committee, against the decision of the Racing Stewards.

**Power to quash or vary the decision of Stipendiary Stewards**

- 19 (1) On the hearing of an appeal from the decision of the Stipendiary Stewards, the Racing Stewards may amend and/or substitute the charge, framed by the Stipendiary Stewards, with a lesser or greater offence or quash, set aside, alter, vary, decrease, increase, or add to the punishment or confirm the decision of the Stipendiary Stewards and they shall have the power to draw inferences of fact and to give any judgment or decision and make any order which in their opinion ought to have been made by the Stipendiary Stewards and to make such further or other order as in their opinion the justice of the case requires. Where the Racing Stewards deem it appropriate to substitute the charge for one for a more serious offence, they may set aside the decision of the Stipendiary Stewards and remit the case for a rehearing.

Save that where any Rule prescribes a minimum penalty they shall impose a penalty not less than that penalty.

- (2) The Racing Stewards shall have the power, at their absolute discretion and on their own motion, to:
  - (a) review any decision of the Stipendiary Stewards notwithstanding that no appeal is made therefrom; and /or
  - (b) review any matter arising from, out of or in connection with any Race Meeting, regardless of whether such matter may or may not have been dealt with by the Stipendiary Stewards; and /or
  - (c) review their own previous decisions where the justice of the case so requires or permits; and/or
  - (d) make a decision on behalf of the Stipendiary Stewards when such a decision is not made within a period of time appropriate to the circumstances of the case, but in any event not before the expiration of thirty (30) days from the time the matter first arises.

## **PART IV**

### **OFFICIALS**

#### **Officials**

- 20 (1) The Association shall appoint Professional Stewards, Stipendiary Stewards, Handicappers, Starters, Veterinary Surgeons and such other officials as the Association finds necessary.
- (2) Additionally, a Local Committee may, in extenuating circumstances and after notifying the Association, appoint any other officials as the Local Committee may require and such appointments are to be considered as appointments by and of the Association in all respects.

#### **Powers of the Stipendiary Stewards**

- 21 (1) In addition to any other powers, duties or functions conferred by these Rules, the Stipendiary Stewards shall have the power and are authorised:

- (a) To investigate, inquire into and/or adjudicate upon any alleged breach or contravention of the Rules.
- (b) To investigate and/or inquire into any matter which in their opinion requires investigation and/or inquiry and any other matter which they are directed by the Committee, Local Committee and/or Racing Stewards to investigate and or/ inquire into.
- (c) To require production of all entry forms and other documents and they shall have access to all stands, enclosures, and other places used for the purposes of the Race Meeting.
- (d) To exclude or expel or cause to be excluded or expelled any person from any place under their control.
- (e) To exclude or expel, cause or order to be excluded or expelled from all places under the control of any Associated Club:
  - (i) Every disqualified person.
  - (ii) Every person warned off the course.
  - (iii) Every person whose name has been published in the Forfeit List until the defaults are cleared.
  - (iv) Every person who has been declared by the Association or by the recognised racing authority of any country to which these rules do not extend to be a defaulter, or to be disqualified, or to have been guilty of any corrupt or fraudulent practice or other misconduct in relation to racing in general.
  - (v) Rules 21(1)(e)(i), (iii) and (iv) do not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List).  
(1/7/11)
- (f) To regulate and control the conduct of all officials, other than the Racing Stewards and officials appointed by the Local Committee and of all MRA licensees, Local Committee licensees and holders of MRA Passes, including but not limited to trainers, Jockeys and persons in any way connected with any horse.  
(Amended 1/1/15)

- (g) To order any Rider off a horse without assigning any reason and, if they deem it fit, to substitute him with another Rider. The Stipendiary Stewards shall not be liable for any loss or damage whatsoever resulting from their action under this Rule.
- (h) At any time to order an examination by such person or persons as they think fit, of any horse entered for a race, or which has run in a race. Where such examination includes the taking of samples for subsequent analysis the samples may be of any body fluid, tissue, excreta, hair or skin scrapings, or of all or any of the same at the discretion of the person conducting the examination and may involve the removal of implants.
- (i) To call on any person entering a horse, or in whose name a horse is entered, to produce proof of the extent of his and other person's interest or property in the horse.

In default of such proof being given to their satisfaction, they may disqualify such horse and the person so making the entry or in whose name the horse was entered.

(2) When in the opinion of the Stipendiary Stewards:

- (a) there is a reasonable suspicion that any person has committed any breach of the Rules of Racing which in their opinion ought to be considered by the Racing Stewards; or
- (b) any person has committed any breach of the Rules of Racing and in their opinion a fine in excess of \$100,000 ought to be imposed upon such person and/or be suspended or disqualified for a longer period than one (1) or three (3) years respectively; (Amended 10/8/10)

they may in their discretion refer the matter to the Racing Stewards, who shall not be bound by any finding of the Stipendiary Stewards.

- (3) Any person required to attend an investigation or inquiry conducted by the Stipendiary Stewards shall not be entitled to legal representation.
- (4) The Stipendiary Stewards, in any case of a breach or contravention of the Rules or the Regulations, shall have the power, after conducting an investigation or inquiry, to impose any one or more of the following penalties:

- (a) a warning or reprimand;
- (b) a maximum fine not exceeding \$1,000 in respect of any infringement of any Rule and/or Regulation which is punishable by the abovementioned fine where an Admission of Guilt is accepted in writing on the prescribed form;
- (c) a fine not exceeding \$100,000; (Amended 10/8/10)
- (d) a suspension for any term not exceeding twelve (12) months;
- (e) a disqualification for any term not exceeding three (3) years;

Save where expressly provided for, the powers given by this Rule are not, nor are they to be construed as being, in any way limited or excluded where any Rule does not prescribe penalties for its breach.

There shall be no right of appeal against the Admission of Guilt or the penalty imposed under Rule 21(4)(b) once the Admission of Guilt is accepted.

#### **Panel of Stipendiary Stewards**

- 22
- (1) Subject to Rule 22(3), the Panel of Stipendiary Stewards shall consist of Stipendiary Stewards. (Amended 1/7/07)
  - (2) In the event of extenuating or in exceptional circumstances, the Panel may comprise one Stipendiary Steward whose sole decision shall be valid.
  - (3) Where the Local Committee deems it necessary, it may appoint other persons to the Panel of Stipendiary Stewards. (Amended 1/7/07)
  - (4) The Chief Stipendiary Steward shall be Chairman of the Panel. He may also appoint one of the members of the Panel to act as Chairman. In the absence of the Chief Stipendiary Steward and where he has not already appointed one of the members of the Panel to act as Chairman, the Panel shall appoint one of its members to act as Chairman.
  - (5) The decision of the Panel shall be that of the majority provided that:
    - (a) In the event of a tie, the Chairman shall have a casting vote; and

- (b) In the case of extenuating or in exceptional circumstances when the Panel comprises only one person as set out in Rule 22(2), the sole decision of such Stipendiary Steward shall be valid.
- (6) Any member of the Panel who has absented himself from any part of the inquiry shall not take any further part in that inquiry. The absence of any member of the Panel at any stage of the inquiry for any reason whatsoever shall not affect the validity of the proceedings nor the decisions of the Panel.

### **Appeals against the decision of the Stipendiary Stewards**

- 23 Subject to the provisions of Rule 21(2), there shall be a right of appeal to the Racing Stewards against the decision of the Stipendiary Stewards.

### **Secretary of the Club**

- 24 (1) The Secretary of the Club shall:
- (a) be the person to whom all instructions pertaining to the course and the conduct of horse racing shall be directed and he shall comply with the instructions as issued by the Local Committee or Racing Stewards;
  - (b) carry out duties and functions as are delegated to him by the Local Committee or Racing Stewards;
  - (c) comply with the requirements of these Rules and all directions given to him by the Local Committee and Racing Stewards in relation to the conduct of race meetings;
  - (d) shall be responsible for the general arrangement of a race meeting and the availability of the required officials;
  - (e) shall have in his possession, for the information of the Racing Stewards the current list of disqualified persons and those on the Forfeit list and any other information that the Local Committee or Racing Stewards may require from time to time;
  - (f) shall ensure that no disqualified, unlicensed, unregistered and/or ineligible person or horse shall take part in any race meeting.

### **Clerk of the Scales**

- 25 (1) The Clerk of Scales shall:
- (a) 'weigh out' and 'weigh in' all Riders in accordance with the Rules and furnish the Starter with a list of runners for each race;
  - (b) ensure that any permissible rider change, colour change, weight variation, allowance or addition is announced and displayed to the public as required by the Rules and /or Local Committee;
  - (c) record and forward a copy of his Race day proceedings to the Local Committee, the Racing Stewards and any other person or body as directed by the Local Committee.

### **Veterinary Surgeon**

- 26 (1) The Veterinary Surgeon shall, subject to the Rules:
- (a) have the authority to carry out any veterinary procedures which, in his professional opinion, are necessary either in the interest of ensuring the safety and welfare of horses registered with the Association or of racing in general;
  - (b) provide full medical, surgical, diagnostic and preventative veterinary services to ensure that, as far as possible, all horses which start in a race are fit to do so;
  - (c) diagnose and report veterinary reasons for inconsistent racing performance;
  - (d) manage the supervision of the collection of biological samples for pre-race and post-race forensic analysis and assist in upholding racing integrity by, wherever possible, ensuring drug free racing;

- (e) have the authority to effect the destruction of any horse which, while on the property of an Associated Club for the purpose of taking part in, or running in or after having run in a race or track work, sustains an injury which, in the opinion of the Veterinary Surgeon notwithstanding the value of the horse for breeding purposes, necessitates such destruction; provided that the Veterinary Surgeon shall submit a written report, within twenty-four (24) hours of such destruction, to the Stipendiary Stewards and the Owner giving the reason necessitating the destruction of the horse;
  - (f) have the authority to, if any horse on the property of an Associated Club for the purpose of taking part in, or running in or after having run in a race or track work requires remedial treatment for any reason whatsoever, in his absolute discretion administer such treatment as he may deem fit without reference to the Owner or Trainer or person in charge of the horse; provided that the Veterinary Surgeon shall submit a written report of such treatment, within twenty four (24) hours of such treatment, to the Stipendiary Stewards and the Owner.
- (2) Without prejudice to the generality of Rule 5, the Owner or Trainer or any other persons having an interest in the horse so destroyed or so treated, under Rules 26(1)(e) and 26(1)(f) respectively, shall not be entitled to claim compensation or damages of whatever nature from the Association, the Associated Clubs or their stewards or their officials or the Veterinary Surgeon concerned.

### **Handicapper**

- 27
- (1) The Handicapper shall allot weights to horses entered to race as governed by the Rules or the conditions of a race, at a time and in a form as determined by the Local Committee.
  - (2) The Handicapper, in making a handicap, shall allot the weights to be carried in accordance with the definition of a handicap in Rule 6.
  - (3) The Handicapper shall maintain a list of ratings for all horses and shall determine any increase or reduction of a horses' rating after each performance.



**Starter**

- 28 (1) The Starter shall obtain from the Clerk of Scales a list of runners and the draw for barrier positions.
- (2) The Starter shall be responsible for ensuring that the Rules pertaining to starting are complied with and shall be responsible for the conduct of the start and in ensuring that all runners are at the start at the appointed time and prior to loading the horses into the starting stalls.

**PART V**

**TRAINERS**

**Trainers to obtain licence from the Association**

- 29 (1) No person other than a Licensed Trainer, or during his authorised absence, his Assistant Trainer shall be permitted to train any horse on any course for the purpose of racing under these Rules.
- (2) Any person, whether Professional or Amateur, intending to train horses to race under these Rules must hold a Trainer licence granted by the Association, or a Visiting Trainer licence granted by the Local Committee at their discretion, for a specific period, race or race meeting, the duration of which shall not in any event exceed thirty (30) days. (Amended 1/1/15)
- (3) An application for any Trainer's licence shall be made in the manner and on a form prescribed by the Committee, and shall be accompanied by a fee as determined by the Committee and an application for a Visiting Trainer licence shall be made in the manner and on a form prescribed by the Local Committee, and shall be accompanied by a fee as determined by the Local Committee. (Amended 1/1/15)
- (4) A Trainer licence may be granted for any period of up to a maximum of one year, upon such terms as the Association may decide, subject to Rule 29(2). (Amended 1/1/15)

- (5) The granting of a Trainer licence or a Visiting Trainer licence shall be at the discretion of the Committee or Local Committee, as the case may be, who need not furnish any reason for any refusal or variation of their terms of issue. (Amended 1/1/15)
- (6) Any person who has had an application for a Trainer licence or Visiting Trainer licence refused by the Committee or Local Committee, as the case may be, shall not be eligible to make any further application until the expiration of 12 months from the date of such refusal. The Committee or the Local Committee may however, at its discretion, reduce the said period. (Amended 1/1/15)
- (7) A list of Trainers and Visiting Trainers licensed by the Association and the Associated Clubs respectively shall be maintained and published by the Association as directed by the Committee. (Amended 1/1/15)

### **Cancellation or Suspension of a Trainer licence**

- 30 (1) Without prejudice to the generality of the foregoing Rule 9(7), a Trainer licence or a Visiting Trainer licence shall be immediately revoked if the Trainer is disqualified. A Trainer licence may also be revoked by the Committee or the Local Committee as the case may be, where in its view, a Trainer is guilty of any misconduct which renders him unfit to hold such a licence. (Amended 1/1/15)
- (2) A Trainer licence or a Visiting Trainer licence may be suspended by the Committee, Local Committee or the Stewards, at their discretion, in the event of any breach of these Rules. (Amended 1/1/15)
- (3) If any Trainer has a Bankruptcy Order made against him, his licence shall thereupon be deemed to be terminated from the date the Association has notice or knowledge of the Bankruptcy Order. If the Association shall issue a licence to a Trainer currently disqualified or against whom there is a Bankruptcy Order in force or who is an undischarged bankrupt the licence shall be deemed to be terminated from the date the Association has notice or knowledge of the Bankruptcy Order. The subsequent rescission or setting aside of the Bankruptcy Order shall not affect the termination of the Trainer's licence or any consequences from the termination thereof. (Amended 28/8/15)

- (4) Any cancellation or suspension of a Trainer licence or Visiting Trainer licence shall be immediately reported to the Secretary of the Association who shall advise the other Associated Clubs. (Amended 1/1/15)
- (5) A Trainer, whose licence is suspended, shall not during the period of his suspension:
  - (a) Train a horse or assist in the training of a horse to run in a Race, Official Race Trial or Test.
  - (b) Nominate a horse for a Race or for an Official Race Trial or Test.
  - (c) On a race day enter the Club's property that is designated a security area and/or enclosure which is restricted for use by Owners and Trainers.
  - (d) Apply to be registered or licensed in any other capacity.
  - (e) Be employed or work in any racing stable whether for gain or otherwise.
- (6) Any Trainer who wishes to apply for a licence after a period of disqualification must submit a written application to the Committee or the Local Committee, as the case may be. Such application shall only be made after the expiry of the period of disqualification. (Amended 1/1/15)
- (7) Any Trainer who has been suspended shall have his licence renewed by obtaining a Certificate of Renewal from the Secretary of the Association or Local Committee, as the case may be. An application for a Certificate of Renewal shall be in writing and shall only be made after the expiry of the period of suspension. The renewal of the licence, for the unexpired duration of his original licence, shall be effective from the date of issue of the Certificate. (Amended 1/1/15)
- (8) Rules 30(6) and 30(7) do not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/7/11)

**Trainers may not own horses for the purpose of racing under these Rules**

- 31 (1) Should a Trainer or any member of his immediate family own or in any way have an interest in any horse(s), such horse(s) must be trained and raced by that Trainer himself.
- (1A) Rule 31(1) shall not apply where ownership or interest in any horse by an immediate family member of a Trainer is due to that immediate family member being a trustee and/or member of a Racing Club. For the avoidance of any doubt, a Trainer can only be a trustee and/or member of a Racing Club if he trains and races the horses owned by that Racing Club. (1/1/15)
- (2) Any person who is affected by the provisions of this Rule may apply for an exemption from its operation. Such applications shall be made to the Committee or the Local Committee, as the case may be. (Amended 1/1/15)
- (3) The Committee or the Local Committee as the case may be, may in its absolute discretion and without assigning any reasons whatsoever, grant or refuse to grant an exemption accordingly, upon such terms and conditions as it thinks fit. (Amended 1/1/15)
- (4) Any such exemption shall be in writing and shall be expressed to be effective only during the pleasure of the Committee or the Local Committee as the case may be and may be cancelled at any time by the Committee or the Local Committee without assigning any reasons whatsoever. (Amended 1/1/15)
- (5) For as long as the exemption is effective, the Trainer and the horse(s) of the Trainer or his immediate family to whom such exemption was granted shall not be subject to disqualification or other punishment on the grounds set out in this Rule.
- (6) Save where an exemption is effective, every horse which is entered for or started in any race in breach of this Rule:
- (i) May be disqualified for that race; and/or (Amended 13/11/15)
  - (ii) May be disqualified for such period as the Stewards may think fit.

- (7) In the event of a contravention of this Rule by a Trainer:
- (i) The Trainer may be disqualified from training and/or owning horses for such period as the Stewards may think fit and in addition thereto may be fined a sum not exceeding \$10,000; and/or (Amended 13/11/15)
  - (ii) Every other person having any interest in the horse may be disqualified and in addition thereto may be fined a sum not exceeding \$10,000.

### **Trainers to train on the property of Associated Club**

- 32 A Trainer may only train within the property of an Associated Club and must have the prior approval of the Local Committee to do so.

### **Trainers to be responsible for administration of stable affairs**

- 33
- (1) Trainers shall ensure that at all times they, and their staff, conduct themselves in a proper manner and that they are aware of and obey these Rules and the instructions of the Committee, Local Committee and the Stewards at all times.
  - (2) A Trainer shall, at all times, be responsible for the administration and conduct of his stables and staff and for the care, control and supervision of the horses in his stables.
  - (3) The Trainer, and Rider of a horse, shall be jointly and severally responsible for any unauthorised, bad or faulty gear used on a horse in races or track work.
  - (4) A Trainer shall not keep or allow to be kept or take into his stables or allow to take into his stables (Amended 1/12/10):
    - (a) any receptacle or instrument that could be used in the collection of biological samples not supplied by the Veterinary Surgeon or by his written authority, or (Amended 1/12/10)
    - (b) any prohibited substance, or medication and/or any receptacle or instrument that may have contained a prohibited substance or medication not supplied by the Veterinary Surgeon or by his written authority, or (Amended 1/12/10)

- (c) any instrument that could be used to treat or administer a prohibited substance or medication to a horse or to produce a prohibited substance in a horse, or (1/12/10)
  - (d) any electric or electronic apparatus or any improper contrivance capable of affecting the performance of a horse in a race, official trial or training. For the purposes of this provision where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed capable of affecting the performance of a horse in a race, official trial or training. (1/12/10)
- (5) A Trainer shall not treat, medicate or give nutraceuticals or allow any person to give treatment, medication or nutraceuticals (other than what in the opinion of the Veterinary Surgeon is a normal item of diet of a horse in training) to a horse under his care, except with the written approval of the Veterinary Surgeon. For the purposes of this provision, where any receptacle or instrument that could be used in the treatment of a horse is kept or taken into his stables, the Trainer is deemed to have treated the horse (Amended 1/12/10).
  - (6) A Trainer shall submit details of his stable strengths and affairs as directed by the Committee and /or Local Committee from time to time.
  - (7) Notwithstanding the above Trainers shall submit to the Secretary of the Association, and to the Secretary of the Associated Club providing the stables, by the tenth (10<sup>th</sup>) day of each month a list of horses in their respective stables in the previous month showing the name of the Owners.
  - (8) Trainers shall further notify the Secretary of the Association and the Secretaries of the Associated Clubs, in writing, the date on which a horse leaves for spelling from their respective stables and the date of its re-entry to any of the stables of the Associated Clubs within twenty-four (24) hours of its leaving for spelling and entering respectively, together with the designation and location of the spelling station.
  - (9) Trainers shall keep proper records detailing all charges and disbursements incurred in respect of each horse under their care. The name and address of the person who is responsible for payment of such charges and disbursements, the details of payments made in respect thereof, the person making such payment and all relevant dates shall be reflected in such records. The records shall be open to inspection at all reasonable times by the Stipendiary Stewards, or an Official of the Associated Club that provide the stables.

- (10) Trainers shall not accept payment of any charges, whether in whole or in part, in respect of any horse in their care other than from the Owner in whose name the horse is registered and/or the spouse of such person or the agent.
- (11) Every Trainer shall keep proper records in a form required by the Association of all medications containing prohibited substances administered to horses under his charge. (Amended 5/9/11)
- (12) Such records shall be made available for inspection by the Stipendiary Stewards, at their discretion, or by any other Official as directed by the Committee or Local Committee. (Amended 5/9/11)
- (13) Without prejudice to any other Rule, a trainer shall be responsible at all times for the protection and security of the horses in his charge.

### **Trainers attendance at track work and declarations**

- 34 (1) A Trainer who has horses entered for a race or race meeting must, except in extenuating circumstances, attend or be represented by his Assistant Trainer or authorised supervisor during track work.
- (2) Where required by the Local Committee, a Trainer must be in attendance at Declaration Time to ensure that his declarations are in order. Where he is, for good reason, unable to attend personally, his Assistant Trainer or authorised supervisor may attend. Failure to attend may result in the withdrawal of horses incorrectly declared. A Trainer may be fined if he, or his representative, fails to make a declaration within the stipulated time, or makes an incorrect (wrong) declaration. (Amended 1/5/07)
- (3) Any Trainer or Assistant Trainer who wishes to ride his horses at track work on any of the Associated racecourses must sign an indemnity form and obtain the permission of the Local Committee.

### **General Responsibilities and Liabilities of Trainers**

- 35 (1) Trainers are responsible for ensuring their horses are properly qualified, that they are properly equipped, in a fit condition and properly shod as determined by these Rules when presenting them to race.

- (2) If the Trainer is in any doubt as to a horse's fitness, condition, or eligibility to race he must consult the Veterinary Surgeon, or Stipendiary Steward before presenting the horse to race.
- (3) Trainers are responsible for ensuring that every horse that is presented by them to race, or to take part in an Official trial or test is free from any prohibited substance under these Rules.
- (4) No Trainer shall prevent or try to prevent, in any way, any horse from racing on its merit.
- (5) Trainers are to give adequate instructions to the Riders of their horses in every race to ensure that every horse is raced on its merit.
- (6) No Trainer shall give any instruction to the Rider of any horse which, if obeyed, could or would prevent the horse from winning or of obtaining the best possible placing in a race.
- (7) A Trainer shall report to the Stipendiary Stewards as soon as he becomes aware of any matter that may affect the performance of his horses in a race in which it has been entered or may have affected the performance of his horses in a race.
- (8) When by or on behalf of a Trainer, any instruction given to, or arrangement made with the Jockey of a horse engaged in a race that the horse be ridden in the race in a manner different from the manner in which the horse was ridden at its most recent start or starts, it shall be the responsibility of the Trainer or his duly authorised representative to notify the Stewards of any such instruction or arrangement as early as practicable but no later than 5 minutes prior to the start of the race. Upon receipt of that notification, the Stewards may make any public release in respect thereof as they deem to be appropriate. (16/6/14)

### **Trainers' absence from his stables or a race meeting**

- 36 (1) Should a Trainer need to be absent from his stables for a period in excess of 48 hours he must have the prior written permission of the Stipendiary Stewards and provided that his Assistant Trainer or another Trainer has been appointed and agreed to take charge of the stables and horses in his absence. (Amended 1/12/08)



- (2) Overseas leave must be approved in writing by the Association through the Secretary of the Association at least seven (7) working days prior to his departure. (Amended 1/10/08)
- (3) A Trainer, or his authorised representative, shall be present on-course at least one hour prior to the advertised time of his first carded runner. (Amended 16/6/14)
- (4) Any Trainer, who is unable to accompany horses trained by him and entered for a race meeting, or who is prevented by circumstances from remaining at the centre throughout the race meeting, may apply to the Local Committee for permission to authorise his Assistant Trainer or another Trainer to act for him. The Assistant Trainer or Trainer so authorised shall signify his willingness to act on the form of authority, which shall be deposited with the Stipendiary Stewards. Provided that such replacement Trainer excluding his Assistant Trainer shall not be liable under these Rules for the liability of the Trainer on whose behalf he acts at the race meeting. (Amended 1/12/08)

#### **Stable employees and MRA passes**

- 37
- (1) No Trainer shall employ any person to work in his stable unless that person is licensed or registered with the Association and, where necessary, has either a valid work permit or employment pass issued by the relevant immigration authority.
  - (2) A Trainer shall take out such adequate insurance for his staff as determined by the Committee from time to time.
  - (3) No Trainer shall employ any person who has previously been employed by a MRA Trainer in a training stable without referring to the last Trainer to employ him and having the last Trainer endorse the form as may be from time to time issued by the Association. The previous employing Trainer shall, upon receipt of the referral, endorse and return the above-mentioned form within seven (7) days of such receipt. Save that where there is a failure by the previous employing Trainer to reply, the Stipendiary Stewards may at their sole discretion direct that this requirement shall not apply.

- (4) The Secretary of the Association shall maintain a register of the names of stable employees. The name of an employee with his employing Trainer may only be registered upon a successful application to the Secretary of the Association on the prescribed form signed by the employing Trainer and, unless the Stipendiary Stewards have directed otherwise, countersigned by the previous employer confirming that sub-Rule (3) of this Rule has been complied with. No person may commence employment with any Trainer unless a duly completed application form is submitted to the Secretary of the Association and an MRA Pass issued thereunder.
- (5) MRA Passes, which will enable the bearer to enter racecourse stables, will only be issued to persons whose names are duly registered under sub-Rule (4) of this Rule. Application for a pass must be made on the prescribed form, signed by the Trainer and addressed to the Secretary of the Association. MRA Passes are the property of the Association, are returnable on demand and may be granted subject to conditions, refused or cancelled at any time at the absolute discretion of the Association. Save when they are reasonably required for production to any person entitled to inspect them, MRA Passes shall be kept in the possession and custody of the Trainer.
- (6) If any employee of a Trainer is unable to produce his MRA Pass or has not been issued with such a pass to gain admission to a racecourse stables, the Local Committee of that racecourse may, if it is satisfied that the person concerned has been duly registered under Rule 37(4) issue a written authorisation for him to enter the stables of that Club.
- (7) When the employment of a stable employee has been terminated, the Trainer must notify in writing the Secretary of the Association within twenty four (24) hours of such termination by means of the prescribed form. Where a MRA Pass has been issued such Pass must be returned to the Secretary of the Association together with the prescribed form. The MRA Pass shall be deemed invalid from the date of the termination of such employment.
- (8) Trainers must complete and return the stable employees register return in the prescribed form to the Secretary of the Association quarterly throughout the year.
- (9) (Deleted 15/6/13)

- 37(1A) No person who is the owner of or has any interest in any horse registered with the Association may be employed as a stable employee or registered as a stable employee. Any person who is employed as a stable employee or who is registered as a stable employee and who subsequently becomes the owner of or acquires any interest in any horse registered with the Association shall immediately cease to be employed and registered as a stable employee and return any MRA Pass issued to that person. (15/6/13)
- 38 Any Trainer who wishes to nominate his Stable Manager and/or Stable Supervisor to ride horses at track work and in trials must sign an indemnity form and obtain the permission of the Local Committee. (28/8/15)

**Trainer may not employ or allow any person to enter the stables**

- 39 (1) No Trainer shall employ, allow to enter his stable, or permit to assist with the care, control or training of a horse, any person who is:
- (a) Warned off;
  - (b) Disqualified;
  - (c) Prohibited from entering the race course of any Associated Club; or
  - (d) Prohibited, by the Committee, from entering or being employed in any stable.
  - (e) Not in possession of a valid MRA Pass.

**Amateur Trainers and Riders**

- 40 (1) The issue of annual general permits to Amateurs to train, or to ride, shall be at the sole discretion of the Local Committee, provided that applicants for such permits may be required to fulfil requirements, including but not limited to being subject to a test be imposed by the Stipendiary Stewards. (Amended 31/3/08)
- (2) Amateur Trainers, and Riders, must apply in writing to the Secretary of the Association for the permit prior to taking part in any Amateur event.

- (3) The fee for such permit, which must accompany the application, shall be determined by the Local Committee from time to time and made payable to the Association.
- (4) No person shall be eligible to train, or to ride, as an Amateur unless he or she shall have attained the age of sixteen (16) years, or
  - (a) If he receives, or shall have received any fee or reward in money or be or have been in any way paid for his services for training for any race, or for riding in any race, other than such travelling and detention expenses as provided for in the scale approved by the Committee.
  - (b) If he is, or has been, employed in any capacity in a training stable.
  - (c) If he is, or has been, directly or indirectly engaged in the business of training, or riding, horses professionally for fee or reward.
  - (d) If, in the opinion of the Committee, Local Committee, or of the Stipendiary Stewards, he is not a fit and proper person to train, or to ride, as an Amateur.
- (5) Notwithstanding anything contained in the sub-clauses of this Rule, the Committee may at any time, at their discretion, grant or revoke any permit for any person to train, or to ride, as an Amateur and/or prohibit any person from training, or riding, as an Amateur.
- (6) Permits to train, or to ride, at an Amateur Meeting may be granted by the Local Committee to applicants if they are satisfied that such applicants, for any approved reason, have not had time to apply to the Association for annual general permits. Such applicants are thereafter required to apply to the Association for an annual permit within fourteen (14) days of the close of the meeting at which they held a permit with a recommendation from the Local Committee.
- (7) The Local Committee may, in their discretion, issue permits to Playing Members of any Polo Club and to other persons who do not hold Annual Permits, to ride in Polo Pony and Hack Races only. It shall not be necessary for such Playing Members or such other persons to apply to the Committee for Annual Permits.

- (8) The Local Committee shall not issue a permit to train to any applicant who has been previously refused an annual permit to train by the Committee. The Local Committee shall also not issue a permit to ride to any applicant who has been previously refused an annual permit to ride by the Committee.
- (9) An Amateur shall not ride in any race in which professionals are also riding without the prior written permission of the Local Committee.
- (10) (a) No deleted race horse, although registered with the Malayan Amateur Racing Association (MARA), shall be entered for an amateur race meeting held under the Rules of Racing unless (31/3/08):
  - (i) not less than two (2) calendar months have elapsed between the date of its deletion by the Association, and the first day of the amateur race meeting; and (31/3/08)
  - (ii) it has been outside a professional stable and in a stable of a MARA registered Club for a continuous period of not less than two (2) calendar months. (31/3/08)
- (b) No imported horse shall be entered for any amateur race meeting unless not less than twelve (12) months have elapsed, prior to its being entered for a race meeting, since its registration with MARA and/or its importation, whichever is the later. (31/3/08)
- (c) No MARA registered horse shall be entered for any amateur race meeting if its name contravenes any part of (31/3/08):
  - (i) Article 14 of the International Agreement of Breeders and Thoroughbred Racing (IABR); and/or (31/3/08).
  - (ii) Rule 74 (31/3/08).
- (d) MARA shall provide to the Association an update of information of their trainers, owners and a list of active horses registered with them every 10<sup>th</sup> day of the month. No horse, even if it is registered with MARA, shall be entered for an amateur race meeting held under the Rules of Racing unless information of such horse has been provided to the Association not less than seven (7) days before the close of entries for such race meeting. (31/3/08)

- (e) All horses entered for an amateur race meeting shall be classified under Rule 85. (31/3/08)
- (f) All horses entered for an amateur race meeting shall be tested under Rule 78. (31/3/08)
- (g) All MARA Open and Restricted Class Handicaps weights shall be within the limits of 68 kilogrammes to 79.5 kilogrammes. Where possible, the minimum top weight in all handicaps shall be 78 kilogrammes. (31/3/08)
- (h) The conditions for the acceptance of MARA horses for a amateur race meeting shall be as in accordance with the Rules of Racing. (31/3/08)

## **PART VI**

### **RIDERS**

#### **General Responsibilities and Liabilities of all Riders.**

- 41
- (1) No person shall be permitted to ride any horse while on the property of an Associated Club, whether in races or track work unless that person is licensed or registered by the Association or the Local Committee, or has the written approval of the Local Committee as required under these Rules. (Amended 1/1/15)
  - (2) All Riders shall, at all times, conduct themselves in a proper manner and ensure that they are aware of and obey these Rules and the instructions of the Committee, Local Committee and the Stewards.
  - (3) All Riders shall attend and take part in track work to the satisfaction of the Stewards. All Riders shall take part in such track work in the appropriate gear/attire as determined by the Stipendiary Stewards.

- (4) All Riders shall, whenever mounted on a horse (Amended 1/12/10):
  - (a) wear a helmet of a type approved by the Stewards, and shall ensure that the helmet is properly fitted and the chin strap securely fastened at all times (1/12/10);
  - (b) wear a body protector and eye protectors of a type approved by the Stewards. (1/12/10)
- (5) All Riders shall, whenever mounted on a horse to ride in a race carry a whip, unless the rider at the discretion of the Stewards is permitted to ride the horse without a whip. (Amended 1/12/10)
- (6) (a) All whips carried or used in races, trials or trackwork shall be of a design approved by the Stewards. (Amended 16/6/14)
- (b) No person in a race or trial, or in trackwork, or elsewhere shall use a whip in an excessive, unnecessary or improper manner. The Stipendiary Stewards may determine, at their discretion, what constitutes misuse or abuse of any gear used on any horse at any time. (Amended 16/6/16)
- (c) Without prejudice to the generality of the foregoing no person shall in a race or trial use a whip – (Amended 1/12/10)
  - (i) forward of his horse's shoulder or in the vicinity of its head; or
  - (ii) when his horse is out of contention; or
  - (iii) when his horse is showing no response; or
  - (iv) after passing the winning post; or
  - (v) causing injury to his horse; or
  - (vi) when his horse is clearly winning;
- (d) No person shall by his instructions or otherwise be a party to a breach of any part of the above. (Amended 1/12/10)

- (7) Riders, and Trainers, are jointly and severally responsible for any unauthorised, bad or faulty gear used by them or on their horses in races and track work.
- (8) Any Rider who is injured or sustains a fall in a race or at track work and has been stood down, shall be required to report the incident to the Stipendiary Stewards as soon as practicable. Such Rider shall also be required to undergo a medical examination by an MRA-approved doctor. A copy of the medical certificate, from the MRA-approved doctor, certifying the fitness of the Rider shall be submitted to the Stipendiary Stewards before such Rider may ride again.
- (9) The Stipendiary Stewards may warn, fine and/or suspend and/or disqualify any persons who contravened or failed to comply with any of the provisions of this Rule. (1/12/10)

### **Riders to Comply with Testing Procedures**

- 42 All Riders shall be subject to testing as may be conducted from time to time by the Association or the Associated Clubs under these Rules and Regulations.

### **Jockeys shall obtain a licence from an Associated Club (Amended 1/1/15)**

- 43 (1) No person shall be permitted to ride a horse in any race run under these Rules unless he has obtained a Jockey licence or a Visiting Jockey licence or an Apprentice Jockey licence or a Visiting Apprentice Jockey licence issued by the Local Committee. (Amended 1/1/15)
- (2) The issue of any Jockey licence shall be at the discretion of the Local Committee and may be unrestricted or granted subject to such restrictions and/or conditions as the Local Committee may impose except as provided under these Rules. (Amended 16/6/17)

Provided always that the Local Committee shall not grant a licence to any person whose application to the Committee for the grant or the renewal of any licence, permit or pass was previously rejected, unless that person shall have first obtained leave of the Committee. (20/8/16)



- (3) An application for a Jockey licence shall be submitted to the Local Committee on the prescribed form, with the fee as determined by the Committee and accompanied by any other documentation as determined by the Local Committee from time to time. (Amended 1/1/15)
- (4) A Jockey licence shall be valid for a period of one (1) year or such shorter period as determined by the Local Committee. (Amended 1/1/15)
- (5) A list of persons who have been granted Jockey licences by the Local Committee under these Rules, and any penalty incurred by such jockeys, shall be published annually, and in a manner as determined by the Committee. (Amended 1/1/15)
- (6) For the purpose of these Rules a Jockey licence, issued by the Local Committee, includes a Jockey, a Visiting Jockey, an Apprentice Jockey, a Visiting Apprentice Jockey and /or Amateur Jockey licence, unless otherwise specified. (Amended 1/1/15)
- (7) The Local Committee will determine and regulate the form and the procedure for the application of a jockey licence, which will include the issuance, renewal, variation and revocation of a jockey licence. (1/1/15)
- (8) The decision of the Local Committee shall be final. (1/1/15)

#### **Race riding and further responsibilities of jockeys**

- 44 (1) No Jockey shall ride in a race unless he has a valid Jockey licence or Visiting Jockey licence or an Apprentice Jockey licence or a Visiting Apprentice licence and he has submitted to the Secretary of the Association and the Local Committee a signed declaration that he is not under any embargo. (Amended 1/1/15)
- (2) Every Jockey shall be on-course at least one hour prior to the advertised time of his first carded engagement and shall remain in the Jockey's room for thirty (30) minutes after his last engagement unless otherwise directed by the Stipendiary Stewards. (Amended 16/6/14)

- (3) Should a Jockey be unable to fulfil a riding engagement, he shall immediately notify the Clerk of the Course or a Stipendiary Steward, and if such inability is based on medical grounds he shall supply a medical certificate from an approved clinic or doctor. The Jockey must subsequently produce a medical certificate of fitness before he can resume riding.
- (4) If the replacement of an indisposed, declared Jockey is required after declaration date, such replacement should, wherever possible, be made on a "like for like" basis ie. a Jockey or an apprentice for a Jockey or an apprentice who is eligible to claim the same weight allowance, by the Stipendiary Stewards. Where such a replacement is not available or, in the opinion of the Stipendiary Stewards, is unsuitable, another Jockey may be engaged with the permission of the Stipendiary Stewards. (Amended 24/6/16)
- (5) Jockeys shall weigh out and weigh in for every race in a manner and at a time as determined by the Local Committee.
- (6) Every Jockey shall ride his horses out to the end of the race to the satisfaction of the Stewards.
- (7) Every Jockey shall be required to ride every horse, in every race, on its merit and no Jockey shall prevent or attempt to prevent a horse from running on its merit.
- (8) The Jockey of every horse in a race shall take all reasonable and permissible measures throughout the race to ensure that his horse is given full opportunity of winning or of obtaining the best possible placing.
  - (a) Notwithstanding anything contained in these Rules should the Stewards find any Jockey guilty of a charge under Rule 44(7) or 44(8) the Stewards shall disqualify such person. The disqualification shall be for a period of not less than one (1) year. In addition, the Stewards may impose a fine not exceeding \$250,000. (Amended 15/6/13)

- (9) No Jockey shall cause interference in a race or trial or ride in a manner which, in the opinion of the Stewards, is (Amended 15/6/13):
- (a) reckless or careless and for the purpose of this Rule the following shall apply (Amended 1/12/08):
    - (i) “Reckless riding” shall refer to showing little or no regard to the consequences of his actions and/or the risks to others by his riding and, in particular, the danger of injury to or interference with, other horses or rider. (Amended 1/12/08)
    - (ii) “Careless riding” shall refer to failing to take reasonable steps to avoid causing interference or causing interference by misjudgement or inattention. (Amended 1/12/08)
  - (b) foul, improper, or incompetent and for the purpose of this Rule the following shall apply (Amended 1/12/08):
    - (i) “Foul riding” shall comprise any deliberate or intentional act to interfere with the riding of another rider or horse in the race. (Amended 1/12/08)
    - (ii) “Improper riding” covers cases of excessive or inappropriate use of the whip or striking other riders or horses, but may also refer to other forms of misconduct not necessarily giving rise to interference. (Amended 1/12/08)
    - (iii) “Incompetent riding” shall refer to any deviation from the standard of riding expertise and judgement of a reasonably competent rider. (Amended 1/12/08)
- (10) Any Jockey who fails to ride his horse to the satisfaction of the Stewards may be warned, fined and/or suspended. (Amended 5/9/11)
- (11) A Jockey shall be required to report to the Stipendiary Stewards prior to any race should he become aware of anything which may affect the performance or the chances of his horse in the race in which it has been entered. A Jockey shall also be required to report to the Stipendiary Stewards as soon as possible after riding in a race should he become aware of anything that may have affected the performance or the chances of his horse in the race.

- (12) Any Jockey who makes any unacceptable or celebratory gesture prior to the finish of the race may be warned, fined and/or suspended. (5/9/11)
  
- 44A (1) Where it is appropriate to do so, a Jockey or an Apprentice shall claim a weight allowance in all races except where the conditions of the race specify otherwise. (1/10/07)
  
- (2) Every Jockey or Apprentice shall claim his full allowance unless otherwise permitted by the Stipendiary Stewards. The Jockey may be held liable for the infringement of this Rule. In the case of an apprentice, both master and apprentice may be held liable for an infringement of this Rule. (1/10/07)
  
- (3) A Jockey or an Apprentice is permitted a weight allowance on the following scale: (1/10/07)
  - (a) 4 kilogrammes.....0 - 9 winners
  - (b) 3 kilogrammes.....10 - 39 winners
  - (c) 2 kilogrammes.....40 - 79 winners
  - (d) 1 kilogramme.....80 - 150 winners
  
- (4) For the purposes of this Rule which may be applied retrospectively (Amended 1/1/13):
  - (a) a Jockey who has ridden winners in a foreign country, which is recognised by the Association, shall have the number of winners calculated in accordance with that country's Rules of Racing relevant to Jockey allowances. Upon his return and before he rides in a race, the Jockey must submit to the Secretary of the Association and the Local Committee a written notification issued by a recognised Racing Authority in that country stating the number of winners he has ridden; and (Amended 1/1/15)
  
  - (b) an Apprentice who has ridden winners in a foreign country, which is recognised by the Association, shall have the number of winners in a group/listed/ premier/metropolitan race in that country calculated relevant to the apprentice allowances. Upon his return and before he rides in a race, the apprentice must submit to the Secretary of the Association and the Local Committee a written notification issued by a recognised Racing Authority in that country stating the number of winners in a group/listed/premier/ metropolitan race he has ridden. (Amended 1/1/15)

- (5) The Local Committee shall have the power to decide in which races at any local meeting the above allowances may not be claimed. (1/10/07)
- (6) Every Jockey and Apprentice (and his master) shall file a written report to the Secretary if and when such Jockey or Apprentice has ridden ten (10), forty (40), eighty (80) or one hundred and fifty (150) winners as the case may be. In the event of default in such reporting by a Jockey, the Jockey may be fined, suspended or disqualified. In the case of the default in such reporting by an apprentice, both the master and Apprentice or either of them may be fined, suspended or disqualified. (1/10/07)
- (7) The Stewards may fine, suspend or disqualify: (1/10/07)
  - (a) any Jockey or Apprentice claiming an allowance to which he is not entitled;
  - (b) any person in any way concurring in or conniving with a Jockey or an apprentice making such a claim.
- (8) In the event of default under Rule 44A(6) above, the Stewards may also disqualify any horse, which has been ridden in a race by a Jockey or an Apprentice whose weight in the race has been adjusted by an allowance to which he was not entitled, for that race or for a term as may be determined by the Stewards. (1/10/07)
- (9) A Jockey or an Apprentice shall be entitled to claim the permitted allowance specified in Rule 44A(3) until two (2) clear days after the day on which he crosses over to the next level of allowance. (1/10/07)

### **Jockey's riding fees and other remuneration**

- 45 (1) The fee to a Jockey shall be periodically reviewed, determined and notified by the Local Committee from time to time. The distribution of prize money shall be as laid down in the Official Race Programme of the Club holding the Race Meeting. (Amended 1/1/15)
- (2) The Club holding the Race Meeting shall effect payment not later than "settling day".

**Jockeys may not own horses for the purpose of racing under these Rules**

- 46 (1) Licences or permits are issued to Jockeys on the condition that they and/or any member of their immediate family do not and shall not own, lease or in any way have any interest in any racehorse registered with the Association.
- (2) No Jockey nor any member of his immediate family shall become the owner or lessee of, or in any way have any interest in, any racehorse registered with the Association.
- (3) A written declaration shall be made by Jockeys, and submitted along with the application, when making application for a licence or permit that they and any member of their immediate family do not own, lease or in any way have any interest in any racehorse registered with the Association.
- (4) (a) Any person who is affected by the provisions of Rule 46 may apply to the Local Committee for an exemption from the operation of this Rule. (Amended 13/11/15)
- (b) The Committee or the Local Committee (as the case may be) may, at its absolute discretion and without assigning any reasons whatsoever, grant or refuse to grant an exemption upon such terms and conditions as it thinks fit. . (Amended 13/11/15)
- (c) Any such exemption shall be in writing and shall be expressed to be effective only during the pleasure of the Committee or the Local Committee and may be cancelled at any time by the Committee or the Local Committee (as the case may be), without assigning any reasons whatsoever. (Amended 13/11/15)
- (d) For as long as the exemption is effective, the person or persons and the horse or horses of the person to whom such exemption was granted shall not be subject to disqualification or other punishment on the grounds set out in Rules 46(5) and 46(6). . (Amended 13/11/15)
- (e) The Committee or the Local Committee (as the case may be) may, at its absolute discretion and without assigning any reasons whatsoever, revoke the exemption granted under this Rule or vary the terms and conditions of such exemption. (Amended 13/11/15)

- (5) In any event, where an exemption has been granted, no Jockey shall ride for any other owner in a race in which any horse owned by that Jockey and/or that Jockey's immediate family is entered.
- (5) Subject to Rule 46(3), every horse which is entered for or started in any race in violation of Rule 46:
  - (a) May be disqualified for that race; and/or (Amended 13/11/15)
  - (b) May be disqualified for such further period as the Stewards may think fit.
- (7) Subject to Rule 46(3), in the event of the contravention of Rule 46 by a jockey:
  - (a) the Jockey shall be disqualified for such period as the Stewards may think fit and in addition thereto may be fined a sum not exceeding \$10,000;
  - (b) all other persons having any interest in the horse may be disqualified or suspended and in addition thereto may be fined a sum not exceeding \$10,000.

**Jockeys may not bet or have an interest in a bet on horses racing under these Rules**

- 47 (1) It shall be a breach of the Rules of Racing for any Jockey to:
- (a) bet or instruct any person on his behalf to bet on horse racing;
  - (b) receive knowingly from any person the proceeds, or any part thereof, of any bet on horse racing;
  - (c) receive presents in connection with a race wherever run from any person provided that:
    - (i) a Jockey may receive a present which shall neither be a reward nor inducement for any act that is prohibited by or is contrary to the Rules of Racing from the Owner of the horse he rides in that race; and
    - (ii) every such present which exceeds \$1,000 shall be declared by the Owner and his Jockey within seven (7) days of giving the present in writing to the Secretary of the Association.

- (2) When any Jockey has committed any breach of this Rule, the Stipendiary Stewards may fine, suspend and/or disqualify the Jockey.

### **Jockeys under Disqualification or Suspension**

- 48 (1) Without prejudice to the generality of the foregoing Rule 9(7), Jockey licences shall be liable to be suspended or cancelled by the Stewards or the Local Committee for any offence against these Rules or any misconduct which in their opinion renders the Jockey unfit to hold a licence. Such suspension or cancellation shall be immediately reported to the Secretary of the Association. (Amended 6/4/18)
- (2) A Jockey who is disqualified shall not ride in races or ride in track work or ride in trials under these Rules. A Jockey whose licence is withdrawn or refused or is revoked shall also be prohibited from riding in races or riding in track work or riding in trials. Subject to sub-rule below a Jockey who has been suspended for three (3) months or more under these Rules shall not ride in races or ride in track work or ride in trials under these Rules. Such Jockey shall not be permitted access to any weighing room, stand, enclosure, racecourse, or training ground except with the prior written permission of the Local Committee. (Amended 6/4/18)
- (3) A Jockey who has been suspended for three (3) months or more under these Rules may apply for a senior track rider or track rider licence. The Stewards may at their absolute discretion grant a licence for the whole of the period of suspension or for a lesser period. (Amended 6/4/18)
- (4) In the case of a Visiting Jockey or a Visiting Apprentice Jockey who has been suspended for three (3) months or more under these Rules, his licence to ride in the MRA circuit shall be deemed to be cancelled upon the pronouncement of such a sentence unless the suspension is stayed. In all cases where the suspension has been stayed, the licence of the Jockey shall be cancelled upon the sentence being confirmed. In the case of a Visiting Jockey or a Visiting Apprentice Jockey who has been disqualified or suspended by any recognized racing authority, Rule 152A shall apply. (Amended 6/4/18)



- (5) The suspension of the licence of a Jockey shall, unless the Stewards otherwise direct, take effect from the completion of that rider's engagements for the day on which the suspension is handed down, provided that the Stewards may defer for a period of no longer than nine (9) days the commencement of such suspension if such rider holds an engagement to ride a horse during this period. (Amended 6/4/18)
- (6) Without prejudice to the generality of the foregoing Rule 9(7), if a Jockey becomes a disqualified person, his licence is there by immediately revoked upon such disqualification. (Amended 6/4//18)
- (7) Any Jockey who wishes to apply for a licence after serving a period of disqualification shall be deemed to be making a fresh application for such licence. Such application can only be made after the expiry of the period of disqualification. (Amended 6/4/18)

Provided that **any** Visiting Jockey or a Visiting Apprentice Jockey who has been disqualified for three (3) months or more under these Rules or any other recognised racing authority shall **not** be eligible to apply for a Jockey licence until the expiration of three (3) years from the expiry of the period of disqualification. **(Amended 16/11/18)**

- (8) Any Jockey whose licence has been suspended (Amended 6/4/18):
  - (a) for a period of less than one month shall have his licence automatically renewed, for the unexpired duration of his original licence; and (Amended 1/12/08)
  - (b) subject to sub-rule (4) above, for a period of one month or more shall have his licence renewed, for the unexpired duration of his original licence, by obtaining an approval from the Stewards. (Amended 6/4/18)

Provided that **any** Visiting Jockey or a Visiting Apprentice Jockey who has been suspended for three (3) months or more under these Rules shall **not** be eligible to apply for a Jockey licence until the expiration of **one (1) year** from the expiry of the period of suspension. **(Amended 16/11/18)**

- (9) This Rule shall not apply (Amended 1/7/11):
- (a) Subject to Rule 152A, to a Visiting Jockey or a Visiting Apprentice Jockey taking part in a race which a Local Committee has declared to be open to international entries and the Jockey is licensed with a recognised turf club or racing authority of another country; or (Amended 1/1/15)
  - (b) Where the cancellation was incurred under Rule 154(3) (which provides for a fourteen (14)-day period of grace for the disqualified person to have his name removed from the Forfeit List). (Amended 1/1/15)

### **Jockey's leave of absence**

- 49 (1) Jockeys licensed by the Associated Clubs shall be required to apply to the Secretary of the Associated Clubs for overseas leave and, where necessary, written clearance from the Associated Clubs at least seven (7) working days prior to the intended commencement of such overseas leave. (Amended 1/1/15)
- (2) Any Jockey returning from an overseas riding stint shall, prior to riding in any race, produce a valid clearance and disciplinary record, if any, from the Racing Authority last visited.

### **Apprentice Jockeys**

- 50 (1) An Apprentice Jockey licensed by an Associated Club shall at all times be indentured to a Home Based Trainer. The Home Based Trainer shall act as his master. The Apprentice Jockey may ride in races at the Associated Club of the Home Based Trainer only, unless he obtains Apprentice Jockey licences as provided under sub-rule (1) and (2) of this Rule. (Amended 16/6/17)
- (2) An Apprentice Jockey who wishes to ride in races at any of the other Associated Clubs must obtain Apprentice Jockey Licences at those Associated Clubs. An Apprentice Jockey must be indentured to a Home Based Trainer before he can apply an Apprentice Jockey licence at the other Associated Clubs. (Amended 16/6/17)
- (3) The period for which the other Associated Clubs may grant Apprentice Jockey licences shall not exceed the period of the Apprentice Jockey licence granted by the Associated Club of the Home Based Trainer. (Amended 16/6/17)

- (4) An Indenture Agreement shall be in the prescribed form and shall incorporate all the terms as may be stipulated from time to time by the Committee. (Amended 16/6/17)
- (5) No apprentice shall be permitted to ride in any race until he has attained the age of sixteen (16) years. (Amended 16/6/17)
- (6) Any apprentice wishing to accept an outside ride in a race shall obtain the approval of both his master and the Stipendiary Stewards before being declared to ride. (Amended 24/11/17)
- (7) An apprentice's master must furnish to the Committee and/or to the Local Committee at the end of each racing year a report on the capabilities and conduct of the Apprentice indentured to him. (Amended 16/6/17)

51 (Deleted 1/10/2007)

#### **Transfer of an apprentice to another Trainer**

- 52 (1) No apprentice may leave the employment of the Home Based Trainer without his written consent and no person may employ an apprentice unless he is a Home Based Trainer of any of the Associated Clubs. (Amended 16/6/17)
- (2) An apprentice may be transferred to another Trainer with the consent of all the parties to the Indenture Agreement and with the written approval of the Association. (Amended 1/1/15)
- (3) Every transfer shall be in such prescribed form and under the terms as may be stipulated from time to time by the Committee.

#### **Termination of Indenture Agreement**

- 53 (1) An application to vary the terms or terminate an Indenture Agreement shall be made to the Committee through the Secretary of the Association.

- (2) An Indenture Agreement shall be terminated :
  - (a) upon the death of the master, the apprentice or by the master ceasing to be a licensed Trainer under these Rules;
  - (b) by mutual agreement in writing and signed by the relevant parties.
- (3) Where an Indenture Agreement is terminated for any reason whatsoever the apprentice may, with the written approval of the Committee, apply to be indentured to another Trainer for a period and under such terms as may be determined by the Committee.

### **Visiting Apprentice**

- 54 Any licensed Visiting Apprentice or a Graduate from a recognized apprentice training academy of any of the Associated Clubs wishing to ride in races under these Rules must apply in writing to the Local Committee, for permission to do so and must be indentured to a Trainer licensed by the Association or Associated Club, on a temporary basis, for the period in which he wishes to ride. (Amended 24/6/16)

### **Granting of a Jockey Licence to an Apprentice**

- 55 (1) An apprentice who has completed a 5-year apprenticeship may apply for a Jockey licence. (Amended 1/1/15)
- (2) In exceptional circumstances, at the sole discretion of the Local Committee, an apprentice may be granted a Jockey licence prior to him completing a 5-year apprenticeship. (Amended 1/1/15)

## PART VII

### OWNERSHIP OF HORSES

#### Recognised Ownership

- 56 (1) Only the following categories of horse ownership shall be registered under these Rules:
- (a) Individual owner
  - (b) Partnership
  - (c) Recognised Company
  - (d) Syndicate
  - (e) Leases
  - (f) Racing Club (1/1/15)

Any person who applies to register horse ownership in more than one of the above categories shall disclose this to the Association at the time of the additional application.

- (2) An application for the registration of ownership of a horse shall be made to the Association on the prescribed form, and accompanied by the required fee as determined by the Committee.
- (3) The status of registered ownership is effective from the date on which the applicant is notified that the ownership has been approved by the Committee. No horse may be entered to race until its ownership has been registered.
- (4) The Committee may, at its discretion, register or refuse to register any application for ownership, or cancel any ownership without assigning any reason.
- (5) The Committee shall maintain a register of the ownership of all horses registered under these Rules.

## Owners

- 57 (1) Save as otherwise provided for in these Rules, every Owner shall race horses in his own name as found in his passport unless he has an assumed name registered under these Rules. (Amended 1/1/15)
- (2) Save as otherwise provided for in these Rules, no Owner shall race his horse in any other Owner's name or colours. (Amended 1/1/15)

## Disqualification or lapse of Registration of Ownership

- 58 (1) The registration of ownership shall lapse as soon as a registered Owner fails to have any horses in training under these Rules.
- (2) The registration of an ownership shall be deemed to be revoked if the Owner:
- (a) becomes a disqualified person; or
  - (b) is declared a bankrupt under the law relating to bankruptcy; or
  - (c) is convicted of a criminal offence in Malaysia or Singapore or in any other country or territory, which may be considered by the Association to be relevant to his status as a fit and proper person to be a registered Owner. (Amended 28/9/18)
- (3) An Owner whose registration is revoked shall not be permitted to make a new application for Registration as an Owner until thirty (30) days have elapsed from the time of the withdrawal of such disqualification or Bankruptcy Order, unless the Committee is satisfied that reasons for the disqualification or the Bankruptcy Order were due to circumstances outside the reasonable control of the Owner. (Amended 1/7/11)
- (4) For the avoidance of doubt, the thirty (30) days lapse referred to in Rule 58(3) shall not apply to an Owner whose registration has lapsed at the start of a new racing season as a result of the Owner failing to submit an application for re-registration. (Amended 1/7/11)
- (5) Rule 58(2)(a) does not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/7/11)
- (6) The registration of an ownership shall be deemed to be revoked under Rule 58(2)(b) from the date the Association has notice or knowledge that the Owner has been declared a bankrupt. The subsequent rescission or setting aside of the bankruptcy shall not affect the revocation of the registration of ownership or any consequences from the termination thereof. (Amended 28/8/15)

### **Personal Representative of a Deceased Owner**

- 59 (1) The personal representative of a deceased Owner may race such Owners' horse(s) either under the description of "Executor(s), or Administrator(s) or Personal Representative of (insert name) deceased".
- (2) A personal representative need not apply to be a registered Owner provided the deceased Owner was registered at the time of his death.
- (3) Before the grant of probate being extracted, any person claiming to be the personal representative of a deceased Owner shall furnish the Association and the Associated Clubs with a letter of indemnity in a form satisfactory to the Secretary of the Association.
- (4) For the avoidance of doubt, the application of this Rule is limited to an Owner who is a natural person (i.e. a human being). (Amended 1/1/15)

### **Partnerships**

- 60 (1) All partnerships shall be registered with the Association prior to the entry of any horse to race in the partnership.
- (2) A partnership shall consist of not less than two (2) nor more than ten (10) persons.
- (3) Any application to register the name of a partnership shall contain the names and signatures of all partners, one of whom shall be named as the Manager.
- (4) Save for Rule 80, for the purposes of these Rules, the Manager shall be deemed to act for and on behalf of all the partners. The Association shall only be required to deal with the Manager in respect of all matters relating to the partnership. (Amended 1/4/10)
- (5) Without prejudice to the generality of the above, all partners shall be bound by the Rules and shall be jointly and severally liable for any fees due to the Association.
- (6) Any change in the partnership agreement must be notified in writing to, and be subject to the written approval of the Association. (Amended 1/7/12)

- (7) The registration of any partnership may be cancelled, at the discretion of the Committee, if by reason of disqualification of any partner, the number of partners falls below the required minimum.
- (8) Rule 60(7) does not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/7/11)

### **Recognised Company**

- 61 (1) The Committee shall have complete discretion whether to approve and register any company as a 'Recognised Company,' or not, save that they shall refuse to approve and register a company as a 'Recognised Company' unless –
- (a) they have been provided with a list of the names of the directors and of the company secretary and are satisfied that none of them is a disqualified person;
  - (b) a copy of each of the following documents is submitted together with the application:
    - (i) Memorandum and Articles of Association;
    - (ii) The Register of Members;
    - (iii) The latest Annual Report;
    - (iv) The latest Balance Sheet and Profit and Loss Account.
- (2) Before registering any company as a 'Recognised Company' the Committee may impose such conditions as they think fit including the provision of guarantees or other security by the company's directors or other officers.
- (3) A registration fee of an amount determined by the Committee shall be paid at the time the application is lodged which will be refunded if the registration of the Company as a Recognised Company is refused.



- (4) When a company has been registered as a 'Registered Company' the names of any new directors appointed after such registration must be notified to the Secretary of the Association within twenty one (21) days of such appointment being made, and any other changes in the directors or secretary must also be so notified within twenty one (21) days of such changes.
- (5) The Committee may at their absolute discretion at any time, and without assigning any reason therefore, cancel the registration of any company as a 'Recognised Company'. Without prejudice to the generality of the foregoing, the Committee may cancel the registration if - (Amended 13/11/15)
- (a) any director of the company is subsequently found to be or becomes a disqualified person; or
  - (b) any officer of the company fails to furnish to the Committee such information as they may demand, within a reasonable time of the receipt of such demand; or
  - (c) any registered agent of the company is subsequently found to be or becomes a disqualified person,
  - (d) the company shall make any arrangement for the benefit of creditors or make any composition with creditors; or
  - (e) the company is the subject of a winding up order; or
  - (f) the company shall be the subject of a voluntary or compulsory liquidation (other than for the purpose of reconstruction or amalgamation; or
  - (g) the company is made the subject of any administration order or of any proposal under the Companies Act for a composition in satisfaction of its debts.

### **Registered Agent of Recognised Company**

- 62 (1) A 'Recognised Company' shall only be entitled to exercise the powers of an Owner through its registered agent. Each 'Recognised Company' shall only have one such registered agent.

- (2) A registered agent means the person who is appointed as such by the 'Recognised Company' in writing and under due execution either by its seal or by signature by a director and secretary of the Recognised Company, or by two (2) directors of the company, and expressed to be executed by the company, and whose appointment has been registered by the Committee.
- (3) The Committee shall have complete discretion whether to approve and register any person as a registered agent save that they shall not approve and register any person unless they are satisfied that –
  - (a) he is not a disqualified person; and
  - (b) he has been duly appointed to act as a registered agent of the 'Recognised Company'.
- (4) No horse owned by a 'Recognised Company' may be entered or fulfil any engagement unless that company has a registered agent.
- (5) The Committee may at their absolute discretion at any time, and without assigning any reason therefore, cancel the registration of any registered agent. Without prejudice to the generality of the foregoing, the registration may be cancelled if - (Amended 13/11/15)
  - (a) the registered agent is subsequently found to be or becomes a disqualified person;
  - (b) the registered agent is subsequently found to be or becomes bankrupt;
  - (c) the 'Recognised Company' ceases, for any reason, to be registered as such;
- (6) Registration of a registered agent will be cancelled upon the receipt by the Secretary of a request to this effect made in writing provided that such written request is:
  - (a) under the company's seal; or
  - (b) is signed by either a director and the secretary of the company, or two directors of the company;

AND expressed to be executed by the company and is accompanied by a copy of a minute recording the company's resolution to cancel the said registration.

- (7) A fee of an amount fixed by the Committee in respect of each registered agent shall be paid annually. In the event that payment of the annual fee is in arrears by more than fourteen (14) days, the registration of such registered agent may be cancelled at the sole discretion of the Committee.

## **Syndicates**

- 63 (1) A syndicate of not less than four (4) and not more than twenty (20) persons may share an interest in a horse provided that the legal possession of the horse is vested in more than one (1) member of the syndicate as lessees of the horse from the syndicate, and the Association and the Associated Clubs shall only deal with such member(s) for the purposes of these Rules
- (2) The members of the syndicate shall be treated and are hereinafter referred to as joint owners and shall be subject to all liabilities, duties and privileges of joint ownership. Control and management of the horse shall not be exercised by anyone other than members of the syndicate.
- (3) The names of the members of the syndicate and of the joint owners must be lodged at the office of the Secretary of the Association together with a copy of the agreement between them signed by each member and such further information as the Committee may require. Subject to the provisions of paragraph (6) of this Rule, registration of the agreement will automatically lapse in the event of any change in the membership, shareholding or terms of the syndicate or in the legal possession of the horse.
- (4) The agreement must have included the following details:
  - (a) the name and address of each member of the syndicate and the share each member has in the horse;
  - (b) a statement setting out all financial arrangements agreed between the members and in particular the method of calculating and the timing of payment of any contributions due from members towards training and other expenses;
  - (c) a declaration that each member has read the Rules of Racing dealing with syndicates and the current MRA instructions relating thereto;

- (d) a term imposing upon the joint owners an obligation to keep proper books of account and to send to each member and to the Association a copy of the Annual Accounts duly certified as audited by a Certified Public Accountant.
- (5) The Committee may order the books of account and the bills, proceeds, vouchers and other documents relating to a syndicate to be examined by such person or persons as they may appoint. If the necessary arrangements for such examination are not made by the syndicate within fourteen (14) days of written notice being served on the joint owners, the registration of the syndicate agreement shall automatically lapse. Notice shall be deemed to be served on the joint owners twenty four (24) hours after being posted to the last address notified to the Secretary, or, if no address has been notified, then to the address given for them in the agreement.
- (6) No horse in which a syndicate is interested may be entered for any race unless it is the subject of an agreement current at the date of entry. For the purposes of this sub-Rule an agreement shall be deemed to be current notwithstanding that either –
  - (a) a member of the syndicate other than a joint owner has disposed of the whole or part of his share since the agreement was registered provided that no share of any one such member is disposed of more than once in any period of twenty eight (28) days and provided that notification of each such disposition signed by the transferor and by the transferee and containing a declaration by the transferee that he possesses a copy of the agreement and that he has read the provisions of these Rules dealing with syndicates and the current notices relating thereto is lodged at the office of the Secretary within forty eight (48) hours of the disposition; or
  - (b) a member of the syndicate has died provided that written notification of the death is lodged with the office of the Secretary within twenty eight (28) days thereof unless the Committee by written notice served in accordance with paragraph (5) of this Rule upon the joint owners give notice that at the expiration of twenty eight (28) days after the date of such notice or such longer period as may be stated in that notice the registration of the agreement previously lodged shall be cancelled and that agreement shall cease to be current within the meaning of this paragraph.

- (7) When a horse in which a syndicate is interested is sold or transferred it shall not be eligible to run until there has been lodged at the office of the Secretary a memorandum recording the sale and signed by the joint owners. It shall be a breach of these Rules of Racing, unless good cause is shown for such a memorandum to be submitted more than seven days after the horse is sold or transferred.
- (8) No person may be a member of, or have any interest in, more than twelve (12) syndicates.
- (9) The Committee may at their absolute discretion at any time and without assigning any reason therefore withdraw their approval of any member of a syndicate in which event the registration of the syndicate agreement in respect of that horse will be cancelled.
- (10)
  - (a) A horse in which a syndicate is interested shall not be eligible to be entered for or to run in any race whilst any member of the syndicate is a disqualified person or has a Bankruptcy Order in force against him, or is an undischarged bankrupt and in the event of any such member becoming a disqualified person or having a Bankruptcy Order made against him the registration of any syndicate agreement in respect of that horse shall lapse from the date the Association has notice or knowledge of the Bankruptcy Order. The subsequent rescission or setting aside of the Bankruptcy Order shall not affect the lapsing of the registration of the syndicate agreement. (Amended 13/11/15)
  - (b) If the Association registers a syndicate agreement in respect of a horse while a member of the syndicate has a Bankruptcy Order in force against him or is an undischarged bankrupt, the registration of that syndicate agreement shall lapse from the date the Association has notice or knowledge of the Bankruptcy Order. (13/11/15)
  - (c) This sub-result shall not apply in the case of a Bankruptcy Order or bankruptcy if the syndicate agreement provides for the automatic retirement of a member upon such member being declared a bankrupt. (13/11/15)
- (11) A horse which is the subject of a syndicate agreement may be entered in the name of any of the joint owners.
- (12) For the purpose of this Rule the expression 'joint owners' means the members of the syndicate in whom the legal possession of the horse is vested.

## Leases

- 64 (1) Any person, partnership, syndicate or company that is registered with the Association as an Owner of horses and that leases a horse from any person, partnership, syndicate or company shall register the lease made in respect of a horse by submitting the applicable registration of lease form which may be from time to time prescribed by the Association (annexed hereto as Annex B).
- (2) Any lease made in respect of a horse that is not registered with the Association shall not be recognized as a valid lease by the Association.
- (3) The Secretary of the Association may refuse to register a lease in respect of any horse if it is not in writing and does not contain:
- (a) the full names and addresses of the parties to the lease;
  - (b) the consideration payable by the lessee for and the duration of the lease;
  - (c) in the case where the lease provides for the payment to the lessor of a share or part of the stake monies won by the horse, a provision for the termination of the lease forthwith if the lessor is disqualified under any of the provisions of these Rules or by any turf club or racing authority of any other country which is recognised by the Association; and
  - (d) such terms or conditions as the Association deems necessary for inclusion in the lease.
- (4) A registered lessee of a horse shall forthwith notify the Secretary of the Association of:
- (a) any assignment of any interest in the lease; and
  - (b) the termination of the lease;
- (5) Any registered lessee who fails to comply with the provisions of this Rule shall be liable to be punished with a fine or disqualification or both fine and disqualification and in addition the Stewards may disqualify the horse from the race or races in which the horse had participated in without having the lessee having obtained the prior approval in writing of the Association.
- (6) The Secretary of the Association shall send copies of all registered lease agreements to the Secretaries of the Associated Clubs as soon as they are registered.

## Racing Clubs

- 64A (1) A Racing Club is a club whether proprietary or members and Horses may be owned by a club that is registered with the Association as a Racing Club. (1/1/15)
- (2) A Racing Club shall have a minimum of 10 members, who shall be natural persons. (1/1/15)
- (3) The Association shall have complete discretion on whether to approve and register any club as a Racing Club and shall only approve and register such a club where: (1/1/15)
- (a) a copy of each of the following documents is submitted together with the registration application at the office of the Secretary of the Association: (1/1/15)
- (i) the constitution and rules applying to the club; (1/1/15)
- (ii) the trust deed or other document which appoints two (2) to four (4) trustees to act on behalf of the club in owning and managing the horse to which the application relates; (1/1/15)
- (iii) a list of the names and addresses of all persons who are members of the club at the time at which the application is made; and (1/1/15)
- (iv) proof of registration of the club with the Registry of Societies under the Singapore Societies Act (Cap. 311) or the Malaysian Societies Act 1966, as the case may be; unless the club furnishes a written legal opinion procured from an Advocate and Solicitor of Singapore or Malaysia (as the case may be) stating that the club is not required by the laws of Singapore or Malaysia (as the case may be) to be registered; (1/1/15)
- (b) such additions, modifications and deletions as the Association may require have been made to the documents referred to in Rule 64A(3)(a); and (1/1/15)
- (c) where the club is a proprietary club, a list of the name(s) and address(es) of the proprietor(s) as well as its beneficial owner(s) if the proprietor is a company, at the time at which the application is made, and a copy of the identification/registration document(s) relating to each proprietor (including the beneficial owner(s)) of the club. (1/1/15)

- (4) A registration fee of an amount determined by the Association shall be paid at the time the application for registration is lodged which will be refunded if the registration of the club as a Racing Club is refused. (1/1/15)
- (5) The application for the Racing Club's registration lodged with the Association must identify the provision(s) in the club's constitution and/or rules which must include the following details: (1/1/15)
  - (a) a statement setting out the financial arrangements agreed between the members and the trustees; (1/1/15)
  - (b) term(s) imposing on the trustees an obligation to keep proper books of account; (1/1/15)
  - (c) provision(s) empowering the trustees to comply with Rule 64A(11); and (1/1/15)
  - (d) provision(s) ensuring that at all times, the club is represented by at least two (2) trustees, one of whom being a trustee-manager. (1/1/15)
- (6) Any proposed amendment to the approved constitution and rules applying to a Racing Club must be submitted to and approved by the Association. (1/1/15)
- (7) Any change to the members of a club shall be notified to the Association by the end of the following calendar month. (1/1/15)
- (8) At the request of the Association, the trustees shall provide a list of the names and addresses of all persons who were members of a Racing Club as at such date as the Association may specify in its request within seven (7) days. (1/1/15)
- (9) While each member of a Racing Club can run a horse under the name of the club, a member shall not be treated as an Owner unless the member is also a trustee of the Racing Club. (1/1/15)
- (10) At the time when the application is made, the Trustees shall ensure that none of the members of the club to be registered as a Racing Club is a Disqualified Person or has been convicted of a criminal offence deemed by the Association to be relevant to his status as a member of a Racing Club. (1/1/15)
- (11) If any member of a Racing Club is or becomes a Disqualified Person or is convicted of a criminal offence deemed by the Association to be relevant to his status as a member of a Racing Club, the trustees of that Racing Club shall inform the Association and cancel the membership of that member. (1/1/15)



- (12) No horse owned by a Racing Club may be entered in any race or fulfil any engagement unless: (1/1/15)
- (a) each of the trustees appointed to act on behalf of the Racing Club for the purposes of owning and managing the horse has been approved by the Association; (1/1/15)
  - (b) the legal ownership of the horse is vested in the trustees; (1/1/15)
  - (c) the name of each trustee and the particulars of the horse are registered with the Association; and (1/1/15)
  - (d) a trustee-manager has been validly appointed under Rule 64A(15). (1/1/15)
- (13) In relation to any horse in the ownership of a Racing Club, references to the horse's owner are to the trustees who are appointed to act on behalf of the Racing Club. (1/1/15)
- (14) Each trustee of a Racing Club: (1/1/15)
- (a) shall be treated as a joint owner of the horse; (1/1/15)
  - (b) shall be jointly and severally liable for any sums due from the Racing Club under these Rules; and (1/1/15)
  - (c) is subject to all liabilities, duties and privileges of joint ownership. (1/1/15)
- (15) The trustees of each Racing Club shall appoint one (1) of the trustees to act as the trustee-manager for the purpose of dealing with the Association and the Associated Clubs. (1/1/15)
- (16) A Racing Club intending to race a horse(s) under these Rules shall register at least one (1) but not more than three (3) sets of Racing Colours with the Association prior to entering a horse to race in the name of the Racing Club. (1/1/15)
- (17) Any horse in the ownership of a Racing Club shall be entered for any race by a trustee of the Racing Club but shall run in any race using the name and the Racing Colours of that Racing Club. (1/1/15)
- (18) The Association and the Associated Clubs takes no cognisance of any disputes arising between the trustees and the members of a Racing Club. (1/1/15)

- (19) The Association may in its absolute discretion at any time, and without assigning any reason for its decision, revoke its approval of a trustee of a Racing Club or cancel the registration of any club as a Racing Club. Without prejudice to the generality of the foregoing, the Association may cancel the registration of any club as a Racing Club if: (1/1/15)
- (a) a trustee of that Racing Club is found to be or becomes a Disqualified Person; or (1/1/15)
  - (b) the club is dissolved pursuant to its constitution or rules, or in accordance with the Singapore Societies Act (Cap. 311) or the Malaysian Societies Act 1966, as the case may be. (1/1/15)

### **Racing Colours**

- 65 (1) Every Owner, intending to race a horse(s) under these Rules shall register at least one set of Racing Colours with the Association prior to entering a horse to race in the name of the said ownership. However, with the prior written permission of the Committee, a visiting Owner may race a horse in his own Colours provided they are currently registered with another recognised Racing Authority.
- (2) All Colours shall be re-registered annually and an application for the registration of Colours, as well as that for annual re-registrations, shall be made on the form prescribed by the Association and shall be accompanied by a fee as determined by the Committee.
- (3) Each Club shall register at least three (3) sets of 'Club Colours' for the use at their race meetings when necessary. The fee for registering these Club Colours may be waived at the discretion of the Committee.
- (4) All Colours shall be of a material and design approved by the Committee which shall have full discretion to register, refuse to register and /or cancel any set of Colours.
- (5) No two horses in a race shall be run in the same Colours and a horse registered with the Association may only run in a race in the Registered Racing Colours of the Owner except that:
- (a) An Owner having more than one (1) runner in the same race may be permitted, at the discretion of the Clerk of Scales, to either change the colour of his cap(s) or apply to race his other runner(s) in his other registered colours or in a set of 'Club Colours' made available for this purpose by the Club;

- (b) When two or more horses, the property of the same owner, start in a race, the rider of the horse carrying the heavier weight shall wear the first (No. 1) set and the rider of the horse next in the weights shall carry the second (No. 2) set, etc. If an owner has only one runner entered in a race, this horse shall carry the first set of colours. (Amended 15/6/10)
- (c) If the registered Colours of a runner are not available for any reason the Owner, or his Trainer, may be permitted, at the discretion of the Clerk of Scales to use a set of Club Colours on payment of a fine as determined by the Local Committee. (15/6/10)

### **Partnership Colours**

- 66
- (1) At the discretion of the Committee, Partnership Colours may be registered in respect of those horses registered in a partnership.
  - (2) Horses registered in partnerships may only race in the registered Partnership Colours or in the registered Colours of one of the partners.

### **Cancellation of Racing Colours**

- 67
- If an Owner does not race any horse in his registered Colours for a continuous period of two (2) years, the Committee may at its discretion cancel the registration.

### **Use of Racing Colours upon the death of a Registered Owner**

- 68
- The personal representative of a deceased Owner may continue to race a horse(s) in the registered Colours of the deceased Owner at the discretion of the Committee.

## PART VIII

### HORSES

#### Registration and Classification of horses

- 69 (1) No horse shall be eligible to be entered for any official race trial or race under these Rules unless it is registered with the Association and subsequently classified by the Handicapper. The name of every horse registered under these Rules shall be placed on the Classification List, which shall be published from time to time by the Secretary of the Association.
- (2) Rule 69(1) shall not apply to any horse taking part in a race where the Local Committee has declared it to be a race which is open to international entries and provided the horse is registered with a racing authority, or turf club in another country.
- (3) A horse which is disqualified by any other racing authority on the ground of the fraudulent conduct of its Owner shall not be eligible to be registered so long as such disqualification remains in force.
- (4) No horse shall be registered under these Rules if conception occurred through artificial insemination or some other non-natural means.

#### Committee may allow or reject an application

- 70 (1) The Committee may allow or reject any application for registration of a horse or transfer of ownership and reserves the right to refuse to register any name of a horse which in its opinion may lead to confusion or which they consider to be undesirable or which has been the name of a prominent horse in any country.
- (2) The fees payable for registration or transfer of a horse shall be determined from time to time by the Committee.

#### Certificate of Registration

- 71 Upon the registration of a horse, the Secretary of the Association shall issue a Certificate of Registration to the applicant upon request. In addition, an Equine Passport shall be issued by the Association in respect of every horse registered. (Amended 19/8/17)

### **Duplicate Certificate of Registration**

- 72 A duplicate Certificate of Registration may be issued by the Association upon payment of the prescribed fee and upon receipt of satisfactory evidence that the original Certificate of Registration was lost, destroyed or for some other reason cannot be produced.

### **Horses to use Registered name only**

- 73 Once registered, no person shall use any name for a horse other than its Registered name.

### **Change of name of registered horse**

- 74 (1) The name under which any horse has been registered shall not be changed without the prior approval of the Committee.
- (2) An application for the change of name of a registered horse shall be made to the Secretary of the Association on the required form and shall be accompanied by the appropriate fee as determined and notified by the Committee from time to time.
- (3) No application for the change of name of a registered horse shall be permitted within two (2) years from the date of the original registration, except in the event of a horse changing ownership after the registration of such a horse. (Amended 28/8/15)
- (4) The registration of a change of name of a registered horse shall not be accepted more than twice from the date of the original registration. (Amended 28/8/15)
- (5) The registration of a change of name shall not be accepted for any horse which has won any feature race as determined by the Committee.
- (6) No change of name for any horse may be made during the course of a race meeting for which it has been entered.

### **Use of old and new names of horse**

- 75 Where the name of a horse has been changed, both the old and the new names shall be stated in every entry for a race until the horse has raced under its new name for a period of six (6) months and the change has been published in the Racing Calendar or its supplement.

## Requirements and Conditions for registration of horses

- 76
- (1) The Committee may impose, alter and/or vary or impose additional conditions for the eligibility of horses for importation and registration under these Rules.
  - (2) Any person wishing to register a horse under these Rules shall submit the application to the Secretary of the Association on the form as required by the Committee.
  - (3) Every application for registration shall be accompanied by a Certificate of Identity and Age and such Certificate shall be endorsed by an Official Veterinary Surgeon.
  - (4) For the purposes of registration, the age of a horse will be calculated from (Amended 1/1/12):-
    - (a) 1 August of the year in which it is foaled if it is foaled between 1 July and 31 December, both dates inclusive. It shall be deemed to be "Southern Hemisphere Bred" for the purposes of the Weight For Age Scale. (Amended 1/1/12)
    - (b) 1 January of the year in which it is foaled if it is foaled between 1 January and 30 June, both dates inclusive. It shall be deemed to be "Northern Hemisphere Bred" for the purposes of the Weight For Age Scale. (Amended 1/1/12)
  - (5) In the case of thorough-bred horses imported from:
    - (a) Great Britain and Ireland, the Certificate shall bear the signature of the Proprietors and Publishers of the General Stud Book;
    - (b) Australia or New Zealand, the Certificate shall bear the signature of the Keeper of the Stud Book in Australia or New Zealand;
    - (c) countries other than the aforementioned countries, the Certificate shall be endorsed by the Turf Authority in the country of export.

- (6) Every application shall contain, in addition to all the other particulars which may be from time to time required by the Committee:
  - (a) the name of the Owner making the application;
  - (b) the name under which it is proposed to register the horse;
  - (c) the name (if any) under which the horse has previously been registered or raced in any country; and/or
  - (d) a copy of the MRA Veterinary Certificate duly completed, in full, by the examining Veterinary Surgeon.
- (7) The application shall be accompanied by a clearance from a recognised Turf Authority of the country of export stating that the horse was under no disqualification and in the case of any horse which has never raced, the application shall be accompanied by a certificate to this effect from the exporter.
- (8) Any horse which has run exclusively at race meetings held outside the jurisdiction of the Association and under the same name as a horse already registered may be registered and run under the same name. The name or initials of the country in which such horse last raced, before entering the jurisdiction of the Association, shall form part of its registered name.
- (9) Every application shall include the full particulars of all the horse's previous performances prior to importation and those particulars shall include:
  - (a) the dates, places, names of races;
  - (b) the names of placed horses;
  - (c) the weights carried by placed horses and the horse for which registration is applied;
  - (d) the distance and time in which the race was run;
  - (e) the margin by which the winning horse won; and
  - (f) the value of the race.

- (10) The Committee reserves the right, where it in its absolute discretion deems appropriate, to grant an exemption from the conditions for the eligibility of horses for importation and registration under these Rules. The decision of the Committee shall be final and no appeal therefrom shall be entertained.

### **Horses banned for bad behaviour at the Starting Stalls shall not be registered**

- 77 No horse which is barred for bad behaviour at the starting stalls in its country of origin shall be eligible for registration with the Association.

### **Starting stall tests for horses**

- 78 (1) All raced horses that have been registered with the Association under these Rules prior to its first run in Malaysia or Singapore must pass a starting stall test before being declared to race. (Amended 15/6/13)
- (2) Starting stall tests that have been successfully completed by horses under the above Rule and horses ordered to take tests by the Stipendiary Stewards will be valid for a period of two (2) months preceding the date of being declared to race for the race meeting, and these tests should be taken at the horses' home centres prior to their departure for the racing centre. (Amended 15/6/13)
- (3) In the event of a horse failing to pass a starting stall test, a period of not less than five (5) days should elapse before a further test will be permitted. (Amended 1/12/10)

In exceptional circumstances, the Stipendiary Stewards at their discretion may conduct a barrier trial at a centre of their choice and may impose a fine if necessary.

### **One-eyed horses**

- 79 (1) A horse which is one-eyed or blind in one eye shall not be registered.
- (2) Should a registered horse become blind in one eye, it shall immediately be inspected by the Veterinary Surgeon who shall certify on the extent of its blindness with a recommendation on its fitness to race. The horse shall then be subjected to such barrier tests and trials as may be required by the Stipendiary Stewards who shall thereafter decide whether the registration of the horse is to be cancelled.



- (3) The registration of a horse which is one-eyed or blind in one eye may be revoked by the Committee upon a report from the Veterinary Surgeon or the Stipendiary Stewards stating that they consider the said horse to be a danger to other horses and riders in a race.
- (4) An appeal shall lie to the Committee from a decision of the Stipendiary Stewards made pursuant to Rules 79(2) and 79(3) above. The appeal shall be by way of a Notice to be Lodged with the Secretary of the Association within fourteen (14) days of the decision of the Stipendiary Stewards.

### **Change of ownership of horse**

- 80
- (1) In the event of a horse changing ownership after the date of registration of such horse, the new Owner shall within fourteen (14) days of the date of transfer, apply to the Secretary of the Association to register the change of ownership. A change in the composition of a partnership shall be deemed to be a change of ownership within the meaning of this Rule. (Amended 1/7/12)
  - (2) The application for change of ownership shall be accompanied by written confirmation from the previous Owner together with the registration fee. Provided always that this Rule shall not apply where, in the view of the Association, there are exceptional circumstances, including but not limited to where it is impossible for the new Owner to comply with the Rule. (Amended 1/7/12)

### **Horses sold by auction**

- 81
- When horses are sold by auction and the price is paid to the Associated Club under whose auspices the auction took place, the Secretary of the Associated Club shall be empowered to sign the transfer form on behalf of the vendor and purchaser and such transfer shall be accepted by the Association for the purposes of the registration of the horse in the name of the purchaser.

### **Registered horse leaving Association's jurisdiction**

- 82
- (1) The Owner of a horse shall immediately notify the Secretary of the Association in writing of any horse's departure from or return to the jurisdiction of the Association and its Associated Clubs.
  - (2) If a registered horse leaves the jurisdiction of the Association and its Associated Clubs and subsequently returns to race under these Rules, it shall not run in a race unless it has been re-identified and certified by the Veterinary Surgeon.

### **Misleading or incorrect information**

- 83 (1) If any mis-statement or incorrect information is furnished in any application for the registration or re-registration of a horse, the Stewards or the Committee may, after convening a hearing to consider the matter, do all or any of the following:
- (a) cancel the registration;
  - (b) disqualify the horse;
  - (c) penalise the applicant with a fine, suspension or disqualification.

### **De-registration of horse**

- 84 (1) A horse shall be automatically deleted from the Classification List and its registration cancelled in the event of the following:
- (a) it does not run in a race conducted under these Rules for any continuous period of twelve (12) months; or
  - (b) the owner and/or the trainer cannot be contacted for any continuous period of thirty (30) days, and/or, in the sole opinion of the Association, the horse becomes a liability to the Association and/or a Club; or
  - (c) the trainer provides to the Association, in the sole opinion of the Association, valid reasons for the deletion of the horse from the Classification List and cancellation of its registration, and the owner fails to respond within fourteen (14) days of the Association's notice to the owner of such reasons. Any notice required to be served shall be in writing and shall be sufficiently served if sent by ordinary post to the last known address of the owner. Any notice shall be deemed to be received by the owner within twenty-four hours of posting.
- (2) Exemption from Rule 84(1)(a) may be considered on the grounds of injury or lack of fitness of the horse upon written application to the Secretary of the Association supported by satisfactory evidence from an Official Veterinary Surgeon which is to be received before the expiry of the abovementioned twelve (12) month period.

- (3) Any horse which has been deleted from the Classification List shall not be re-registered unless it meets the requirements of these Rules in force at the time of application for re-registration.
- (4) Any horse de-registered and subsequently re-registered for racing purposes must be placed in the care of a licensed trainer for at least two (2) months prior to being entered to race.
- (5) Save at the absolute discretion of the Committee, no deleted horse shall be re-registered once it has attained the age of six (6) years.

### **Classification Ratings for horses**

- 85 Every horse shall be classified by the Handicapper and be given a rating. Such ratings shall determine the classes of races that a particular horse shall be eligible to participate in.

### **Handicapper may move horse from one class to another**

- 86 The Official Handicapper shall have the power at any time, including during a race meeting, to reclassify a horse from Class to Class or from Division to Division. Any horse so reclassified shall be deemed to be entered for all races remaining to be run in the Class to which such horse has been transferred, other than races for which handicaps have already been published, and shall not be qualified to run in the Class from which it was transferred.

### **Horse handicapped out of the frame of the class in which it ran**

- 87 (1) In the event that a horse is handicapped out of the frame of the class in which it ran on the first weekend of a race meeting, it shall remain qualified for that class in the second weekend provided that it carries the penalty or relief allotted. However, if a higher or lower class race is programmed for the following weekend, the horse shall automatically be handicapped in the appropriate class.
- (2) No penalty shall be imposed on the Trainer or Owner if the horse is withdrawn before Acceptance Time by reason of reclassification of the horse under this Rule.

### **Alteration in Classification of horses**

- 88 At the conclusion of a Race Meeting the Handicapper shall notify, in writing, the Secretary of the Association of any alteration in the Classification of Horses.

### **Unfit Condition of horses**

- 89 (1) Horses shall be presented to race in a fit condition and the Stewards may withdraw any horse that is not in a fit condition, impose any test and/or suspend such horse, by reason of such condition, for such period as they may direct.
- (2) For the purposes of this Rule a horse shall be deemed not to be in a fit condition if it;
- (a) is certified as unfit or unsound by the Veterinary Surgeon;
  - (b) is or may be a source of danger to any other horses or riders or is likely to race poorly in the opinion of the Veterinary Surgeon or the Stewards;
  - (c) is likely to race poorly because of any disease, unsoundness, untrained condition, savageness or unreliable temperament.
- (3) It shall be a breach of this Rule for any Trainer to knowingly enter or enter, race or attempt to race an unfit horse. If a Trainer is in any doubt as to a horse's fitness he must consult a Veterinary Surgeon prior to the horse being declared to race.
- (4) Upon due inquiry by the Stipendiary Stewards, if it is found that
- (a) the horse is not in a fit condition; and
  - (b) the Trainer has knowingly entered or entered, raced or attempted to race the unfit horse
- the Trainer may be punished under these Rules.

## Treatment of horses

- 90 (1) Except in the case of an accident or an emergency, no person, other than a Veterinary Surgeon, is permitted to give treatment, medicine or other substance (other than what in the opinion of a Veterinary Surgeon is a normal item of diet of a horse in training) to any registered horse stabled at the premises of any of the four Associated Clubs. A registered Trainer, Assistant Trainer or supervisor with the knowledge of the Trainer, may give treatment, medicine or other substance only if they have been specifically authorised in writing by the Club Veterinary Surgeon.
- (2) Unless under specific treatment from the Veterinary Surgeon, and/or in the absence of written approval from the Veterinary Surgeon, no horse presented for trackwork, shall show;
- (a) the presence in its tissues, body fluids, blood or excreta any substance which is a prohibited substance; and/or
  - (b) any physiological parameter deemed by the Stipendiary Stewards on the advice of an Official Veterinary Surgeon to be markedly abnormal and not explainable by natural processes; and /or
  - (c) the evidence of the presence of an excessive amount of fluid, or any other substance whether it is a prohibited or not, which in the opinion of the Stipendiary Stewards is markedly abnormal and not explainable by natural process.
- (3) Unless under treatment or with the approval of the Veterinary Surgeon, with the exception of normal feed and water, no substance shall be administered to any horse for a period of one Day prior to the day of the race meeting. This includes any substance administered by injection, orally given, inhalation, topically applied or by any other method of administration. (Amended 24/6/16)
- (4) Failure to comply with these Rules may result in the horse which has been given treatment, medicine or other substance being barred from racing, by the Committee, Local Committee or the Stewards for a period not exceeding six months in addition to a penalty being imposed on the Trainer.

- (5) In the case of an accident or an emergency, any qualified veterinary surgeon may, pending the arrival of the Veterinary Surgeon, give such treatment, medicine or other substances which is, in his opinion, necessary in the circumstances. Provided that such qualified veterinary surgeon shall provide a written report, to the Veterinary Surgeon, documenting the treatment, medicine or other substances which he has administered.

### **Calling for a second Veterinary opinion**

- 91
- (1) Should an Owner or Trainer wish to call for a second veterinary opinion on any matter regarding diagnosis, treatment, or prognosis, then such second opinion must be that of a qualified veterinary surgeon, who must give his opinion in the presence of the Veterinary Surgeon.
  - (2) Any treatment, medicine or substance prescribed by the veterinary surgeon, giving the second opinion, must be approved by the Club Veterinary Surgeon in writing prior to its administration to the horse.

### **Horses which Bleed**

- 92
- (1) Bleeding is defined as the appearance of blood of pulmonary origin at either or both nostrils, irrespective of the quantity, after exercise.
  - (2) If a horse bleeds during a race or during track work, the Trainer shall immediately report the fact to a Veterinary Surgeon and/or a Stipendiary Stewards who shall inform the Secretary of the Association.
  - (3) A horse that has been declared to be a Bleeder hereunder shall not, without the written permission of the Stipendiary Stewards:
    - (a) Be cantered or galloped on the main training tracks of any racecourse for a period of two (2) months after such declaration.
    - (b) Be entered for a bleeders test for a period of three (3) months after such declaration. (Amended 1/12/12)
    - (c) Start in any race for a period of three (3) months after such declaration, and then only after passing the bleeders test. (Amended 1/12/12)

- (4) A horse that races three times without bleeding after serving the initial three-month ban shall be considered to have reverted to non-bleeder status.
- (5) A horse that suffers a second bleeding attack during training or racing and has not just prior to such bleeding attack raced three times without bleeding shall not, without the written permission of the Stipendiary Stewards:
  - (a) Be cantered or galloped on the main training tracks of any racecourse for a period of five (5) months after such second bleeding attack. (Amended 15/4/09)
  - (b) Be entered for a bleeders test for a period of six (6) months after such declaration. (Amended 1/12/12)
  - (c) Start in any race for a period of six (6) months, and then only after passing the bleeders test. (Amended 1/12/12)
- (6) A horse that races three times without bleeding after having served the six (6) month ban shall revert to non-bleeder status.
- (7) A horse that suffers a third bleeding attack during training or racing without having reverted to non-bleeder status as defined in Rule 92(4) or 92(6) shall be permanently banned from racing.
- (8) Notwithstanding the foregoing provisions, the Stewards on receiving a written report from the Veterinary Surgeon, endorsed by the Stipendiary Stewards, shall have the right to refuse entries permanently or for any recommended length of time for any horse that they may consider to be a serious risk to racing at any stage.

### **Horses with Atrial Fibrillation**

- 92A
- (1) Any horse that suffers from a first and/or second attack of Atrial Fibrillation during training or racing will not be permitted to start in any race until it has completed a satisfactory gallop of at least 1000 metres in the presence of a Stipendiary Steward and followed by an examination and electrocardiogram by the Veterinary Surgeon. (15/6/10)
  - (2) A horse that suffers from a third attack of Atrial Fibrillation during training or racing shall be permanently banned from racing. (15/6/10)

- (3) Notwithstanding the foregoing provisions, the Stewards on receiving a written report from the Veterinary Surgeon, endorsed by the Stipendiary Stewards, shall have the right to refuse entries permanently or for any recommended length of time for any horse that they may consider to be a serious risk to racing at any stage. (15/6/10)

#### **Death and Post-mortem of horses**

- 93
- (1) Should a horse die whilst stabled at one of the Associated Clubs, or during trackwork, an Official Trial or during a race a post-mortem shall be conducted by the Veterinary Surgeon within twenty four (24) hours of its death and analytical samples shall be taken and analysed by the Analyst. The Veterinary and Analysts reports shall remain the property of the Association but may be released to the Owner and/or Trainer on request or for insurance claims purposes at the discretion of the Committee or Local Committee.
  - (2) The death of any registered horses must be notified to the Secretary of the Association within one week and the date of deletion from the Classification List will take effect from the date of death.

### **PART IX**

#### **RACE MEETINGS**

##### **Race meetings to be held on the premises of an Associated Club**

- 94 All race meetings shall be held subject to these rules, and may only be conducted on the premises of an Associated Club.



### **Programme of race meeting and Conditions of races**

- 95
- (1) The conditions of every race and the full programme of every meeting, other than a home-based meeting advertised as provided for in sub-Rule (3) below, must be lodged with the Secretary of the Association not later than one month preceding the first day of the meeting.
  - (2) The Committee may at their discretion, refuse to sanction any meeting and may prohibit the advertisement of any race or race meeting in the Racing Calendar. They may also call upon the Local Committee to alter or expunge any conditions even after advertisement.
  - (3) The Local Committee of any Club constituting or forming part of the Association shall:
    - (a) advertise a home-based race meeting at any time after ascertaining from the Secretary of the Association that no other race meeting has been scheduled on the same day by the Association or the Local Committee of any other Associated Club; and
    - (b) notify the Secretary of the Association of the conditions for every race and the full programme of every home-based race meeting not less than twenty- four hours before the first day of the home-based race meeting.
    - (c) (Deleted 17/3/14)

### **Report of race meeting in the Racing Calendar**

- 96 After each race meeting the Secretary shall forthwith forward to the Secretary of the Association a report containing:-
- (a) Names of horses which started in each race.
  - (b) Weights carried.
  - (c) Names of jockeys.
  - (d) Position of horses placed in the race.
  - (e) A statement of all fines inflicted and all complaints to and decisions of the Stewards.

- (f) Any overweight which has been carried, whether it has been duly declared or the horse has been disqualified.
- (g) Horses handicapped but did not run.
- (h) Details of Tote investment on each horse.
- (i) Type of start.

### **Entries for race meetings**

- 97 (1) Every entry made and accepted shall constitute a contract and all contracting parties shall be deemed to be bound by and subject to the rules of the Association and of the Club , and to accept in case of any dispute the decision of the Committee as final and binding.
- (2) The Local Committee shall have the right to refuse or reject any entry at their discretion, but shall refund the entry fees of any entry so refused or rejected.
- (3) All entries must be made in conformity with these Rules, the terms of each race, as set out in the programme, and, in entering for any race where there shall be any particular conditions required as a qualification to start, it shall unless otherwise provided by the terms of the race be sufficient if the horse was qualified at the expiration of the time appointed for the closing of the entries, and provided always that such qualification shall where consistent be governed by the conditions of Rule 97.
- (4) All entries shall include all particulars of the horse as may be required from time to time by the Local Committee or the Associated Club, and shall:
- (a) be made in the name of the Owner;
  - (b) be in a form and with a fee as prescribed by the Local Committee;
  - (c) be signed by the Owner or Trainer of the horse or their authorised agent;
  - (d) be submitted to the representative of the Club authorised by the Local Committee to accept entries; and
  - (e) be submitted no later than the time for closing of entries as stipulated by the Local Committee.

- (5) No entry shall be accepted for any race, under any circumstances, after the time appointed by the Local Committee for the closing of entries for that race, unless the race does not attract sufficient entries and, at the discretion of the Local Committee, the race is substituted for another or is re-opened for entries.

### **Withdrawal of entry**

- 98 Any entry may, before the time of closing, be rectified or withdrawn, but no entry shall be altered in any way after closing, except in cases provided for in Rule 99.

### **Error in entries**

- 99 In the event of any accidental or inadvertent error, omission or irregularity being discovered in any entry, or published race field or handicap, the Local Committee may allow the same to be corrected not later than two (2) hours before the start time of the first race in that particular Race Meeting and upon the payment of a fee as may be notified from time to time. (Amended 24/6/16)

### **Death of an Owner of a horse entered to race**

- 100 An entry shall not become void on the death of the person in whose name they were submitted. (Amended 1/1/15)

### **Publication of allocated weights and barrier draw for entries**

- 101 (1) The publication of weights allocated to all entries by the Handicapper in terms of Rule 27, shall be in a form, at a time and under the terms as determined by the Local Committee.
- (2) The weights allotted to horses shall be final upon publication unless otherwise provided under these Rules.
- (3) Any person who is dissatisfied with the weight allotted to his horse may submit his complaint in writing to the Local Committee and/or the Racing Stewards of the Meeting for which his horse has been entered. Such complaints must be made prior to final acceptance and the Racing Stewards shall direct the Handicapper to give such written explanation as they may deem necessary. In the event that the Racing Stewards find that the complaint is valid, they may direct that the error be rectified. In such an event, the Racing Stewards shall submit a written report to the Committee on the matter.

- (4) Where the name or weight of a horse, correctly entered for a race, is omitted in error from the publication, its name may be included and a weight allotted prior to final acceptance at the direction of the Local Committee.
- (5) The Local committee shall appoint a person authorised to conduct the barrier draw in such manner as may be stipulated from time to time in the Regulations.
- (6) Where the name or barrier draw of a horse correctly entered for a race is omitted in error, its name or barrier draw shall be included with the prior approval of the Local Committee.

### **Weights, Penalties and Allowances**

- 102 (1) The minimum top weight in any handicap race shall not be less than 57 kilogrammes and the minimum weight shall not be less than 50 kilogrammes, provided that the Local Committee may at its discretion specify a higher top weight.
- (2) Handicaps once published shall be final except as provided in Rules 99 and 102(3). Provided that where the name or weight of a horse entered for a race is omitted from the published handicaps, a weight may be allotted to the horse with the permission of the Local Committee.
- (3) In a handicap race, if the highest weight at acceptance or declaration time is less than 57 kilogrammes, or less than such other top weight as may have been specified by the Local Committee under Rule 102(1), the highest weight shall be increased to 57 kilogrammes, or such other top weight as may have been specified by the Local Committee under Rule 102(1) and other weights adjusted accordingly.
- (4) The weight differentials of the Standard Weight-For-Age Scale for flat races of the Southern Hemisphere, as relevant to the Hemisphere of foaling, shall be applied for all weight-for-age races, except that an allowance of 1.5 kilogrammes will be given for fillies and mares in all races other than handicap races.
- (5) Penalties are not cumulative unless so declared by the conditions of the race.
- (6) When any race result is in dispute, all horses that are placed and any horse claiming to be placed shall be liable to all the penalties attaching to the placed horses until the matter is decided.

- (7) The subsequent disqualification of a horse which has been declared a winner and/or placed in a race will not nullify any re-classification, handicap rating correction or penalty imposed as a result of such win or place.

### **Declaration of runners or scratching of entries**

- 103 (1) Any horse entered to race shall either be declared as a runner or scratched by the Owner, Trainer or authorised representative by the time stipulated for final acceptances unless otherwise determined by the Local Committee.
- (2) Should any entry be declared a runner the Trainer or his authorised representative shall furnish the Club with the name of the Rider, any additional gear to be used by the horse, and any other details or information in a form as may be determined by the Local Committee.
- (3) Horses may be scratched by declaration in writing to the Club Secretary by an Owner or Trainer up to the time stipulated by the Local Committee for final acceptances.
  - (a) The Local Committee shall be at liberty to disregard scratchings/withdrawals which are delivered orally or by facsimile.
  - (b) Failure to declare or scratch an entry, or to supply the full details as required by final acceptances may result in the entry being declared null and void.
- (4) A horse may not be scratched or withdrawn by an Owner or his Trainer after the time stipulated for final acceptance except at the direction of the Racing Stewards acting under the terms of a specific rule, or on veterinary grounds upon the production of a veterinary certificate .
- (5) Notwithstanding this Rule, any horse which has thus been declared to start does not run in that race the Stipendiary Stewards may exercise the powers specified in Rule 21(1) of the Rules of Racing or refer the matter to the Racing Stewards. In that event, the Racing Stewards may exercise the powers specified in Rule 12(1) of the Rules of Racing.
- (6) Notwithstanding the imposition of any embargo by the Stewards, horses which have been scratched from a race on veterinary grounds, after the time stipulated for final acceptances, shall not be entered for another race until they have been presented to, and cleared fit to race, by the Veterinary Surgeon.

### **Declaration of jockeys**

- 104 (1) The Owner, Trainer or his authorised representative shall engage a jockey for each of his horses being accepted to race and shall declare his engaged jockeys, in writing to the Club by the time fixed for final acceptances unless otherwise determined by the Local Committee.
- (2) A change of jockey will not be permitted after final acceptances except as provided for in these Rules.

### **Change of declared jockey**

- 105 (1) Should any jockey engaged and declared to ride a horse in a race in terms of these Rules be unable to ride such horse a change of jockey may be authorised by the Stipendiary Stewards provided that any replacement is, wherever possible, on a 'like for like' basis ie. a jockey or an apprentice for a jockey or an apprentice who is eligible to claim the same weight allowance. Where such a replacement is not available or, in the opinion of the Stipendiary Stewards, is unsuitable, another jockey may be engaged with the permission of the Stipendiary Stewards. (Amended 1/10/07)

- (2) Should the Owner, Trainer or authorised representative wish to change a jockey engaged and declared under these Rules he shall submit his request, with reasons, to the Stipendiary Stewards who may authorise a replacement at their discretion.

Provided that upon the request being granted, the Owner shall be required to pay, to the original jockey so replaced, any riding fee and or stakes entitlement, unless such jockey was incapable of meeting his engagement.

- (3) Should the jockey of a horse engaged and declared in terms of these Rules wish to be replaced he shall submit his written request, with reasons, to the Stipendiary Stewards who may authorise a change at their discretion. An apprentice jockey shall submit such a written request through his master.
- (4) (Deleted 24/6/16)

### **Restricted areas, the Weighing Room and Jockeys Room**

- 106 (1) The Local Committee may designate restricted areas within the Club and may determine those persons permitted or not permitted to enter those restricted areas.
- (2) No person other than the Veterinary Surgeon, or person authorised in writing by him, shall have in his possession in any restricted area:
- (a) any prohibited substance, medication or nutraceutical;  
(Amended 1/12/10)
  - (b) any means of administering of any substance which may, in the opinion of the Stipendiary Stewards, affect the performance of the horse.
- (3) Except with the permission of the Local Committee who may delegate such powers to the Stewards, no person other than members of the Local Committee, the Stewards, officials or authorised staff of the Club, trainers, jockeys or person having the care of a horse engaged in a race shall be admitted to the Weighing Room.
- (4) No persons other than those authorised by the Stipendiary Stewards shall be admitted to the Jockeys Room.
- (5) Save as permitted with the express authority in writing of the Committee or the Stewards, no person, licensed or registered by the Association, shall be permitted to use a handphone, pager or electronic transmitter/ receiver in those areas as specified by the individual Clubs two hours before the advertised time of the start of the first race to the end of the last race. Neither shall such equipment be allowed to be taken into the Jockeys Room, Weighing Room and any other area stipulated by the Club.

### **Jockeys weighing out for races**

- 107 (1) Every jockey must be weighed for a specified horse by the Clerk of the Scales at the appointed place not less than twenty minutes before the time fixed for the race, and their names and numbers shall then be exhibited as soon as possible.
- (2) Once the above information has been exhibited no alteration or addition shall be made without the permission of the Stewards.

- (3) If a jockey after he has weighed out for a specified horse is incapacitated by accident or illness from riding in the race before he has come under the Starter's orders another jockey may be substituted provided that in the opinion of the Stipendiary Stewards no unreasonable delay to the race will be caused by such substitution.
- (4) Every jockey shall weigh out with a properly fitted saddle, including all fittings, breast check where declared, and he shall wear the racing colours, breeches and racing boots that will be worn by him in the race. (Amended 1/5/07)
- (5) Any extra weight shall be carried in the saddle or saddle bag/cloth and breast plates/checks shall form part of the saddle and shall be presented to the Clerk of Scales for the purpose of weighing out.
- (6) No gear or equipment may be altered or changed after weighing out except with the prior permission of the Stipendiary Stewards.
- (7) Every jockey shall wear a body protector, of a design approved by the Stipendiary Stewards, when riding in any race, and shall ensure that he is wearing the body protector when he presents himself to the Clerk of Scales to be weighed out.
  - (a) The Clerk of the Scales shall not weigh out any jockey for a race unless the jockey is wearing a body protector.
  - (b) To compensate for the jockeys being required to wear body protectors, the weight of all jockeys shall be deemed to be one (1) kilogramme less than the weight registered on the scale. (Amended 1/5/07)
- (8) Every jockey who is to ride in the race shall declare to the Clerk of the Scales the weight his horse will carry in the race.
- (9) If a rider intends to ride overweight in a race, he must declare the amount of his overweight to the Clerk of Scales. If such overweight is half a kilogram or more, the rider must first obtain the permission of the Stewards to carry such extra weight. (Amended 2/4/12)
- (10) Notwithstanding these Rules, if a jockey is unable to weigh out at his correct, carded weight the Clerk of Scales shall report this matter to the Stipendiary Stewards who may order for a more suitable replacement jockey.



**Articles not to be included when weighing out and weighing in**

- 108 (1) With the exception of the saddle cloth, rider's helmet, goggles, blinkers, pacifiers, hood, whip, neck strap, martingale, bridle including pricker and nose band, rings, muzzle and anything worn on the horse's legs or hooves, everything carried or worn by the jockey and the horse in a race shall be included in the jockey's weight and shall be put onto the scales by the jockey when weighing-out and when weighing-in, and recorded by the Clerk of Scales. (Amended 5/9/11)
- (2) When calculating a rider's weight in weighing-out and weighing-in no account shall be taken of fractions of a half kilogram. (5/9/11)

**Pre-race Holding Area and Saddling Enclosure**

- 109 (1) Trainers are to ensure that all runners are presented to the pre-race Holding Area, for weighing and to enable pre-race samples to be taken for analysis, at a time and under the terms as directed by the Local Committee.
- (2) The Veterinary Surgeon, Stewards, Club Farrier or any other person authorised by the Local Committee may examine or confirm the fitness and/or identity of any horse presented to race.
- (3) The Veterinary Surgeon and/or the Club Farrier shall report to the Stipendiary Stewards any horse which in their opinion is unfit or improperly shod.
- (4) If, in the opinion of the Stipendiary Stewards, any horse is in an unfit condition to race or the shoeing of any horse presented to race is improper or in contravention of these Rules, they may order the withdrawal of the horse or the correction of the plates and take whatever further action they may deem necessary.
- (5) The Trainer shall obtain the prior written permission of the Stipendiary Stewards for the use of any special shoeing of a horse entered to race.

Provided that any request for the use of special shoeing must be received at least forty eight (48) hours prior to race day to allow inspection by the Farrier and the Club Veterinary Surgeon or in the event that a Farrier is unavailable by the Club Veterinary Surgeon

- (6) No person other than members of the Local Committee, the Stewards, officials, authorised staff of the Club, the Trainer, his assistant or person in charge of a horse required to be in the pre-race Holding Area or Saddling Enclosure shall be permitted to enter these areas during a race meeting except with the permission of the Stewards.
- (7) Unless otherwise permitted by the Stipendiary Stewards, all runners shall be saddled at the Saddling Enclosure in the stalls provided for this purpose at a time determined by the Local Committee. (Amended 1/12/10)
- (8) Trainers are to ensure that they and their staff are fully aware of, and comply with, any directions given by the Local Committee or the Stewards with regard to any activities in the pre-race Holding Area and Saddling Enclosure. (Amended 1/12/10)

### **Parade Ring**

- 110 (1) The Local Committee may determine which persons are permitted to be present in the Parade Ring prior to a race.
- (2) Trainers are to ensure that all runners are presented in the Parade Ring for public viewing in a manner and for a period of time as may be determined by the Local Committee.
- (3) All runners shall be mounted by their jockeys prior to leaving the Parade Ring except with the permission of the Stewards.

### **Horses Proceeding to the Start**

- 111 (1) No person, other than the jockey shall lead or accompany a horse to the starting post except with the permission of the Stewards.
- (2) Every jockey shall, except with the permission of the Stewards, ride his horse past the Judge's Box once at least before going to the starting post and shall canter his horse to the start on the outside of the track. Should the Stipendiary Stewards be satisfied that after reasonable endeavour a jockey is unable to comply with this rule, they may exempt him from doing so.

- (3) No jockey shall dismount before arrival at the starting post without the permission of the Stewards and on arriving at the starting post, shall come under the Starter's orders.
- (4) No person shall be permitted to be at the start except with the permission of the Local Committee or the Stewards.

### **Starting**

- 112
- (1) No jockey, once under the Starter's orders, shall be allowed to re-weigh or adjust his weight unless some accident has occurred, and even then only with the permission of the Starter .
  - (2) All jockeys shall, as soon as they arrive at the starting post, be under the control of the Starter who shall give the orders necessary for securing a fair start. No jockey may dismount without the permission of the Starter.
  - (3) The Starter shall check the horses and jockeys against the official list of runners and assign the horses to their correct barrier draws and load them in a sequence as directed by the Racing Stewards.
  - (4) The horses must be started by the Starter who shall give all orders necessary for securing a fair start and who shall be in sole charge of the start and of the handlers.
  - (5) The Starter shall report to the Stipendiary Stewards any jockey disobeying his orders, or attempting to take, or taking, an unfair advantage or for any other misconduct.
  - (6) The Starter shall report all cases of misconduct at the starting post to the Stipendiary Stewards who may impose a fine upon conducting an enquiry into, and making a finding on, the reported misconduct.

### **Races started from Starting Stalls.**

- 113
- (1) All races shall be started from starting stalls.
  - (2) Should all the starting stalls become defective, the horses may be loaded into the starting stalls with all the front gates open and the Starter shall effect the start by means of a flag provided that in the event of an emergency, and only with the permission of the Racing Stewards, a race may be started with a flag.

- (3) No horse shall be permitted to start from a stall other than that allotted by the draw unless the Starter has exercised his powers under Rule 113(5).
- (4) The Starter has full power to remove an unruly horse. A horse, which enters the stalls and through its unruly behaviour damages its stall, may be withdrawn by the Starter.
- (5) Should the Starter exercise his power under Rule 113(4) or a horse is withdrawn under Rule 116(2) or for any reason it become necessary for the draw to be amended the Starter shall where possible amend the draw and move the horses inwards so as to retain their relative drawn positions.
- (6) Should one or more gates of the starting stalls be faulty or damaged and incapable of repair:
  - (a) where there are sufficient available stalls the horses allocated to the faulty or damaged stall and any other horses shall where necessary be moved to the next available stall so as to retain their relative drawn positions.
  - (b) where there are insufficient available starting stalls a horse(s) allocated to a faulty/damaged stall shall be withdrawn.

### **Calling a False Start**

- 114
- (1) Should the Starter consider that through any mechanical fault of the starting stalls a fair start has not been effected, he shall declare it a false start. The Starter may also declare a false start when a horse(s) has broken away before the race has been declared "Off". Whenever a false start has been declared, the Starter shall order the Riders, by means of the Recall System, to return to the post. The decision of the Starter on these matters shall be final.
  - (2) Where the Recall System is activated without the orders of the Starter, he shall nevertheless declare it a false start.
  - (3) A start in front of the starting post, or on a wrong course, or before the appointed time is void.

- (4) In the event of a void start or a false start, the Racing Stewards may either:
  - (a) order the race to be re-run at such time during the same race meeting as they may appoint; or
  - (b) declare the race void and abandon it.
- (5) In the event of a false start or a void start, which has in their opinion materially prejudiced the chances of any horse, the Racing Stewards may permit or order its withdrawal from the re-run of the race.
- (6) If a Starter allows a start to take place in front of the starting post, the Racing Stewards, on being satisfied of the fact, shall declare the start and the race void and shall take whatever action they deem to be necessary under the circumstances.

### **Horses deemed to be Starters**

- 115 If in the opinion of the Stewards any horse was riderless at the time a start was effected, or was encumbered by equipment applied with the permission of the Stewards or at the direction of the Starter, or if a horse was denied a fair start and such occurrence materially prejudiced the chance of that runner, the Stewards may declare such a horse to be a non-starter prior to the "ALL CLEAR" being given. Provided that a horse which is ultimately declared first, second or third placing in a race shall not be declared a non-starter. (Amended 1/12/08)

### **Horses which are dangerous or refuse to enter the Starting Stalls**

- 116 (1) Any horse which in the opinion of the Starter behaves in a fractious, vicious or dangerous manner at the Starting Post will be reported to the Stipendiary Stewards in charge of the race for their action.
- (2) Horses which refuse to enter the stalls shall be withdrawn by the Stewards and all bets on them will be refunded.
- (3) Any horse which refuses to enter the stalls, or having entered the stalls becomes fractious, or refuses to start with the field, shall not be permitted to start in any race until it has passed one or more starting stall tests run under racing conditions and under the supervision of officials appointed by the Association. Before the horse can be entered in another race, the Stipendiary Stewards may, in addition, impose any other conditions that they may deem necessary.

- (4) Starting with the rear gates of the stalls open will not be permitted except in extenuating circumstances, with the permission of and under the terms as directed by the Stewards.

### **The Running and Conduct of Races**

- 117
- (1) All races shall be run, and every horse shall be raced and ridden on merit and as are prescribed by these Rules.
  - (2) The Local Committee or the Stewards may inquire into any matter or any incident in any race and may take appropriate action in terms of their powers under these Rules at any time they may deem it necessary.
  - (3) Notwithstanding the above, the Stipendiary Stewards may inquire into the performance of any horse in a race and should the performance of any horse be found to be inconsistent or unreliable it may be suspended from racing or training and in addition the Trainer may be held liable for any such performance where such inconsistency or unreliability is caused by or contributed to by the riding instructions of the Trainer, or the lack of such instructions.
  - (4) An Owner is not permitted to give instructions directly to his jockey but must do so through the Trainer of his horse.
  - (5) If in the opinion of the Stewards, a jockey remains in contact with the horse or any part of his gear from the start to the finish of a race, his horse is deemed to have carried the weight at which the jockey has weighed out subject to MRA Rule of Racing 121(2) and shall be declared a starter of the race. (1/12/12)
  - (6) If in the opinion of the Stewards, a horse which has gained an unfair advantage at the start, may be declared a non-runner or be disqualified for the race. (15/6/13)

### **Judging the Result of a race**

- 118
- (1) Each Judge or his authorised substitute shall be present in the Judge's Box during the entire running of a race.

- (2) A race cannot be decided unless each Judge or a substitute authorised by the Racing Stewards occupies the Judge's Box at the time the horses pass the winning-post.
- (3) The determination of the Judges in declaring a horse to have won or to be entitled to a place, shall be final unless:
  - (a) an objection to the winner or any placed horses is made and upheld.
  - (b) the Judges correct any mistake in the placings, and the Racing Stewards confirm such correction, prior to the ALL CLEAR being signalled.
  - (c) it is proved to the satisfaction of the Racing Stewards, after the All CLEAR has been signalled, that there was an error in the placings declared by the Judges, whereupon the Racing Stewards shall correct the error. Where such correction affects any stake money or prize, such stake money or prize shall be returned to the Club concerned for re-distribution. Such correction shall only be notified after the race meeting and shall not have any effect on any payment of bets.
- (4) Motion pictures may be taken of every race from start to finish and can be used to aid Stewards in determining any question within their jurisdiction.
- (5) The Judges shall place the first four horses in a race or where the conditions of the race provide a fourth prize, the first five horses; or where the conditions of the race provide a fifth prize, the first six horses; or such further number as the Local Committee or Stewards may require.
- (6) A Camera may be used to take a photograph or photographs of the horses at the finish to assist the Judges in determining their positions as exclusively indicated by their noses. If any Judge estimates that the distance between the winner and the second, or the second and the third, or the third and the remainder of the field, is a neck or less, he shall consult the photograph before announcing his decision. The Judges may, if their decision on a photo finish is not unanimous as to winner or any placed horse, refer to the Racing Stewards for correction or confirmation and the Racing Steward's decision shall be final unless otherwise determined after inquiry or objection.

### **Displaying the Result of a race**

119 The Local Committee shall determine the manner in which and the time at which the result of the race shall be displayed to the public.

### **Dead-Heats**

- 120 (1) Every horse that dead-heats for a placing shall be deemed to be jointly placed in that position.
- (2) When two horses run a dead-heat for first place all prizes to which the first and second horses would have been entitled shall be divided equally between them.
- (3) Without prejudice to the foregoing, when any number of horses run a dead-heat for any placing, the prize for that placing shall be divided equally between these horses.
- (4) When a dead-heat is run for second place and an objection is made to the winner of the race and sustained, the horses which ran the dead-heat shall be deemed to have run a dead-heat for first place.
- (5) If the dividing owners cannot agree as to which of them is to have a cup or other prize which cannot be divided, the question shall be determined by the Racing Stewards by the drawing of lots. The Racing Stewards shall also decide on the sum of money to be paid by the owner who takes such cup or prize to the other owner or owners.

### **Weighing In**

- 121 (1) The jockeys of the first four placed horses in each race and every jockey in any race if so required by the Stewards must, immediately after pulling up, ride his horse to the place of weighing, and there dismount when ordered by the Secretary or a member of the Local Committee or Clerk of the Scales, and be weighed by the last named. Provided, that if a jockey or Rider be prevented from riding to the place of weighing by reason of accident or illness, by which he or his horse is disabled, he may walk or be carried to the scales or may be exempted from the weigh in by the Stipendiary Stewards.
- (2) If a jockey or Rider cannot draw the weight at which he weighed out the Clerk of the Scales shall allow him half a kilogramme and if he cannot then draw the weight his horse shall be disqualified, and the rider or any other person at fault may be punished. (Amended 17/3/14)



- (3) If a jockey or Rider does not weigh in, the Clerk of Scales shall inform the Stipendiary Stewards and lodge an objection against the horse concerned.
- (4) If a jockey or Rider dismounts before being ordered or touches (except accidentally), any person or thing other than his own equipment before weighing in, his horse may be disqualified for the race and the jockey or Rider, Trainer or Owner may be fined, suspended or disqualified.
- (5) If a jockey or Rider is injured or is too ill to weigh in, his horse shall not be disqualified provided that the jockey or Rider weighed out at not less than his proper weight.
- (6) If a horse is led away before the jockey or Rider has weighed in, no article shall be taken off such horse for the purpose of being weighed with the jockey.
- (7) If a horse carries one kilogramme or more in a flat race over the weight imposed or declared when weighing in, the Rider and any other person at fault may be punished. (Amended 5/9/11)

### **Objections**

- 122 (1) If an objection to a horse engaged in a race be made not later than half past ten on the morning of the day of the race the Stipendiary Stewards may require his qualification to be proved before the race and in default of such proof being given to their satisfaction, they may declare him disqualified for the race.
- (2) Every objection shall be in writing, and must be signed by the Owner of a horse engaged in the race or by his authorised agent, Trainer, jockey, or Rider. (Amended 17/3/14)
- (3) In the event of an objection being deemed by the Stewards to be frivolous, the person making such objection may be fined at a sum not less than \$2,000. (Amended 17/3/14)
- 123 (1) An objection on the grounds of fraudulent misstatement, or fraudulent omission in the entry, or that the horse which ran was not the horse or of the age which it was represented to be, or that the horse or its rider was not qualified under these rules and the conditions of the race, may be received at any time up to and including "settling day".

- (2) No objection on the grounds of misdescription or of error of omission in an entry, save for such an objection on the grounds of fraud under Rule 123(1), shall be received after a race.
- 124
- (1) An objection against a winning or placed horse on the grounds of crossing, jostling, striking, interfering with or hindering any other horse or rider, or any other matter occurring in the race, must be made (as provided for in Rule 122(2)) before the "ALL CLEAR" is declared. (Amended 1/10/07)
  - (2) In any other case, an objection shall be made in writing as aforesaid, before the conclusion of the meeting.
  - (3) An objection may also be made by a Steward in his official capacity. (Amended 17/3/14)
- 125
- (1) If a horse:
    - (a) crosses another horse so as to interfere with that, or any other horse, or
    - (b) jostles, or itself, or its rider, in any way interferes with another horse or its rider, unless such jostling or interference was caused by some other horse or rider, or the horse or rider jostled or interfered with was partly at fault - such horse may be disqualified for the race.
  - (2) If a placed horse or its rider causes interference within the meaning of this Rule to another placed horse, and the Stewards are of the opinion that the horse interfered with would have finished ahead of the first mentioned horse had such interference not occurred, they may place the first mentioned horse immediately after the horse interfered with. For the purpose of this Rule "placed horse" shall be a horse placed by the Judge in accordance with Rule 118(5).

**Racing Stewards may allow Objection to be withdrawn and may determine the allocation of prize money**

- 126
- (1) An objection cannot be withdrawn without the authorisation of the Racing Stewards.

- (2) Pending the determination of any objection, any money or prize which the horse objected to might have won or may win in the race shall be withheld until the objection is determined.
- (3) Until an objection is determined, each horse in respect of which the money or prize is claimed shall be deemed a winner thereof.
- (4) If a horse is not eligible to start, or a jockey to ride in a race the fact that such horse has run, or jockey ridden, in the race, shall not prejudice or affect the right of any owner or jockey to lodge an objection.

### **Prizes and Value of Races**

- 127 All prizes advertised by the Club, or their value, shall be handed over by the Secretary within a month after the races.
- 128 In calculating the advertised value of any race, the value of any cup, plate or other prize, other than money shall not be included, nor in cases coming under Rule 127 shall anything more than the amount payable under that rule be deemed to be the advertised value.
- 129 No deduction from the advertised value, or the amount payable under Rule 127 shall be allowed for entrance or any other fees or expenses incurred in connection with such race.
- 130 Winnings during the year commencing on the 1st of February shall include all prizes from that date to the time appointed for the start of the following year, and shall apply to all recognised races in any country, and winning shall include monies received by default.
- 131 If any of the Associated Club shall fail to pay all the advertised prizes such Club shall, until payment in full be made, be prohibited by notification from the Secretary of the Association from holding any further meeting under these rules.
- 132 Should the starters for a race be the property of not more than two owners, the winning and placed horses shall receive sixty-six per cent of the advertised prize money, should there be only one starter, or should the starters for a race be the property of one owner only, the winning and placed horses shall receive thirty-three per cent of the advertised prize money. Should the Handicapper, however, in a divided race place only two horses in one division, the stakes for such race shall not thereby be subject to any deduction.

**PART X**

**CORRUPT PRACTICES, PROHIBITED SUBSTANCES  
AND DISQUALIFICATIONS**

**Corrupt Practices**

- 133 (1) Any person within the jurisdiction of the Association or in any other country who:
- (a) corruptly gives or offers or promises directly or indirectly, any money present or wager in any form to any person having official duties in relation to a race or race horse, or to any trainer, jockey, rider, or agent, or to any other person having charge of or access to any race horse, or
  - (b)
    - (i) having official duties in relation to a race, or
    - (ii) being a trainer, jockey, rider, agent, or other person having charge of or access to any race horse,corruptly accepts or offers to accept any bribe in any form or communicates directly or indirectly with any person for any material reward, gift, favour or benefit in kind, stable information about a horse which is not publicly available and without the authorisation of the owner or owner's representative; or
  - (c) wilfully enters or causes to be entered or to start, for any race, a horse which he knows or believes to be disqualified; or
  - (d) is proved to the satisfaction of the Local Committee or Stewards to have surreptitiously obtained information regarding a race trial from any person or persons engaged in it, or in the service of the owner or trainer of any of the horses participating in a race trial, or respecting any horse in training from any person in such service; or
  - (e) (other than the Veterinary Surgeon) shall administer or cause to be administered to a horse which has been entered for a race any prohibited substance, internally or by hypodermic or other methods; or

- (f) gives or causes to be given to a horse which has been entered for a race an excessive amount of fluid, or any other substance whether it be a prohibited substance or not, by nasogastric administration or by other means which in the opinion of the Stewards is markedly abnormal and not explainable by natural process; or
- (g) wilfully or negligently, attempts to or physically tampers with, abuses or neglects any horse at any time; or
- (h) drenches a horse at any time on the day of the Race Meeting at which the horse is due to run in a race.
- (i) in any manner, prevents a horse from winning a race or being placed in a race or from running in accordance with these Rules.
- (j) does anything or fails to do anything which may have the effect of preventing a horse winning in a race or obtaining the best possible placing in a race or from running in accordance with these Rules.
- (k) does anything or fails to do anything which may render a horse a danger or source of danger or interference to other horses or to persons taking part in any race or to other persons or individuals present at a racecourse.
- (l) is guilty of, or conspires with any other person for the commission of, or connives with any other person being guilty of, or has been declared guilty of, any corrupt or fraudulent practice or malpractice in relation to racing in this or any other country;
- (m) Whilst on any racecourse property or in any motor vehicle or horse float or other mode of transport being used for the purpose of conveying a horse or horses to or from a race meeting, has in his possession (Amended 1/12/10):
  - (i) any receptacle or instrument that could be used in the collection of biological samples and not supplied by the Veterinary Surgeon or by his written authority, or (Amended 1/12/10)

- (ii) any prohibited substance, or medication and/or any receptacle or instrument that may have contained a prohibited substance or medication not supplied by the Veterinary Surgeon or by his written authority, or (Amended 1/12/10)
- (iii) any instrument that could be used to treat or administer a prohibited substance or medication to a horse or to produce a prohibited substance in a horse, or (1/12/10)
- (iv) any electric or electronic apparatus or any improper contrivance capable of affecting the performance of a horse in a race, official trial or training gallop. For the purposes of this provision where an electric or electronic apparatus has been designed to deliver an electric shock it is deemed to be capable of affecting the performance of a horse in a race, official trial or training. (1/12/10)

Shall have committed a breach of these Rules and may be punished. Such punishment, if imposed, shall take effect from the date of the offence or from such other date as the Local Committee or Stewards may determine.

#### **Testing for the presence of Prohibited Substances in horses presented to race**

- 134 (1) Horses participating in a race are required to undergo a veterinary examination before the race and, at the directions of the Stewards, may be required to undergo a post-race veterinary examination. Horses shall also provide samples for the purposes of testing for the presence of Prohibited Substances. (Amended 1/10/07)
- (2) Horses shall provide samples in the following manner: (Amended 1/10/07)
- (a) A horse shall be presented to the pre-race sample collection personnel for the purpose of providing one or more pre-race sample(s) at or before the cut-off time notified by the Local Committee for such pre-race sample collection. A horse shall not be permitted to start in a race if: (Amended 1/10/07)
    - (i) it is not presented for pre-race sample collection before the designated sample collection cut-off time or; (Amended 1/10/07)

- (ii) the pre-race personnel are unable to collect a sample because the horse is unmanageable and/ or fractious. (Amended 1/10/07)
  - (b) After the race, the winning horse, placed horses and any horse, which is required by the Stewards to do so, shall be presented to the post-race sample collection personnel for the collection of the post-race sample(s). (Amended 1/10/07)
- (3) A horse shall be deemed to have failed a pre-race or post-race screening test if any analysis of the horse's sample shows: (Amended 1/10/07)
- (a) the presence, in a sample of its tissues, body fluids, blood or excreta, any substance which is a Prohibited Substance; (Amended 1/10/07)
  - (b) the presence of an excessive amount of fluid, or any other substance whether it be a Prohibited Substance or not, which in the opinion of the Stipendiary Stewards, acting on the advice of Veterinary Surgeon, is markedly abnormal and not explained by normal physiological processes; and/ or (Amended 1/10/07)
  - (c) the presence of any foreign substance that while not confirmed as being a Prohibited Substance, is not an endogenous substance. (1/10/07)

PROVIDED THAT no horse shall be deemed to have failed a post-race screening test if the sole reason for such failure is as the direct result of any treatment, given (after a race) to a horse that is in distress and/or which requires urgent veterinary assistance, by the Veterinary Surgeon on the authorisation of Stipendiary Stewards. (Amended 1/10/07)

"Foreign substance" shall mean any substance that is not a normal physiological component of the blood, urine or other bodily substance of a horse. (Amended 1/10/07)

- (4) Horses which fail the pre-race screening test and/or veterinary examination shall not be allowed to start. (Amended 1/10/07)
- (5) Horses which fail the post-race veterinary examination may be issued a test card by the Stipendiary Stewards. (Amended 1/10/07)

- (6) The Trainer, of any horse which has been accepted to run in a race, or taken part in any race and: (Amended 1/10/07)
  - (a) has failed the pre-race and/or post-race screening test, shall have committed a breach under these Rules; or (Amended 1/10/07)
  - (b) has failed the pre-race or post-race veterinary examination, shall be subject to an inquiry under these Rules if the Stipendiary Stewards, acting on the advice of the Veterinary Surgeon, so directs. (Amended 1/10/07)
- (7) The Stewards shall conduct an inquiry into the breach and shall, based on the evidence adduced at such inquiry, reprimand, fine, suspend or disqualify the Trainer. (Amended 1/10/07)
- (8) The Stewards may also disqualify the horse for such period of time as they shall deem fit. (Amended 1/10/07)
- (9) Any person who in the opinion of the Stewards has been a party to the offence may be fined, suspended or disqualified or warned off the Course. (Amended 1/10/07)
- (10) Where appropriate the President and Chief Executive/General Manager or Secretary of the Club holding the race meeting may make a report to the Police regarding the offence. (Amended 1/10/07)
- (11) Subject to the proviso of Rule 134(3), should an analysis of a specimen taken from a horse that ran in a race disclose the presence of a Prohibited Substance or foreign substance as defined under Rule 134(3)(c), the horse shall automatically be disqualified in respect of that race. (Amended 1/10/07)
- (12) Any horse that fails its pre-race and/or post-race screening test conducted by the MRA Laboratory and/or veterinary examination shall be barred from **being entered in any race until clearance is given by the Stipendiary Stewards after a subsequent "Clearing Sample" has been officially provided, analyzed and found to be free of any Prohibited Substance.** (Amended 16/11/18)
- (13) For the avoidance of doubt, this Rule imposes, on the basis that he is deemed to be in custody of the horse in question, an absolute liability on the Trainer to ensure that the Rules relating to Prohibited Substances are observed by all persons whether in any way connected with the Trainer or not. This Rule imposes mandatory punishment on the simple basis of a horse providing a sample that fails the pre-race and/or the post-race screening testing conducted by the MRA Laboratory under these Rules. (1/10/07)



**The detection of Prohibited Substances in horses other than when presented to race**

- 135 (1) Without prejudice to Rule 134, any registered horse stabled in the premises of an Associated Club may, at any time at the absolute discretion of the Stewards, be required to undergo a veterinary examination and/or to provide sample(s) which will be tested for the presence of Prohibited and/or Specified Substance(s) by the MRA Laboratory. (Amended 15/6/13)
- (2) Horses participating in an official trial (or test), at the directions of the Stewards, may be required to undergo a pre-trial (or pre-test) and/or post-trial (or post-test) veterinary examination. (Amended 1/10/07)
- (3) After the official trial or test, any horse, which is required by the Stewards to do so, shall be presented to the sample collection personnel for the collection of one or more sample(s) as may be directed by the Stewards. (Amended 1/10/07)
- (4) Any horse which has provided a sample that has been the subject of analytical screening by the MRA Laboratory, under this Rule, for the detection of Prohibited and/or Specified Substance(s) shall be deemed to have failed such screening test if any analysis of the horse's sample shows the presence, in a sample of its tissues, body fluids, blood or excreta, any substance which is a Specified Substance. (Amended 15/6/13)
- (5) Horses which fail the screening test and/or veterinary examination shall not be allowed to take part in the trial or test and/or shall be deemed to have failed such trial or test. (Amended 1/10/07)
- (5A) Any horse whose sample fails either a pre or post trial/test by revealing the presence of a Prohibited Substance, shall automatically be barred from being entered in any trial/test until a subsequent "Clearing Sample" has been officially provided, analyzed and found to be free of any Prohibited Substance. (Amended 16/11/18)**
- (6) Where any horse has provided a sample that has been the subject of analytical screening by the MRA Laboratory, for the detection of Prohibited and/or Specified Substance(s) and/or has been subject to a veterinary examination, under this Rule, and has failed such screening and/or examination, the Trainer may have committed a breach under these Rules. (Amended 15/6/13)
- (7) The Stewards shall conduct an inquiry into the breach and may, based on the evidence adduced at such inquiry, reprimand, fine, suspend, or disqualify the Trainer. (Amended 1/10/07)

- (8) The Stewards may also disqualify the horse for such period of time as they shall deem fit. (Amended 1/10/07)
- (9) Any person who in the opinion of the Stewards has been a party to an offence by a Trainer under these Rules may be fined, suspended or disqualified or warned off the Course as may be appropriate in the considered opinion of the Stewards. (Amended 15/6/13)
- (10) Where it is considered to be appropriate, the President and Chief Executive/ General Manager or Secretary of the Club holding the race meeting may make a report to the Police regarding the offence. (1/10/07)
- (11) For the purpose of this Rule, the Trainer is deemed to be in control of the horse in question and is under the duty to ensure that the Rules relating to Prohibited and/or Specified Substance(s) are observed by all persons whether in any way connected with the Trainer or not. (Amended 15/6/13)
- (12) The Association and the Committees of the Associated Clubs through their authorised officials shall have power to enter and search any premises owned, used, or controlled by any of the Associated Clubs including its race course stables and any vehicle found in such premises, and to take such action as is deemed appropriate for any offence detected under these Rules. Trainers shall provide access for such search and in other respects provide all possible assistance to facilitate the search. (Amended 15/6/13)

### **Testing of Riders and Other Persons for Prohibited Substances**

- 136 (1) In this Rule, the following expressions shall bear the meanings ascribed to each expression below:
- (a) "Rider" shall include any Rider who presents himself to fulfil a riding engagement in a race or a trial or riding track work.
  - (b) "Other Person" shall mean any licensed person or holders of MRA Passes

- (c) "Prohibited Substances" shall, in respect of Riders, include substances which fall into the Classes of Prohibited Substances for Riders or which are included in the List of Prohibited Substances listed from time to time in the Regulations. "Prohibited Substances" shall, in respect of Other Persons, include alcohol, intoxicating substance, any dangerous, prohibited or controlled drug as defined in any written law relating to the misuse or control of drugs, and any other substances which may in the opinion of the Stewards bring the name of horse racing into disrepute.
  - (d) "Testing Procedures" shall include the Procedures for Testing Riders for Prohibited Substances, as stipulated by the Association and set out from time to time in the Regulations.
- (2) Any Rider or Other Persons shall at any time, if required by the Stewards, submit himself to a medical examination. Such medical examination may include the taking of a breathalyser test and the supply of such samples of urine, blood or other bodily fluid as the Club Medical Practitioner may require. Such a Rider or Other Person shall comply with the Testing Procedures. A departure from the procedures set out in such Testing Procedures shall not invalidate the results of an analysis of any sample unless it casts reasonable doubt on the reliability of the findings or the identity of the provider of the sample.
- (3) Any Rider
- (a) who fails the breathalyser test; or
  - (b) whose sample(s), upon analysis, is found to contain any of the Prohibited Substances; or
  - (c) who refuses or fails to take a breathalyser test or to deliver a sample, whether of urine or otherwise, when requested by the Stipendiary Stewards; or
  - (d) who refuses or fails to comply with any step or measure required by the Testing Procedure or as may be directed by the Stipendiary Stewards or the Club Medical Practitioner

shall be stood down from riding races on that day and shall be suspended from riding races or riding trackwork, barrier trials and tests thereafter pending an inquiry being conducted **and until such a time that a subsequent "Clearing Sample" has been officially provided, analysed and found to be free of any Prohibited Substance.** He shall have committed an offence under these Rules and shall be liable, after due inquiry, to be fined, suspended and/or disqualified. **(Amended 16/11/18)**

- (4) Any Other Person
- (a) who fails the breathalyser test; or
  - (b) whose sample(s), upon analysis, is found to contain any of the Prohibited Substances; or
  - (c) who refuses or fails to take a breathalyser test or to deliver a sample, whether of urine or otherwise, when requested by the Stipendiary Stewards; or
  - (d) who refuses or fails to comply with any step or measure required by the Testing Procedure or as may be directed by the Stipendiary Stewards or the Club Medical Practitioner

may be suspended from further performing any of his duties pending inquiry. He shall have committed an offence under these Rules and shall be liable, after due inquiry, to be fined, suspended and/or disqualified.

- (5) (a) Any Rider or Other Person under a course of medical treatment prescribed or administered by a medical practitioner requiring the injection, consumption, inhalation, insertion or application of a pharmacological agent in normal or recommended quantities entirely for recognised medical purposes other than the treatment of drug addiction or dependency shall, prior to accepting a ride in any race, trial or riding trackwork, make full disclosure to the Stipendiary Stewards of such prescription or administering of any pharmacological agent together with the details of such medical purposes and of such prescription or administering. The same duty of disclosure shall apply where such pharmacological agent is obtained from any pharmacy and used as "self-prescribed" medication".
- (b) Should a Rider be given any prescription from a medical practitioner after he has been declared to ride in a race he shall notify the Stipendiary Stewards of this fact prior to riding in any race.

- (c) If such Rider or Other Person fails to make such full disclosure, the fact that any pharmacological agent is prescribed or administered by a medical practitioner shall not absolve such Rider from liability under this Rule if he is found to have committed such an offence.
  - (d) The Stewards may request that the medical practitioner issue a written clearance confirming the facts disclosed, the medical purposes for which any pharmacological agent was prescribed or administered, and the dosage prescribed or advised.
- (6) Any person who has connived in or abetted the contravention of this Rule shall have committed an offence and may be fined, suspended and/or disqualified.

### **Referee Samples**

- 137 (1) A Trainer notified of the detection of the presence of a Prohibited Substance in a sample collected under Rules 134 and/or 135 and/or 136 or notified of the recovery of a prohibited substance under Rule 133(1)(m) may request, in writing to the Secretary of the Association, for the Referee Sample and, in the case of a urine sample, the associated Control Sample, to be sent to one of the MRA Approved Referee Laboratories for analysis subject to the provisions contained in the Regulations. Provided that: (Amended 1/12/10)
- (a) If a Trainer has a preference for the MRA Approved Referee Laboratory to undertake the Referee Analysis, he must notify the Secretary of the Association of this in writing. This is to be done by ranking all MRA Approved Referee Laboratories in descending order of preference. Where a Trainer requests a Referee Analysis under this Rule, but fails to provide his order of preference in respect of the MRA Approved Referee Laboratories, he shall be deemed to have waived his right in this respect and the nomination of the MRA Approved Referee Laboratory in the particular case shall be at the absolute discretion of the Secretary of the Association. (Amended 1/7/08)
  - (b) On receiving the written request for a Referee Analysis, the Secretary of the Association shall contact the Referee Laboratories and request written confirmation that they are both able and willing to conduct the Referee Analysis for the Prohibited Substance(s) and/or its artefact(s) and/or its metabolite(s) reported on the MRA Laboratory certificate. (Amended 1/7/08)

- (c) Where the Trainer has indicated his preference(s) for Referee Laboratory, the Referee Sample, and, in the case of a urine sample, the associated Control Sample, shall be dispatched by the relevant Associated Club to the Referee Laboratory that was ranked highest in the order of the Trainer's preference and which has notified the Secretary of the Association that the Laboratory is both able and willing to conduct the Referee Analysis for the Prohibited Substance(s) and or its artefact(s) and or its metabolite(s) reported on the MRA Laboratory certificate in compliance with the request of the Secretary of the Association. (Amended 1/7/08)
  - (d) Where the Trainer has not indicated any preference for any Referee Laboratory, the Referee Sample and, in the case of a urine sample, the associated Control Sample shall be dispatched by the relevant Associated Club to a Referee Laboratory nominated by the Secretary of the Association and which has notified the Secretary of the Association that it is both able and willing to conduct the Referee Analysis for the Prohibited Substance(s) and or its artefact(s) and or its metabolite(s) reported on the MRA Laboratory certificate in compliance with the request of the Secretary of the Association. (Amended 1/7/08)
- (2) A Rider or Other Person notified of the detection of the presence of a Prohibited Substance in a sample he has provided may request, in writing to the Secretary of the Association for the Referee Sample and, in the case of a urine sample, the associated Control Sample, to be sent to one of the Association's approved referee laboratories for analysis subject to the provisions contained in the Regulations. (Amended 1/7/08)

### **Disqualifications**

- 138 (1) If a person be disqualified anywhere for any fraudulent practice in relation to a particular horse belonging to him, such horse may be disqualified for all races, and such person may be required to forfeit or return all money or prizes which such horse has won in any race after it has been disqualified. (Amended 13/11/15)

- (2) If it be proved to the satisfaction of the Local Committee or Stewards that any person is a defaulter in stakes, fines, fees, forfeits or penalties imposed by any Club or the Association, such person may be disqualified.
- (3) Any person who is found guilty of fraudulent practice regarding Rules and Regulations on weights and weighing, shall be disqualified for a term of not less than 5 years. Fraudulent practice shall include but not be limited to acts done with a dishonest intention.
- (4) Any person found guilty of having abetted any of the above offences may be punished as if he were the principal offender.
- (5) This Rule does not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/7/11)

## **PART XI**

### **APPEALS**

#### **No Appeal against certain decisions**

- 139 (1) Notwithstanding any provision contained in these Rules, no appeal shall lie against:
- (a) any decision declared to be final under these Rules; or
  - (b) any decision of the Racing Stewards in connection with the result of an Objection after the running of a race; or
  - (c) any decision of the Committee or Local Committee in connection with the conduct of a race meeting or race; or
  - (d) any decision of the Committee, Local Committee or Stewards to disqualify any horse found to be in contravention of these Rules; or
  - (e) any decision of the Racing Stewards to disqualify a horse under the provisions of these Rules ; or

- (f) any Admission of Guilt , in respect of any infringement of any Rule and/or Regulation which is punishable by a maximum fine not exceeding S\$/RM1,000; or
- (g) any decision in terms of the Regulations governing the 'demerit points system'.

### **Appeal to the Committee against the decision of the Racing Stewards**

140 Unless otherwise provided by these Rules, there shall be a right of appeal to the Committee against a decision of the Racing Stewards hearing a case at first instance, and if there is any appeal, the Racing Stewards may, in their absolute discretion, stay any penalty and/or any other sanction imposed until after the hearing of the appeal.

### **Quorum for the Committee hearing an Appeal**

141 The quorum for the Committee hearing an appeal against the Racing Stewards decision shall be not less than four (4) and the panel shall appoint one of its members to be the Chairman of the panel. The decision at an appeal shall be that of the majority and all members of the panel shall have one vote each, except that in the event of a tie the Chairman shall have a casting vote.

### **Giving Notice of Appeal to the Committee**

- 142 (1) A party who wishes to appeal shall lodge a Notice of Appeal to the Committee together with a deposit of S\$4,000/RM10,000, or other sum which may from time to time be notified by the Club, with the General Manager/Secretary of the Club holding the race meeting within forty-eight hours of the findings of the Racing Stewards being notified to the person or persons concerned. (Amended 24/6/16)
- (2) The appellant shall lodge in writing his Grounds of Appeal within fourteen days, Sundays and public holidays excepted, from the date on which he is notified that the Notes of Evidence of the case are available.
- (3) The Notes of Evidence shall be provided upon payment of a fee, the amount of which shall be notified by the Association. The fee shall be paid to the Club providing the Notes of Evidence and is not refundable.
- (4) In the event of the appeal being withdrawn or disallowed, the Committee may order all, or part, of the deposit to be forfeited.



## **Appeal to the Racing Stewards against the decision of the Stipendiary Stewards**

143 A decision of the Stipendiary Stewards panel shall be subject to appeal to the Racing Stewards.

### **Panel of Racing Stewards hearing an Appeal**

- 144 (1) The quorum for the panel of Racing Stewards hearing an appeal, shall be not less than three (3) members of whom, at least one (1) must be a Professional Steward. The Chairman of the panel of Racing Stewards shall be selected by the Local Committee. The decision shall be that of the majority and all members shall have one vote each, except that in the event of a tie the Chairman of the panel shall have a casting vote. A decision reached by majority shall be the decision of the Racing Stewards and shall be announced as such and no reference shall be made then or subsequently to any minority or dissenting view. (Amended 18/4/11)
- (2) In the event that any one or more of the Racing Stewards or Professional Steward are unable to attend the hearing of an appeal or disqualify themselves for any reason whatsoever, or in the event a Professional Steward has yet to be appointed, the vacancy shall be filled by an appointment made by the Local Committee. (Amended 18/4/11)
- (3) Any member of the Panel who is absent from any part of the appeal hearing shall not take any further part in the appeal. The absence of any member of the Panel, at any stage of the appeal, for any reason whatsoever, shall not invalidate the proceedings nor the decisions of the panel, provided always that the remaining members of the panel otherwise constitute a quorum pursuant to Rule 144(1). In the event the remaining members of the panel do not constitute a quorum the remaining members shall grant to the person or persons appearing before the panel the choice of either continuing with the appeal with the remaining members of the panel or having the appeal heard de novo by a reconstituted panel. (18/4/11)

### **Giving Notice of Appeal to the Racing Stewards**

145 (1) Any person who wishes to appeal against the decision of the Stipendiary Stewards:

- (a) Shall, within twenty four (24) hours of the findings of the Stipendiary Stewards being communicated to such person, lodge with the President and Chief Executive/General Manager or Secretary of the Associated Club at which the offence was alleged to have been committed, a Notice of Appeal accompanied by a deposit of S\$1,000/RM2,500. (Amended 24/6/16)
- (b) Shall lodge in writing his Grounds of Appeal within fourteen (14) days, excluding Sundays and public holidays, from the date on which he is notified that the Notes of Evidence and/or Proceedings of the case are available. (Amended 1/10/07)

Provided that where the decision appealed against relates to careless riding under Rule 44(9)(a)(ii), Notes of Evidence and/or Proceedings of the case shall not be provided and any such person appealing against the said decision shall lodge in writing his Grounds of Appeal at the time of lodging his Notice of Appeal. (Amended 2/4/12)

- (2) Subject to Rule 145(1), if required by such person, the Notes of Evidence and/or Proceedings shall be applied for at the time of filing the Notice of Appeal and shall be provided upon payment of a fee, which shall be notified by the Association. The fee shall be paid to the club providing the Notes of Evidence and/or Proceedings and is not refundable. (Amended 2/4/12)
- (3) The Grounds of Appeal shall consist of sequentially numbered paragraphs with cross-references to the Notes of Evidence of the case, where available, and shall state succinctly (Amended 2/4/12):
  - the circumstances out of which the appeal arises;
  - the issues arising in the appeal; and
  - the contentions or arguments that are proposed to be put forward by the party filing it and the reasons for those contentions or arguments.
- (4) The Racing Stewards hearing the appeal may, if they deem fit, require the person who has lodged his Grounds of Appeal to:
  - submit written clarification on any matter on which the Racing Stewards require clarification at any time; and/or
  - provide oral clarification on any matter on which the Racing Stewards require clarification at the hearing of the appeal.

- (5) Should a Notice of Appeal or Grounds of Appeal not be lodged within the prescribed time periods, the right of appeal or the appeal, as the case may be, shall lapse provided that the Racing Stewards may, upon written application to them, in their absolute discretion and on such terms and conditions as they may determine, allow the late lodgement of a Notice of Appeal or Grounds of Appeal.
- (6) Any person who has filed a Notice of Appeal or who gives an undertaking to file a Notice of Appeal within the timeframe stipulated under these Rules against a decision of the Stipendiary Stewards may apply for a postponement/stay of operation of any penalty imposed, pending the hearing of the appeal.
- (7) The Panel of Stipendiary Stewards shall have the power, at their absolute discretion, to grant or to refuse to grant such a stay.
- (8) Unless such a stay is granted, an appeal shall not, of its own, operate as a stay of operation of any penalty imposed.

### **Conduct of Appeal Hearings**

- 146 (1) The Committee or the Racing Stewards, as the case may be, hearing an appeal (hereinafter referred to as the “appellate body”) may conduct the hearing, and/or may adjourn the hearing of appeals on such terms and conditions as it deems fit.
- (2) The appellate body may, if it deems fit, adjourn the hearing to consider the evidence and the arguments of the parties, and give its decision at a later date.

### **Parties entitled to legal representation**

- 147 A party to an appeal shall be entitled to legal representation at his own cost.

### **Appeals to be by way of a rehearing**

- 148 Save with leave of the appellate body (Amended 2/4/12): -

- (a) All appeals shall be heard by way of a rehearing. (Amended 2/4/12)

- (b) The parties to an appeal shall be bound by and confined to the notes of the proceedings, where available, recorded before the panel of Stipendiary Stewards who dealt with the matter which is the subject of the appeal. (Amended 2/4/12)
- (c) The parties to an appeal shall not be entitled to introduce new evidence. (Amended 2/4/12)
- (d) The appellant shall not raise a ground of appeal not set out in the Notice of Appeal. (Amended 2/4/12)

### **Powers of the Appellate Body**

- 149 (1) The appellate body hearing an appeal shall have the following powers:
- (a) to allow the appeal;
  - (b) to dismiss the appeal;
  - (c) to make any ruling, or substitute any finding or decision as it deems fit, including enhancing the penalty imposed by the Stipendiary Stewards;
  - (d) to make such order as, in its opinion the circumstances of the case may require including any order to remit the matter for the receiving of further evidence or an order for the hearing of the inquiry de novo;
  - (e) to hear further evidence or receive any documents on such terms and conditions as it in its discretion may decide;
  - (f) to substitute a lesser charge or charges for the existing charge, provided that the appellant is read the new charge and be allowed to plead to the new charge, and adjudicate on such new charge;
  - (g) in the event of the appeal being dismissed, the Racing Stewards may make such orders it deems appropriate with regard to the appeal including, (Amended 1/12/10)
    - (i) to order the appellant to pay all or a portion of the actual costs and expenses incurred by the Association in connection with the appeal, in addition to any other penalty and/or (1/12/10)

- (ii) to order all, or part, of the deposit to be forfeited. (1/12/10)
- (h) to allow an appeal to be withdrawn on receiving a written request from the appellant. (Amended 1/12/10)
- (i) in the event of the appeal being allowed or withdrawn, the Racing Stewards may make such orders it deems appropriate with regard to the appeal including, (1/12/10)
  - (i) to order the appellant to pay all or a portion of the actual costs and expenses incurred by the Association in connection with the appeal and/or (1/12/10)
  - (ii) to order all, or part, of the deposit to be refunded. (1/12/10)

### **Appellant not appearing at the Hearing**

- 150 Any party to an appeal shall be entitled to be present at the hearing of the appeal. If however the appellant fails to appear at the hearing of the appeal, the Committee or the Racing Stewards, as the case may be, may proceed with or dismiss or adjourn the matter and make such orders it deems appropriate with regard to the appeal.
- 151 (Deleted 1/12/10)

## **PART XII**

### **MISCELLANEOUS**

#### **Prejudicial Conduct**

- 152 (1) No person shall aid, abet or instigate the commission of any breach or contravention of the Rules and/or Regulations. Any person found to have aided or abetted the commission of any breach or contravention of the Rules and/or Regulations shall be in breach of these Rules and shall be liable to be punished hereunder.

- (2) Any person found to have attempted to commit any breach or contravention of the Rules and/or Regulations shall be penalised.
- (3) No person shall act in a manner which in the opinion of the Committee or the Local Committee or the Stewards is or may be prejudicial to the integrity, proper conduct or good reputation of:
  - (a) horse racing in Singapore and/or Malaysia;
  - (b) the Association, the Committee or any of the Local Committees;  
or
  - (c) any of the officials or the members of the Association, the Committee or the Local Committees,

whether or not such conduct shall constitute a breach of any other rule.

- (4) No person shall direct, instruct, mislead, intimidate, threaten or interfere with any official employed or appointed by the Association or Local Committee in the performance of his professional duties or responsibilities. Nothing in this rule shall be construed as preventing the Stewards from performing or discharging their professional duties or responsibilities provided for under these rules.
- (5) Any person licensed or registered by the Association may be disqualified, suspended, fined and/or warned: (1/5/07)
  - (a) If he shall be guilty of negligence or any act of misconduct whether on a racecourse or elsewhere. (1/5/07)
  - (b) If he shall disobey the orders of the Stewards or those they appoint. (1/5/07)
  - (c) If he shall give false or misleading evidence at an inquiry. (1/7/08)
  - (d) If he shall provide any false, misleading or incorrect information to the Association or if he makes a false or fraudulent declaration to the Association. Where such false, misleading, incorrect or fraudulent information is provided or declaration is made in an application for a licence or registration under these Rules, the Association may revoke that licence or registration from such time and for such period as it deems fit. (Amended 13/11/15)

## Reciprocation of Penalties

- 152A (1) Subject to sub-Rule (2) of this rule, upon the Association and/or any of the Associated Clubs receiving Notice from any recognized Overseas Racing Authority of the imposition, by that Overseas Racing Authority, of a suspension or disqualification upon a person, that person shall be treated as a suspended person or disqualified person for the purposes of these Rules. (Amended 26/11/14)
- (2) Where that person has appealed under the Rules of Racing of the Overseas Racing Authority against the suspension or disqualification and has applied to the Association under sub-Rule (6) for a declaration that the suspension or disqualification shall not have effect under these Rules, the suspension or disqualification may be deferred under sub-Rule (18) of this rules. (Amended 26/11/14)
- (3) Upon the Association receiving Notice from any Overseas Racing Authority of the imposition, by that Overseas Racing Authority, of a suspension, disqualification, or other penalty upon a person licensed by the Association or the Associated Clubs, the Committee shall proceed in accordance with this Rule. (Amended 26/11/14)
- (4) In the event the Notice is received by any of the Associated Clubs, the Associated Club or Clubs shall cause a copy of the Notice to be forwarded to the Association immediately. (Amended 26/11/14)
- (5) As soon as is practicable after receiving a Notice from an Overseas Racing Authority or after receiving a Notice pursuant to sub-Rule (4), the Committee shall: (Amended 26/11/14)
- (a) cause a copy of the Notice to be served upon the person named therein; and (Amended 26/11/14)
- (b) refer the provisions of this Rule to that person. (Amended 26/11/14)
- (6) An application to the Committee for a declaration that the suspension or disqualification shall not have effect under these rules may be made by the person suspended or disqualified provided: (Amended 26/11/14)
- (a) that he has appealed against the suspension or disqualification under the Rules of the Overseas Racing Authority; and (Amended 26/11/14)

- (b) that he particularises reasons why he believes the penalty does not comply with the laws of natural justice and/or such other grounds. (Amended 26/11/14)
- (7) Any application made under sub-Rule (6) shall be made within a period of seven (7) days from the date of service of a copy of the Notice under sub-rule (5). The application shall: (Amended 26/11/14)
- (a) be accompanied with a deposit of S\$2,000/RM5,000 or other sum which may from time to time be notified by the Committee; (Amended 24/6/16)
  - (b) be accompanied by a statement of the applicant confirming that the applicant has appealed against the suspension or disqualification for which provision is made under the rules of the Overseas Racing Authority under which the penalty set out in the Notice was imposed; (Amended 26/11/14)
  - (c) be accompanied by a statement of the applicant confirming that the applicant has applied for the notes of proceedings and judgment of the Overseas Racing Authority and where there has been an appeal by the applicant from the decision of the Overseas Racing Authority to an appeal panel of the Overseas Racing Authority that he has applied for the notes of proceedings and judgment of the appeal panel; (Amended 26/11/14)
  - (d) provide particulars of why the applicant believes that the penalty does not comply with the laws of natural justice and such other ground(s) upon which the application is made; and (Amended 26/11/14)
  - (e) set out the terms of any declaration(s) sought. (Amended 26/11/14)
- (8) Upon receipt of an application pursuant to sub-Rule (6), the Committee as soon as is practicable shall appoint a Panel of Racing Stewards to hear and determine any application made under this Rule. (Amended 26/11/14)



- (9) The Panel of Racing Stewards to hear applications under this Rule shall be called "The Reciprocation of Penalties Panel (Panel)". The Panel shall consist of members appointed by the Associated Clubs or their appointed alternatives. There shall be four (4) members appointed, one each by the Local Committees of the Associated Clubs. The members appointed by the respective Local Committees shall be either from amongst the members of the respective Local Committees or a Steward who is appointed by the respective Local Committees pursuant to the Rules of Racing of the Association, including a Senior Racing Steward and/or a Racing Steward. (Amended 26/11/14)
- (10) At all hearings of the Panel, (Amended 26/11/14)
  - (a) the Panel shall by unanimous vote appoint one of its members to be the Chairman of the Panel or (Amended 26/11/14)
  - (b) in the event the Panel is unable to agree unanimously on the Chairman of the Panel, the appointment of the Chairman shall be made by the Committee. (Amended 26/11/14)
- (11) The quorum for the Panel hearing an application pursuant to sub-Rule (6) shall not be less than three members. The decision shall be that of the majority and all members shall have one vote each, except that in the event of a tie, the Chairman of the Panel shall have a casting vote. In the event that any member shall not be able to vote in respect of any matter and the remaining members shall fall below the said quorum, the remaining members shall co-opt the alternate member of the absent member or any other Racing Steward or Professional Steward into the panel. (Amended 26/11/14)
- (12) At the hearing of an application made pursuant to sub-Rule (6), the Panel may, on the application of the applicant and, notwithstanding the provisions of sub-Rule (7), waive compliance with all or any of the provisions of that sub-rule if it considers it appropriate to do so. (Amended 26/11/14)
- (13) The applicant may with the leave of the Panel be represented by legal counsel, give oral evidence, adduce other oral or written evidence and make oral or written submissions in support of the application. (Amended 26/11/14)

- (14) At the conclusion of the hearing of an application made pursuant to sub-Rule (6), the Panel shall if satisfied that the penalty imposed by the Overseas Racing Authority does not comply with the laws of natural justice and/or such other ground(s) upon which the application is made, order that the application be granted and make the declaration(s) sought, otherwise order that the application be dismissed. (Amended 26/11/14)
- (15) There shall be no right of appeal against the decision of the Panel, which shall be final. (Amended 26/11/14)
- (16) For the purposes of sub-Rule (6), the onus of establishing that the penalty imposed by the Overseas Racing Authority does not comply with the laws of natural justice and/or such other the ground(s) upon which the application is made shall be upon the applicant. (26/11/14)
- (17) Upon the making of any order(s) or declarations(s) pursuant to sub-Rule (14), the panel to whom the application was made shall inform the Associated Clubs of the terms of such order(s) or declaration(s). The Associated Clubs shall thereupon apply the order(s) or declarations(s) in the terms set out therein. (26/11/14)
- (18) Where a person upon whom a suspension or disqualification has been imposed by a recognised Overseas Racing Authority has made an application for a declaration under sub-Rule (6) of this rule, the Panel has the power to defer the suspension or disqualification under these rules pending their decision on the application or such further time as it deems fit. (26/11/14)
- (19) In the event that the Association does not reciprocate a penalty imposed by the Overseas Racing Authority, it shall, without delay, inform that horseracing authority of its decision. (26/11/14)
- (20) In the absence of any application being made under sub-Rule (6), the Association and the Associated Clubs shall apply the penalty set out in the Notice. (26/11/14)
- (21) Without prejudice to the generality of this Rule, the Panel at the hearing of any application under this Rule may exercise all or any of the powers conferred on them under the Rules of Racing. (26/11/14)

### Failure to attend an Inquiry, Appeal or other Hearing

- 153 (1) Where, at any inquiry or review or the hearing of an appeal before the Stewards, Local Committee or any other committee or body convened under these Rules, any person who has been called upon to answer any charge or allegation that he has contravened or failed to comply with any of the provisions of these Rules or any Regulations:
- (a) fails or refuses to attend or does not appear, the Stewards, Local Committee, or any other committee or body hearing the matter may proceed in his absence, if they are satisfied that notice of the inquiry or review or the hearing of the appeal has been duly served; or
  - (b) absents himself from the inquiry or review or appeal without the written permission of the Stewards, Local Committee, Committee or other committee or body holding the inquiry or review or hearing the appeal, they may continue with the inquiry or review or hearing of the appeal in his absence.
- (2) For purposes of these Rules, notice shall be deemed to have been “duly served” on a person if he is informed that he is required to attend any inquiry, review or appeal hearing and he is informed of the date of the same: **(Amended 27/7/18)**
- (a) orally on a race day; **(Amended 27/7/18)**
  - (b) by written notice delivered personally to him; or **(Amended 27/7/18)**
  - (c) by written notice sent to his address registered with the Association by registered post; or **(Amended 27/7/18)**
  - (d) **by electronic transmission, mechanical or other means permitted by the Stewards. (27/7/18)**

## The Forfeit List

- 154 (1) A Forfeit List shall be kept by the Secretary of the Association and shall be published in the supplements of the Racing Calendar.
- (2) The Forfeit List shall include all overdue and underpaid stakes, fines, fees, entry monies and forfeits, and monies otherwise due from a member to an Associated Club, MRA licensee, Associated Club licensee and holders of MRA Passes and whose name shall have been reported by the Secretary of an Associated Club to the Secretary of the Association as in default, and it shall state the real names and also the assumed names (if any) of the persons from whom, and the horses (if any) in respect of which, the same are due. (Amended 1/1/15)
- (3) Where a Person's name appears on the Forfeit List, that person shall be treated as a Disqualified Person for the purposes of these Rules after a grace period of not more than 14 days have elapsed since the date of publication of the arrears in the Forfeit List. (Amended 1/7/11)
- (4) Stakes, fines, fees, entry monies, forfeits and monies otherwise due which have been so published must be paid directly to the Secretary of the Association within 14 days from the date of publication of the arrears in the Forfeit List and until so paid or at the discretion of the Committee, the names of such persons and horses shall not be removed from the Forfeit List. (Amended 1/7/11)
- (5) (a) A horse shall only be eligible to start a race, if before weighing out (Amended 1/7/11):
- (i) the following have been duly paid:
    - (a) any stake or fee payable in respect of such race;
    - (b) all Arrears for such horse due from any person; and
    - (c) all Arrears, for such horse or any other horse, due from any person who wholly or partly owns such horse, or in whose name or under whose nomination or subscription such horse is entered or whose interest in such horse may be disclosed by the entry, have been duly paid; or

- (ii) the above-mentioned sums have been, or shall be, satisfied by such other manner of payment as may be prescribed by the Local Committee
- (b) The Association may, at its sole discretion, impose interest, at a reasonable rate to be determined by the Association from time to time, on the Arrears as from the date they shall become due until they are paid. (Amended 1/7/11)
- (6) If any disqualified horse, or any horse whose owner's name is on the Forfeit List, is entered for any race the person entering such horse may be penalised. (Amended 1/7/11)
- (7) If a horse whose owner's name is on the Forfeit List is allowed to start for any race such horse may be disqualified and the person entering such horse may be penalised. (Amended 13/11/15)
- (8) Rules 154(6) and (7) do not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14-day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/7/11)
- (9) Where the disqualification was incurred under this Rule, an Owner, Trainer, Jockey or MRA pass holder whose registration, licence or MRA pass is revoked shall have to make a fresh application for registration and for the issuance of licences and MRA pass. Such application may not be made until thirty (30) days have elapsed from the time of such revocation. (1/7/11)

### **Covering Rules**

- 155 (1) Any failure to comply with the provisions of any of these Rules shall constitute an offence and, where no penalty has been specifically prescribed, shall be punishable by either the Committee, Local Committee, or the Stewards by a reprimand, warning, fine, suspension or disqualification up to the maximum of their respective jurisdictional limits.
- (2) Every person who is subject to these Rules is deemed to have knowledge of the Rules, as amended, and agrees to observe and to comply with the Rules in their current form. Any failure by such a person so to observe the Rules shall be a breach of these Rules.

- (3) Every person who is subject to these Rules, including but not limited to all persons who are licensed and/or registered by the Association, Owners and Officials, shall inform the Secretary and the Association on receiving a Bankruptcy Notice and shall keep the Secretary and Association updated as to the status of any bankruptcy proceedings that may be commenced against that person. (20/6/15)

## PART XIII

### PANEL OF STEWARDS

#### Panel of Stewards

- 156
- (1) The Local Committee may appoint a panel of Stewards consisting of not less than three (3) members. The Local Committee shall select the Chairman of the panel of Stewards, who, on a race day, shall be a Racing Steward. (1/8/12)
  - (2) Subject to Rule 156(1), the Local Committee may in its absolute discretion appoint any person to the panel of Stewards. (1/8/12)
  - (3) In the event of exceptional circumstances or urgency, the Local Committee may appoint one (1) person to form a single-member panel of Stewards. (1/8/12)
  - (4) In the event that any member of the panel of Steward is unable to attend on any race day or disqualified for any reason whatsoever, the remaining members of the panel of Stewards shall constitute the quorum, unless the Local Committee makes an appointment to fill up the vacancy. (1/8/12)
  - (5) The absence of any member of the panel of Stewards, for any reason whatsoever, from any part of an inquiry shall disqualify him from further participation from that inquiry. (1/8/12)

- (6) In respect of any matter arising on a race day but which the inquiry, investigation and/or hearing is conducted on a different day, the Chairman of the panel of Stewards who was appointed for that particular race day (“the raceday panel”) shall select not less than three (3) members out of the raceday panel, who shall be appointed to the panel of Stewards conducting the inquiry, investigation and/or hearing and the Local Committee may appoint other persons to this panel of Stewards, provided that the number of other persons so appointed shall at all times be one (1) less than the number of members from the raceday panel. (1/8/12)
- (7) The decision of the panel of Stewards shall be that of the majority, provided that the Chairman shall have the casting vote. (1/8/12)
- (8) No contravention or operation of Rules 156(1) to 156(7) shall affect the validity of any inquiry, investigation or hearing conducted by or any decisions made by the panel of Stewards. (1/8/12)

**Members of the panel of Stewards shall have no interest in horse or race**

- 157 (1) No member of the panel of Stewards participating in official duties of any race or in any inquiry, investigation or hearing arising from or in connection with any race shall (1/8/12):
- (a) have an interest in any bet in any horse entered for that race; or (1/8/12)
  - (b) have an interest in any horse, whether by himself or through his immediate family, servant or agent, which is entered for that race. (1/8/12)
- (2) Any member of the panel of Stewards who contravenes Rule 157(1) is (1/8/12):
- (a) immediately disqualified and must preclude himself from any further participation in official duties for that race and any inquiry, investigation and hearing arising out of or in connection with that race; and (1/8/12)
  - (b) immediately disqualified and barred from participating in any discussions with and giving any directions and instructions to any official of the Association or Local Committee in relation to that race. (1/8/12)

- (3) No contravention or operation of Rules 157(1) and 157(2) shall affect the validity of any inquiry, investigation or hearing conducted by or any decisions made by the panel of Stewards. (1/8/12)

### **Conduct of Inquiry, Investigation or Hearing before panel of Stewards**

- 158 (1) All persons before the panel of Stewards for an inquiry, investigation or hearing shall not be assisted by a legal counsel. (1/8/12)
- (2) During an inquiry, investigation or hearing, the panel of Stewards may, in their absolute discretion, after considering the views of any person directly involved in the inquiry, investigation or hearing (1/8/12):
  - (a) admit or exclude any evidence, whether physical or verbal, for any inquiry, investigation or hearing; (1/8/12)
  - (b) decide on the relevance of any evidence, whether physical or verbal, for any inquiry, investigation or hearing; and (1/8/12)
  - (c) permit or bar any person from being present at the inquiry, investigation or hearing. (1/8/12)

### **Powers and authority of the panel of Stewards**

- 159 (1) The panel of Stewards shall have the authority and powers to regulate, control, inquire into, investigate, adjudicate upon and deal with any question, matter, incident, objection or complaint arising out of or in connection with any race or any race day or any non race day event as directed by the Local Committee. (1/8/12)
- (2) Without prejudice to the generality of Rule 159(1), the panel of Stewards shall have the authority and powers to (1/8/12):
  - (a) Investigate, inquire into, adjudicate upon and deal with any alleged or suspected breach or contravention of the Rules. (1/8/12)
  - (b) Investigate, inquire into, adjudicate upon and deal with any matter that in the opinion of the panel of Stewards requires an investigation, inquiry or hearing. (1/8/12)
  - (c) Investigate, inquire into, adjudicate upon and deal with any matter that the panel of Stewards are directed to by the Local Committee. (1/8/12)



- (d) Make, alter or vary any of the arrangements for the conduct of any race meeting under the control of the Local Committee. (1/8/12)
- (e) Demand from any person the production of all entry forms, books and other documents relating to any race meeting, which the panel of Stewards may require. (1/8/12)
- (f) Access and take control of all land, booths, buildings, structures, stands, enclosures and other places used for or in connection with any race meeting. (1/8/12)
- (g) Search on all land, booths, buildings, structures, stands, enclosures and other places used for or in connection with any race meeting for any person, gear, equipment or other article, which may provide evidence to prove or disprove any contravention of the Rules, and take possession of the same. (1/8/12)
- (h) Exclude or expel any person, or cause any person to be excluded or expelled from any land, booths, buildings, structures, stands, enclosures, place used for or in connection with any race meeting and place under the control of the Club or the Local Committee. (1/8/12)
- (i) Regulate or control the conduct of any person having charge of or connected with any horse and any person on the racecourse, including but not limited to trainers, jockeys and officials of the Local Committee. (1/8/12)
- (j) At their absolute discretion order any Rider off a horse without providing any reason and substitute the Rider with any other Rider or none. (1/8/12)
- (k) In the event that any Rider disobeys the Starter's orders or is suspected of improper conduct in a race, at their absolute discretion penalise the Rider, prohibit the Rider from riding in that race, disqualify the horse ridden by the Rider from that race or substitute the Rider with another Rider or none. (1/8/12)
- (l) Impose a penalty on any Rider for contravening any rules relating to riding. (1/8/12)
- (m) Prohibit any horse from starting in any race at any meeting for any reason. (1/8/12)

- (n) Order the removal and penalise any person using or responsible for the use of any shoes, racing plates, equipment or gear from any horse or person, which in their opinion is unsuitable, unsafe or ineffective. (1/8/12)
- (o) At any time order any horse entered into any race to be examined for any purposes connected with the Rules by any person, which in the opinion of the panel of Stewards is qualified to conduct the examination. The members of the panel of Stewards and/or person examining the horse shall in their absolute discretion determine the nature, conduct and scope of examination, which includes taking of samples from any part of the horse's body and removal of implants from the horse. (1/8/12)
- (p) Take possession of any horse entered for any race at a meeting for such period as the panel of Stewards deem necessary, for the purpose of subjecting the horse to any test, which in the opinion of the panel of Stewards is suitable to determine whether any prohibited substance has been administered to the horse. (1/8/12)
- (q) Disqualify any horse entered for any race and penalise the owner or person having charge of that horse, which is (1/8/12):
  - (i) removed from the course contrary to the instructions or directions of the panel of Stewards; or (1/8/12)
  - (ii) not physically produced to the panel of Stewards when in their opinion is required. (1/8/12)
- (r) Demand any person to prove to the satisfaction of the panel of Stewards of his and/or any other person's interest in any horse entered into a race. Should any person fails to comply with any such demand, the panel of Stewards may disqualify the horse concerned and/or penalise the person contravening this sub-rule. (1/8/12)
- (s) Demand any owner to prove to the satisfaction of the panel of Stewards that the owner or any horse owned by the owner is not subject to any disability under the Rules. (1/8/12)

- (t) When the delay in declaring the all-clear of a previous race has rendered the commencement of the next race at the advertised time impossible or in the opinion of the panel of Stewards is necessary, extend or delay the time given for weighing-out and declaring weight, time of the start of a race or time in relation to any other requirement under the Rules or conditions of a race. (1/8/12)
  - (u) Remove at any time during the race meeting, including when racing is taking place, the Judge, Starter, Clerk of Scales, or any other official, and substitute the official with another person appointed by the panel of Stewards or none. (1/8/12)
  - (v) Appoint any official necessary for conducting the meeting if the Local Committee did not do so for any reason whatsoever, and appoint an assistant for any such official at the request of or with the consent of the Local Committee. (1/8/12)
  - (w) Penalise any person obstructing them in the exercise of their authority or powers or performance of their duties. (1/8/12)
- (3) If any person subject to the Rules contravenes any of the Rules, the panel of Stewards may, following an inquiry, investigation or hearing, impose against the person any of the following penalties (1/8/12):
- (a) a warning; (1/8/12)
  - (b) a reprimand; (1/8/12)
  - (c) a fine not exceeding \$250,000; (1/8/12)
  - (d) a suspension for a term of any duration; (1/8/12)
  - (e) a disqualification for a term of any duration; (1/8/12)
  - (f) any combination of the abovestated penalties. (1/8/12)

## **Powers of the Stipendiary Stewards**

- 160 (1) In addition to any other powers, duties or functions conferred by these Rules, the Stipendiary Stewards shall have the power and are authorised (1/8/12):
- (a) To investigate and/or inquire into any alleged breach or contravention of the Rules. (1/8/12)
  - (b) To investigate and/or inquire into any matter which in their opinion requires investigation and/or inquiry and any other matter which they are directed by the Committee, Local Committee and/or panel of Stewards to investigate and/or inquire into. (1/8/12)
  - (c) To require any production of all entry forms and other documents and they shall have access to all stands, enclosures, and other places used for the purposes of the Race Meeting. (1/8/12)
  - (d) To exclude or expel or cause to be excluded or expelled any person from any place under their control. (1/8/12)
  - (e) To exclude or expel and cause or order to be excluded or expelled from all places under the control of any Associated Club (1/8/12):
    - (i) Every disqualified person. (1/8/12)
    - (ii) Every person warned off the course. (1/8/12)
    - (iii) Every person whose name has been published in the Forfeit List until the defaults are cleared. (1/8/12)
    - (iv) Every person who has been declared by the Association or by the recognised racing authority of any country, where rules other than these Rules are applicable, to be a defaulter, disqualified, guilty of any corrupt or fraudulent practice or other misconduct in relation to racing generally. (1/8/12)
    - (v) Rules 160(1)(e)(i), (iii) and (iv) do not apply where the disqualification was incurred under Rule 154(3) (which provides for a 14 –day period of grace for the disqualified person to have his name removed from the Forfeit List). (1/8/12)

- (f) To regulate and control the conduct of all officials, other than the panel of Stewards and officials appointed by the Local Committee and of all MRA licensees and holders of MRA Passes, including but not limited to trainers, jockeys and persons in any way connected with any horse. (1/8/12)
- (g) To order any Rider off a horse without assigning any reason and, if they deem it fit, to substitute him with another Rider. The Stipendiary Stewards shall not be liable for any loss or damage whatsoever resulting from their action under this Rule. (1/8/12)
- (h) At any time order any horse entered into any race to be examined for any purposes connected with the Rules by any person, which in the opinion of the Stipendiary Stewards is qualified to conduct the examination. The Stipendiary Stewards and/or person examining the horse shall in their absolute discretion determine the nature, conduct and scope of examination, which includes taking of samples from any part of the horse's body and removal of implants from the horse. (1/8/12)
- (i) To call on any person entering a horse, or in whose name a horse is entered, to produce proof of the extent of his and/or other person's interest or property in the horse. (1/8/12)

In default of such proof being given to their satisfaction, they may disqualify such horse and the person so making the entry or in whose name the horse was entered. (1/8/12)

- (2) In addition to any other powers, duties or functions conferred by these Rules, the Stipendiary Steward(s), in any case of a breach or contravention of the Rules or the Regulations, shall have the power to impose any one or more of the following penalties summarily and immediately (1/8/12):-
  - (a) A warning; (1/8/12)
  - (b) A reprimand; (1/8/12)
  - (c) A fine not exceeding \$2,000 in respect of any infringement of any Rule and/or Regulation which is punishable by the aforementioned fine and where an admission of guilt is accepted in writing in the prescribed form; (1/8/12)

and there shall be no right of appeal against the decision of the Stipendiary Steward(s) made pursuant to this Rule 160(2). (1/8/12)

- (3) When in the opinion of the Stipendiary Stewards there is reasonable suspicion that any person has committed any breach of the Rules of Racing which in their opinion ought to be considered by the panel of Stewards, they may in their discretion refer the matter to the panel of Stewards who shall not be bound by any finding of the Stipendiary Stewards. (1/8/12)

**Action against person giving false or misleading evidence**

- 161 (1) The panel of Stewards may in its absolute discretion investigate any person who gives or causes to be given in any inquiry, investigation or hearing before the panel any evidence, whether physical or verbal, which in the opinion of the panel is false or misleading in any particular matter. (1/8/12)
- (2) The panel of Stewards may impose any penalty as it deems appropriate against any person who gives or causes to be given in any inquiry, investigation or hearing before the panel any evidence that is false or misleading in any particular matter. (1/8/12)

**Panel of Stewards to report all penalties to the Local Committee**

- 162 (1) The panel of Stewards shall report to the Local Committee all penalties imposed by the panel. (1/8/12)
- (2) Unless the Local Committee requests or a court of law orders the panel of Stewards to provide reasons or explanations for any of their decisions, the panel of Stewards may in their absolute discretion decide not to provide reasons or explanations for any of their decisions. (1/8/12)

**Decision of the panel of Stewards to be final**

- 163 (1) No appeal shall lie against the decisions of the panel of Stewards relating to (1/8/12):
  - (a) a penalty imposed on any person that is a warning and/or a reprimand; (1/8/12)
  - (b) an objection against the placement of horses arising from any incident during a race; (1/8/12)

- (c) the result of an objection after the running of a race; (1/8/12)
  - (d) the disqualification of a horse found to be in contravention of the Rules or pursuant to any other provisions of the Rules; (1/8/12)
  - (e) a penalty imposed on any person that is a fine not exceeding the amount of \$2,000. (1/8/12)
- (2) Any person lodging a Notice of Appeal against the decision of the panel of Stewards to the Appeal Panel, unless Rule 163(1) bars such an appeal, may request for a stay of the enforcement of penalties against him. The panel of Stewards may in their absolute discretion grant such a stay. (1/8/12)

## PART XIV

### APPEALS FROM DECISIONS OF THE PANEL OF STEWARDS

#### Right to appeal from decisions of the panel of Stewards

164 Subject to Rule 163(1), all persons have the right to appeal against the decisions of the panel of Stewards to the Appeal Panel. (1/8/12)

#### Appeal Panel

- 165 (1) The Local Committee shall appoint an Appeal Panel consisting of not less than three (3) Appellate Stewards. The Local Committee may in its absolute discretion appoint any person as an Appellate Steward of the Appeal Panel. (1/8/12)
- (2) The Local Committee shall select the Chairman of the Appeal Panel who shall have the casting vote. (1/8/12)
- (3) Each Appellate Steward of the Appeal Panel shall have one (1) vote each and the decision of the Appeal Panel shall be that of the majority. (1/8/12)
- (4) In the event that any Appellate Steward is unable to attend any stage of the hearing before an Appeal Panel or disqualified for any reason whatsoever, the remaining members of the Appeal Panel shall constitute the quorum, unless the Local Committee makes an appointment to fill up the vacancy. (1/8/12)

- (5) The absence of any member of the Appeal Panel, for any reason whatsoever, from any part of an appeal before the Appeal Panel shall disqualify him from further participation in that appeal. (1/8/12)
- (6) No member of the Appeal Panel participating in any appeal shall have an interest in any horse that is involved in the subject matter of the appeal, whether by himself or through his immediate family, servant or agent. (1/8/12)
- (7) Notwithstanding Rule 165(6), no person shall be disqualified from hearing as a member of the Appeal Panel an appeal arising from or in connection with any race by the reason that the person has an interest in any bet in any horse entered for that race. (1/8/12)

### **Filing of appeal and other procedures**

- 166
- (1) A person who wishes to appeal against the decision of the panel of Stewards shall lodge a Notice of Appeal with the General Manager or Secretary of the Club holding the race meeting together with a deposit of S\$2,000/RM5,000, or such other sum which the Local Committee may prescribe from time to time, within forty-eight (48) hours of the person being notified of the decision of the panel of Stewards. (Amended 24/6/16)
  - (2) Unless the decision appealed against relates to careless riding under Rule 44(9)(a)(ii), the Appellant shall purchase the Notes of Evidence and/or Proceedings concerning his Appeal by paying the prescribed fee for the same, which the Local Committee may prescribe from time to time, at the time of lodging his Notice of Appeal. (1/8/12)
  - (3) The Appellant shall lodge in writing his Grounds of Appeal with the General Manager or Secretary of the Club holding the race: (1/8/12)
    - (a) at the time of filing of his Notice of Appeal, if the decision appealed against relates to careless riding under Rule 44(9)(a)(ii); or (1/8/12)
    - (b) within fourteen (14) days, Sundays and public holidays excluded, from the date on which he is notified that the Notes of Evidence and/or Proceedings concerning his appeal are available, if the decision appealed against relates to any matter other than careless riding under Rule 44(9)(a)(ii). (1/8/12)



- (4) The Grounds of Appeal shall consist of sequentially numbered paragraphs with cross-references to the Notes of Evidence, where available, concerning his appeal and shall state succinctly (1/8/12):
  - (a) the circumstances giving rise to his appeal; (1/8/12)
  - (b) the issues raised in his appeal; and (1/8/12)
  - (c) the contentions or arguments supporting his appeal, including any supporting reasons and facts. (1/8/12)
- (5) The Appeal Panel hearing the appeal may, if necessary in the opinion of the Panel, require the Appellant who had lodged his Grounds of Appeal to (1/8/12):
  - (a) provide written or verbal clarification on any matter that the Panel may require; and (1/8/12)
  - (b) furnish further arguments, particulars or documents that the Panel may require. (1/8/12)
- (6) Any person who is required to but fails to lodge his Notice of Appeal or Grounds of Appeal within the time period prescribed under this Rule shall have his appeal deemed to be withdrawn and right to appeal forfeited, unless the General Manager or Secretary of the Club grants the person an extension of time allowed for lodging his Notice of Appeal or Grounds of Appeal. (1/8/12)
- (7) The Local Committee may in its absolute discretion forfeit any deposit paid by the Appellant, or any part thereof, if the Appellant (1/8/12):
  - (a) withdraws his appeal after lodging his Notice of Appeal and payment of the deposit; or (1/8/12)
  - (b) is required to but fails to lodge his Grounds of Appeal within the time period prescribed under this Rule. (1/8/12)

## Conduct of Appeal Hearing

- 167 (1) All appeals shall be heard by way of a rehearing, unless otherwise directed by the Appeal Panel. The Appeal Panel may conduct the hearing of the appeal in a manner that is in the opinion of the Panel fit and appropriate, including but not limited to postponing the hearing or adjourning the hearing. (1/8/12)
- (2) Save with the leave of the Appeal Panel (1/8/12):
- (a) the parties to the appeal shall be bound by and confined to the Notes of Evidence and/or Proceedings, where available, recorded before the panel of Stewards who dealt with the matter that is the subject of the appeal (1/8/12);
  - (b) the parties to the appeal shall not be entitled to introduce new evidence; and (1/8/12)
  - (c) the parties to the appeal shall not raise any ground not set out in the Grounds of Appeal, where submitted. (1/8/12)
- (3) All parties to an appeal before the Appeal Panel shall be entitled to be present at the hearing of the appeal and to have the assistance of expert witnesses and/or legal counsel at their own cost. (1/8/12)
- (4) The Appeal Panel shall have the power to appoint expert witnesses and/or legal assessors to assist the Panel in any appeal hearing. (1/8/12)
- (5) Should any party be absent from the hearing of the Appeal, the Appeal Panel may in its absolute discretion proceed with the hearing, adjourn the proceedings or make such orders that is in the opinion of the Panel fit and appropriate. The absence of any party shall not invalidate the proceedings, hearing or any orders made by the Panel. (1/8/12)
- (6) The Appeal Panel may reserve its decision to be made and announced at a later date as the Panel deems fit and appropriate. (1/8/12)
- (7) Unless the Local Committee requests or a court of law orders the Appeal Panel to provide reasons or explanations for any of their decisions, the Appeal Panel may in its absolute discretion decide not to provide reasons or explanations for any of its decisions. (1/8/12)

## **Powers of Appeal Panel**

- 168 (1) Without prejudice to the Rules, the Appeal Panel shall have the powers and authority to (1/8/12):
- (a) allow an appeal; (1/8/12)
  - (b) dismiss an appeal; (1/8/12)
  - (c) substitute the decision of the panel of Stewards, or any part thereof, with its own decision; (1/8/12)
  - (d) substitute the existing charge against the Appellant with any other charge, provided that the charge against the Appellant is remitted to the panel of Stewards, as the Local Committee may appoint, for a new inquiry and first instance hearing. (1/8/12)
  - (e) admit or disallow new evidence, whether physical or verbal, from the parties to the Appeal; (1/8/12)
  - (f) draw any inferences of fact in the opinion of the Appeal Panel necessary and appropriate in the circumstances; (1/8/12)
  - (g) decide on the application, interpretation and scope of any Rule; (1/8/12)
  - (h) make any orders against the parties to the appeal that is in the opinion of the Appeal Panel fit and appropriate, including but not limited to order (1/8/12):
    - (i) the Appellant to pay to the Club and/or Local Committee the costs and expenses actually incurred by the latter parties, or any part thereof; (1/8/12)
    - (ii) that the deposit paid by the Appellant, or any part thereof, be forfeited; and (1/8/12)
    - (iii) the appeal before the Appeal Panel be heard de novo; and (1/8/12)

- (i) decide in its absolute discretion the penalty to be imposed against the Appellant, including increasing the penalty imposed or recommended against the Appellant, which includes but is not limited to the following penalties (1/8/12):
  - (i) a warning; (1/8/12)
  - (ii) a reprimand; (1/8/12)
  - (iii) a fine not exceeding \$250,000; (1/8/12)
  - (iv) a suspension for a term of any duration; (1/8/12)
  - (v) a disqualification for a term of any duration; or (1/8/12)
  - (vi) any combination of the abovestated penalties. (1/8/12)
- (2) The Appeal Panel shall have the power to, at their absolute discretion and on their own motion (1/8/12):
  - (a) review any decision of the panel of Stewards or Stipendiary Stewards notwithstanding that no appeal is made therefrom; (1/8/12)
  - (b) review any matter arising from, out of or in connection with any Race Meeting, regardless of whether such matter may or may not have been dealt with by the Stipendiary Stewards or panel of Stewards; (1/8/12)
  - (c) review their own previous decisions where the justice of the case so requires or permits; and/or (1/8/12)
  - (d) make a decision on behalf of the Stipendiary Stewards or panel of Stewards when such a decision is not made within a period of time appropriate to the circumstances of the case, but in any event not before the expiration of thirty (30) days from the time the matter first arises. (1/8/12)

**No further appeal against the decisions of the Appeal Panel**

- 169 Notwithstanding Rule 140, there shall be no further appeal against the decisions of the Appeal Panel, which shall be final and binding on the parties to the appeal. (1/8/12)