



6 September 2012

CIRCULAR NO 1231

To: The Secretary all Totalisator Clubs and Kindred Bodies

From: Edward Rennell, Chief Executive

Subject: **2012 ANNUAL MEETING - DRAFT MINUTES**

Attached to this circular are the draft minutes from the 2012 Annual Meeting. If you have any queries relating to them please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read "Edward Rennell", written in a cursive style.

Edward Rennell
CHIEF EXECUTIVE



MINUTES OF ANNUAL MEETING HELD IN CHRISTCHURCH, SATURDAY 28 JULY 2012

BOARD

PF O'Brien (Chairman), RP O'Connor, (Finance Chair), EN Crawford, BC Dent, CW Hair, KM Hoggard,
JA Lischner, SB Phillips, AG Smaill, KN Spicer

IN ATTENDANCE

EP Rennell (Chief Executive)

REPRESENTATIVE OF CLUBS AND KINDRED BODIES

Akaroa TC	Geraldine Stanbury
Amberley TC	Ross Rennie
Ashburton TC	Alan Neumann
Auckland TC	Rod Croon
Banks Peninsula TC	Brian Anngow
Bay of Plenty HRC	Garry Hardaker
Cambridge/Te Awamutu HRC	John Coulam
Central Otago HRC	Snow Hamilton
Cheviot HRC	Grant Beckett
Forbury Park TC	Peter Gillespie
Franklin TC	Don Smith
Geraldine TC	Lochie Marshall
Gore HRC	John Ryan
Hawera HRC	John Hosie
Hororata TC	Bruce Hutton
Invercargill HRC	Peter Robinson
Kaikoura TC	Barry Ford
Kapiti Coast HRC	Chris Craddock
Kumeu TC	Peter Smith (proxy)
Kurow TC	Warren Bartlett
Manawatu HRC	Allan Brown
Manukau TC	John Sissons
Marlborough HRC	Paul Scott
Methven TC	John McDonald
Morrinsville TC	Russell Fantham
Nelson HRC	John McKenzie
NZ Metropolitan TC	David Rankin
Northern Southland TC	Robert Wilson
Northland HRC	Tom Hackett
Oamaru HRC	David Heffernan
Rangiora HRC	Robin Wilson
Reefton TC	Tony Thomas
Riverton TC	Bruce Stewart
Roxburgh TC	Philip Parker

Stratford TC	Penny Mitchell
Taranaki TC	Carey Hobbs
Thames HRC	Derek Player
Timaru HRC	Elizabeth Shand
Tuapeka HRC	Peter Ponsonby
Waikouaiti TC	Barry Barber
Waimate TC	John Patterson
Wairarapa HRC	Wayne Stewart
Wairio TC	Sonja De Graaff
Wanganui TC	Allan Brown (proxy)
Westport TC	John Rogers
Winton HRC	Murray Swain
Wyndham HRC	Barry Todd
NZ Standardbred Breeders Assn	John Mooney
NZ Harness Racing Trainers & Drivers Assn	Anthony Butt
NZ Trotting Owners Assn	Richard Brosnan

ROLL CALL OF REPRESENTATIVES

The Chairman reported that the names of representatives had been recorded as entry had been made to the Conference Room.

Mr J Sissons (Manukau) moved and Mr J Coulam (Cambridge/Te Awamutu) seconded that the Roll Call of Representatives be taken as read. **CARRIED**

UNOFFICIAL OBSERVERS

Mr J Rogers (Westport) moved and Mr S Hamilton (Central Otago) seconded that the Unofficial Observers waiting in the foyer be admitted to the meeting. **CARRIED**

APOLOGIES

Apologies were received from Messrs Gary Allen (HRNZ Vice-Chairman), Michael Stiasny (Chairman NZ Racing Board), Andrew Kelly (CEO, Harness Racing Australia), Matthew Goodson (Chairman NZ Thoroughbred Racing), Alan Jackson (Chairman designate, NZ Racing Board), John McArthur (Chairman NZ Greyhound Racing), Jim Leach (General Manager NZ Greyhound Racing), S Reilly (Department of Internal Affairs), Tony De Jong (Office of Minister for Racing).

Mr C Hobbs (Taranaki) moved and Mr J Rogers (Westport) seconded that the apologies be confirmed. **CARRIED**

MINUTES

Mr J Coulam (Cambridge/Te Awamutu) moved and Mr B Hutton (Hororata) seconded that the Minutes of the 2010 Annual Meeting as circulated to clubs be confirmed. **CARRIED**

CHAIRMAN'S REPORT

Mr P O'Brien (Chairman) moved and Mr R O'Connor (Finance Chair) seconded that the Chairman's Report be received. **CARRIED**

FINANCE CHAIR REPORT

Mr R O'Connor (Finance Chair) moved and Ms S De Graaff (Wairio) seconded that the Finance Chair's Report be received. **CARRIED**

HARNESS RACING NEW ZEALAND INC

Board Election – Official Results

For the election of two North Island Board members and one South Island Board member

At the close of business on 20 May 2012 Messrs Ray O'Connor (Cambridge) and Gary Allen (Wellington) were the only nominations received for the two North Island Board vacancies. Accordingly Messrs O'Connor and Allen were duly re-elected.

With respect to the one vacancy for the South Island Board member, Mrs Ailsa Smaill (Gore) was the only nomination received. Therefore Mrs Smaill was duly re-elected.

The NZ Metropolitan Trotting Club reappointed Mr Barry Dent as its direct appointment to the Board for the next two years.

The NZ Harness Racing Trainers & Drivers Association reappointed Mr John Lischner and the NZ Trotting Owners Association reappointed Mr Ken Spicer respectively as their representatives for the next two years.



Edward Rennell
CHIEF EXECUTIVE

20 June 2012

2012 CORRESPONDENCE ITEMS

RACING BUREAUS - by the NZ Harness Racing Trainers and Drivers Association

Recommendation

The NZ Harness Racing Trainers & Drivers Association proposes that the current scenario where nominations and acceptances are handled by individual Club Secretaries be replaced by three Regional Bureaus, namely Otago/Southland, Upper South Island, and North Island. These bureaus would operate under the jurisdiction of a Central Bureau based in the HRNZ office in Christchurch.

Reason

With declining breeding numbers, the NZ Harness Racing Trainers & Drivers Association believe it is critical that the industry optimise its use of the available pool of horses. In order to meet our commitments under the racing calendar we need more horses to race and more often.

The Association considers that the introduction of three Regional and a National Racing Bureau would assist in ensuring greater consistency and co-ordination in race programming and field selection. This would help address the objective of more horses racing more often.

The Trainers & Drivers Association believe this model would be more efficient and lead to better decision making. The efficiencies would be systematic and economic, while retaining a base of local knowledge. It would result in greater control over the framing of programmes, ensure greater co-ordination within regions, thereby ensuring the best possible fields from a size and quality perspective. The Association believes this works well in other jurisdictions (eg Victoria), is more professional and is in the best interests of the industry long term.

The Association notes that in some regions (eg Southland) such a model is basically in place and working effectively. This proposal extends that efficient and effective approach further. This issue is worthy of full evaluation by the Board, in consultation with clubs.

A Butt (NZ Harness Racing Trainers & Drivers / J Coulam (Cambridge/Te Awamutu) CARRIED

2012 RULE AMENDMENTS

At the Annual Meeting of Harness Racing New Zealand Incorporated held on Saturday 28 July 2012 in Christchurch, the New Zealand Rules of Harness Racing were amended as set out below, in accordance with the provisions of the Racing Act 2003 and the Rules of Harness Racing:

1 CHANGE OF OWNERSHIP - RULE 418(4) - by the Board

Remit

Amend Rule 418(4) so as to read:

The transferee of any such horse shall forward with the notice of change of ownership a fee to be fixed by the Board from time to time, which, if the notice is given in accordance with the proviso to sub-rule (1) of this Rule, shall be forwarded by the person receiving the same to the Chief Executive. The Board may fix different fees where the horse is being disposed of for any purpose other than racing or breeding, may provide for no fee in appropriate cases and a late fee where the notice of change of ownership is not received within 14 days. In every case where no fee applies notice of change of ownership (Registration Certificate) shall be forwarded to and retained by HRNZ.

Reason

Some owners are failing to provide the required change of ownership documentation in a timely manner as required under the Rules. This remit will give HRNZ the facility to have a penalty, via a higher transaction fee, for obvious cases where ownership changes have not been notified within the prescribed time, without the cost of going through a judicial process. It is hoped that this will encourage the filing of ownership transfer documentation in a more timely fashion and also ensure that ownership records as per HRNZ's system are correct.

S Phillips (Board) / J Mooney (NZ Standardbred Breeders CARRIED

2 COLOURS - RULES 452 to 460 - by the Board

Remit

Delete Rules 452-460 and insert new Rules 452 and 453 which read:

452 (1) *For the purpose of these Rules "colours" shall mean the jacket worn by a licensed horseman in a race and which shall be made of such material as may be approved by the Board.*

(2) *A horse shall race in the registered colours of, an owner, the joint owners or syndicate, or the trainer of the horse unless a Stipendiary Steward, where special circumstances exist and on payment if directed of such fee as the Board shall from time to time determine, permit a horseman to wear colours other than those registered in the name of his horse's owner or trainer.*

Provided that the Board may grant approval for horsemen competing in New Zealand or International drivers' championship races or in such other special events as it may from time to time approve, to wear colours other than those registered in the name of his horse's owner or trainer.

(3) *Where two or more horses, the property of the same owner, or trained by the same trainer, start in the same race, the trainer shall ensure distinguishing coloured or marked cap, caps or colours, shall be worn by their respective horseman.*

- (4) Every horseman shall wear his colours prior to entering the assembly area.
- (5) No horseman shall remove his colours prior to leaving the assembly area.
- (6) Every horseman shall return colours to the owner or trainer of a horse driven by him in a race immediately after being checked in.
- (7) Persons may apply to register, and triennially apply to renew registration of colours under the Colours Regulations made by the Board.
- (8) Colours shall be made of a fabric approved by the Board in the Colours Regulations and must be kept clean and in sound and proper condition unless a Stipendiary Steward, on account of weather conditions, permits the use of colours of rubber or other waterproof material.

453 No horseman shall wear any clothing, footwear or safety helmet which has any advertising, writing or logos imprinted thereon or affixed thereto which has not been approved by the Board.

These Rules shall come into force on a date notified in the Official Calendar by the Board.

Reason

The purpose of this remit is to simplify the Rules and administration requirements in relation to colours. The proposed amendment simplifies the existing Rule by leaving items specific to the conduct of the race in the Rules, with other administrative matters moved to new Regulations that will be developed called the "Colours Regulations". Matters within these will be administrative in nature and by having these in Regulations, any minor changes can be effected by Board resolution.

It is stressed that no change is proposed to the current system of owners or trainers colours and that this is still covered in the Rules - sub-clause (2) above.

S Phillips (Board) / B Anngow (Banks Peninsula) CARRIED

3 HORSEMEN DRIVING A HORSE THEY OWN - RULES 503 and 504 - by the Board

Remit

Delete Rule 503 and 504 and insert new Rule 503 which reads:

- 503 (1) *The owner or trainer of a horse in a race shall not drive any other horse in the race except with the permission of the Stipendiary Steward.*
- (2) *A person who owns or trains more than one horse starting in a race and who desires to drive in that race must observe the order of priority set out in this sub rule.*
First: The person shall drive the horse the person owns and trains.
Second: The person shall drive the horse which the person owns but which is trained by someone else.
Third: The person shall drive the horse trained but not owned by the person.
- (3) *The order of priority set out in sub rule (2) may be varied by the Stipendiary Steward.*
- (4) *Application to the Stipendiary Steward to vary the order of priority must*

be made in such manner as the Stipendiary Steward determines.

- (5) *In this Rule "person" means in relation to horses starting in a race, an owner, trainer, part owner and lessee and a "trainer" includes a driver temporarily in charge of a horse in a trainer's absence.*

Reason

The proposed amendment is based on the Australian Rule 152. The proposed Rule more succinctly prescribes a standardised process to determine a horseman's eligibility to drive which horse in a race if he owns and/or trains multiple horses in the race. While there is flexibility for the Stipendiary Steward to approve a variation in exceptional circumstances, the standard approach listed will ensure greater consistency and awareness of the criteria. Essentially this formally prescribes the general approach that is adopted now by Stewards and will ensure consistency with the Australian Rules.

S Phillips (Board) / R O'Connor (Board) CARRIED

4 BETTING BY HORSEMAN - RULE 505 - by the Board

Remit

Amend Rule 505 so as to read:

- 505 (1) *A horseman who is driving a horse in a Race may only bet on the horse he or she is driving. A breach of this sub-rule is declared to be a serious racing offence.*
- (2) *A horseman shall upon request by a Stipendiary Steward, or Racecourse Inspector, supply written or electronic records of all bets made through that horseman's accounts, including written or electronic records of that horseman's mobile phone records.*

Reason

The current Rule in relation to betting by a horseman is essentially Rule 505(1) above. The proposed additional clauses (2) and (3) are aimed at increasing integrity, in requiring that horsemen on raceday are only permitted to bet via their phone account and undertake to provide their betting records to Stewards if requested.

From a public perception, it is not a good look for a driver to be seen betting at the totalisator window, particularly in their driving clothes. The proposed Rule, which is consistent with the thoroughbred code, will address this. While not precluding them betting, it will require this to be done via their phone accounts which are subject to monitoring by Stewards.

This remit has been recommended to HRNZ by the Racing Integrity Unit.

S Phillips (Board) / G Hardaker (Bay of Plenty) CARRIED

5 LAYING OF HORSES TO LOSE - RULE 505A - by the Board

Remit

Insert a new Rule 505A which reads:

- 505A (1) *Any person who:*
- (a) *Is a licensed person and/or an owner or lessee (as the case may be) must not lay any horse under their ownership, management, care, control, supervision or superintendence, including (without limitation) any horse he or she trains or drives.*
- (b) *Is employed by a trainer in connection with the training or care of racehorses must not lay a horse under the control of that trainer for whom he or she is or was employed, whilst so employed and for a period of 21 days after ceasing to be so; or*

- (c) *Is a horseman's agent must not lay a horse to be driven by a horseman for whom he or she is agent.*
- (2) *In circumstances where a person may not lay a horse under sub-rule (1), a person must not:*
- (a) *Have a horse laid on his or her behalf; or*
- (b) *Receive any money, present, share, bet or other benefit in any way connected with the laying of the horse by another person.*
- (3) *In this Rule "laying" means the placing of a bet, whether directly or indirectly, on a horse to lose a race, "lay" and "laid" each have a corresponding meaning.*

Reason

This remit is also recommended by the Racing Integrity Unit.

With the continued development of betting products and betting exchanges, there is no Rule that covers participants laying horses to lose. From an integrity viewpoint it is considered important that this practice be forbidden for industry participants, their agents and others who have provided services in relation to the training/care of the horses concerned.

S Phillips (Board) / G Hardaker (Bay of Plenty) CARRIED

6 BETTING BY HORSEMAN ON DRIVERS EVENTS - RULE 505B - by the Board

Remit

Insert a new Rule 505B which reads:

- 505B (1) A horseman may not bet or have another person bet on their behalf on a Drivers Challenge or Series in which they are a participant.*
- (2) A horseman must also not receive any money, present, share, bet or other benefit in any way connected with the betting by another person on a Drivers Challenge or Series in which they are a participant.*

Reason

The final recommended amendment to Rule 505 precludes a driver from betting on the drivers challenge or gaining any pecuniary advantage from a bet placed on the drivers challenge. This also applies to other drivers series and is recommended by the Racing Integrity Unit. It is consistent with the thoroughbred code and other sports that have sports betting where participants are not permitted to bet on the outcomes of the events due to integrity perceptions.

S Phillips (Board) / S De Graaff (Wairio) CARRIED

7 HORSEMAN DEMONSTRATION OF ABILITY - RULE 506 - by the Board

Remit

Delete Rule 506

Reason

It is considered that the provisions of this Rule are adequately covered elsewhere in Rules 313(4) and 324, and in the Horseman's Licences Regulations. To simplify the Rules and not have any Rules that are superfluous, it is recommended that Rule 506 is deleted.

S Phillips (Board) / R Brosnan (NZ Trotting Owners) CARRIED

8 HORSEMAN'S ENGAGEMENT - RULE 507 - by the Board

Remit

Amend Rule 507 by deleting sub-clause (1), renumbering the remaining clauses and deleting part of sub-clause (3) so as to read:

- 507 (1) *No horseman shall break an engagement to drive a horse.*
- (2) *Any dispute with reference to the engagement of a horseman to drive at any particular meeting shall be determined by a Judicial Committee*
- (3) *In any case where the Judicial Committee is satisfied that either party has, without sufficient grounds, broken an engagement, it may:-*
- (a) *impose a fine not exceeding \$1,000.00; and/or*
- (b) *where the offender is the horseman who is alleged to have accepted engagements to drive two or more horses in the same race, direct which horse he or she is to drive in the race; and/or*
- (c) *where the offender is the other party, direct him or her to pay to the horseman the amount of a losing fee for each race in respect of which the engagement was broken and in which any horse concerned actually started.*

Reason

It is considered that current sub-clause (1) of this Rule is superfluous and could be deleted as it is stating the obvious in that engagements can be in writing or verbally.

In proposing an amendment to this Rule, it is also recommend that the last sentence in the sentence old sub-clause (3), (sub-clause (2) above) is deleted as it is unnecessary and adequately covered elsewhere in the Rules in terms of the Judicial Committee's powers.

S Phillips (Board) / R Croon (Auckland) CARRIED

9 TIME TO TAKE UP AN ENGAGEMENT - RULE 507A - by the Board

Remit

Amend Rule 507A so as to read:

- 507A (1) *A horseman engaged to drive a horse in a race shall report his or her attendance at the racecourse to the trainer or person left in charge of the horse at least 30 minutes before their first drive for the meeting.*
- (2) *If a horseman fails to report as required by sub rule (1) the trainer shall immediately notify the Stewards.*

Reason

It is considered that fifteen minutes prior to the race for a horseman to take up his or her engagement is not long enough, especially in circumstances where another driver has to be found. This leaves insufficient time for connections to make alternative arrangements and for the club and raceday control to notify the betting public of the change. The change to 45 minutes is considered more practical, punter "friendly" and is recommended by the Racing Integrity Unit.

The wording of the proposed Rule is based on the Australian Rule 43 which is considered to more adequately detail the intent of this Rule. The Stewards and trainer need to know that the driver is on-course and available to take up his or her engagements.

S Phillips (Board) / J Coulam (Cambridge/Te Awamutu) CARRIED

10 HORSEMAN LEAVING THE RACECOURSE - RULE 507B - by the Board

Remit

Amend Rule 507B so as to read:

507B Every horseman, trainer or person in charge of a horse engaged in a race, and the horse, shall remain on the racecourse for at least 30 minutes after the race unless permission to leave is granted by the Stipendiary Steward.

Reason

The Racing Integrity Unit consider that the required 15 minutes for a driver to remain on course under the current Rules is not long enough so it is proposed that this time be extended to 30 minutes.

The proposed amendment will mean that a driver must remain on course for 30 minutes after any driving engagement, unless permission is granted by a Stipendiary Steward to leave earlier. This is to allow sufficient time for Stipendiary Stewards to conclude investigations and for drivers, trainers and people in control of a horse to still be present on-course and located if required and avoid some enquiries having to be adjourned unnecessarily.

It is not uncommon for drivers to leave the course almost immediately once they have finished their commitments. At times this results in the Stipendiary Stewards being unable to conclude investigations due to drivers being absent and have to adjourn investigations at additional cost to the industry. It is felt that within 30 minutes of a race's conclusion, Stewards will be aware of what persons they require to assist with their enquiries. The proposed amendment is also consistent with Australia, and includes the trainer and/or person in control of the horse, as well as the driver.

Note: this does not preclude a person from seeking the permission of the Stipendiary Stewards to leave the course earlier than 30 minutes, if they so desire.

S Phillips (Board) / P Gillespie (Forbury Park) LOST

11 REMUNERATION PAYABLE TO A HORSEMAN - RULE 508 - by the Board

Remit

Amend Rule 508 so as to read:

508 (1) *A driver's fee shall be paid by the Club in an amount determined by the Board in the Driving Fees Regulations.*

(2) *All drivers shall be paid a driving fee regardless of any interest in the horse involved, unless prior notification of an alternative arrangement is given to the Club.*

Reason

It is considered that the current Rule is too convoluted, and could be shortened and simplified by adopting the equivalent Australian Rule 151. *This states that "A driver's fee shall be paid in an amount determined by the Controlling Body."* Some other minor grammatical changes are also proposed to make this Rule read more simply and better. As is currently the case, the detail for the fees will be outlined in the Driving Fees Regulations.

S Phillips (Board) / R Brosnan (NZ Trotting Owners) CARRIED

12 LOSING DRIVING FEE - RULE 509 AND RULE 510 - by the Board

Remit

Delete Rule 509 and amend Rule 510 so as to read:

510 A Club conducting a race meeting shall be responsible to every horseman for the payment of driving fees and shall for that purpose deduct these in every case from the stakes payable to the owner.

Reason

The current Rule is considered to be largely obsolete as almost every club pays the losing driving fees within the existing stakes structure. The other components of the current Rule are unnecessary as anything owing to a Club can be pursued under the Unpaid Forfeit List provisions. Therefore, it is recommended that Rule 509 be deleted and Rule 510 amended to reflect common practice and the most efficient way to deal with the payment of these fees.

S Phillips (Board) / R Croon (Auckland) CARRIED

13 TRAINERS WINNING STAKES PERCENTAGE - RULE 511 - by the Board

Remit

Amend Rule 511 so as to read:

511 Prize monies shall be paid in the percentages and in the manner determined from time to time by the Board in the Trainers Fees Regulations.

Reason

The current wording of this Rule was developed to attempt to justify that the payment of the trainers winning percentage was deemed to be part of the stakes for the race, and as such was exempt for tax purposes. This has not been accepted by the IRD despite numerous challenges by both NZTR and HRNZ.

Accordingly, as part of the Rules review and the aim to simplify the wording of the Rules, the proposed remit is recommended. The wording is consistent with the equivalent Australian Rule and reflects current practice. The detail of the trainers winning percentages will continue to be prescribed in the Training Fees Regulations.

S Phillips (Board) / R Croon (Auckland) CARRIED

14 USE OF THE NAME "DERBY" - RULE 607(2)(a) - by the Board

Remit

Amend Rule 607(2)(a) by deleting the word "Great" so as to read;

607 (2) *Until the Board otherwise decides:-*

(a) *the Auckland Trotting Club and no other Club in the North Island may use the name DERBY in the title of the race run by it and known as the Northern Derby; and*

(b) *the New Zealand Metropolitan Trotting Club and no other Club in the South Island may use the name DERBY in the title of the race run by it and known as the New Zealand Derby.*

Provided that either Club may add the name of the sponsor to the race concerned.

Reason

The proposed amendment reflects that the Auckland TC Derby is now referred to as the "Northern Derby" rather than the "Great Northern Derby".

S Phillips (Board) / R Croon (Auckland) CARRIED

15 MARSHALLING AND PATROL STEWARDS - RULES 712 AND 713 - by the Board

Remit

Delete Rules 712 and 713

Reason

It is recommended that these two Rules are deleted as Marshalling or Patrol Stewards are no longer utilised.

S Phillips (Board) / B Anngow (Banks Peninsula) CARRIED

16 CHECKING OUT – SAFETY GEAR - RULE 847 (2) - by the Board

Remit

Amend Rule 847 by renumbering sub-rule (2) as sub-rule (3), and inserting a new sub-rule (2) which reads:

847 (2) *A Stipendiary Steward may confiscate or order the satisfactory repair of any safety vest or safety helmet that does not comply with the requirements of the Safety Gear Regulations made by the Board.*

Reason

From time to time, a horseman may attempt to check out with safety gear that has been modified in some way which may render it unfit for purpose, which is a serious health and safety issue. Unless the item is confiscated or satisfactorily repaired, the horseman may be tempted to continue to use the item. Current practice is that helmets are confiscated if deemed unfit for purpose, in particular following any race accidents, but not vests. This proposed Rule confirms the Stewards' rights to take such actions in the interests of participants' health and safety.

S Phillips (Board) / R Rennie (Amberley) CARRIED

17 MOBILE STARTS - RULE 857(3)(j) AND (k) - by the Board

Remit

Amend Rule 857(3)(j) and (k) by renumbering Rule 857(3)(j) as Rule 857(3)(k) and inserting a new 857(3)(j) which reads:

(j) When a recall is sounded each horse involved in the reason for the recall shall remain in its allotted position for the second start. In the event a recall is sounded in the second start and any horse was involved in the reason for the first and second recall the horse will be declared a late scratching.

Reason

The current Rules require a horse causing a false start in a mobile race to be sent to the outside of the line in which it was placed. This changes the likely pattern of the race for punters who do not have any opportunity to amend their bets with the Racing Board's current cancellation policy.

The proposed amendment would bring the New Zealand Rules in line with those of Australia. Under this a horse who causes a false start in a mobile race will remain in its position for a second attempt. If the horse subsequently errs again and causes a further false start, it will be scratched by the Stewards. This is unlikely to be a regular occurrence.

It is considered that this proposal is more "punter friendly", as there will be no change to the barrier draws on which the punters had placed their investments. Punters can rely with certainty that the horses will start from their allotted barriers and can frame their betting accordingly, without the risk of any change to this outside of their control.

Drivers will still have the option of requesting the Starter to place their horse in the unruly position if they believe it would be unsafe to start in its allotted position. While rarely utilised, this option will remain.

This proposal was put forward to the 2011 Annual Conference and narrowly missed attaining the two thirds majority support needed to be approved. After reviewing this further, the Board is still of the view that the Australian approach as proposed is the best and fairest from a punters' perspective. With almost every race now exported to Australia and co-mingled pools, where practicable, common Rules between both countries is beneficial to punters on both sides of the Tasman.

This remit is supported by the Racing Integrity Unit.

S Phillips (Board) / R Croon (Auckland) CARRIED

18 MOVING STARTS - RULE 857(4)(a) - by the Board

Remit

Amend Rule 857(4)(a) so as to read:

(a) the field to be marshalled no less than 100 metres from the start in the normal manner under the direction of the Assistant Starter and the Clerk of the Course who will take up a position on the extreme outside of the front row;

Reason

Moving starts are used in situations where it is unsafe for a mobile start, normally due to the track conditions. The current Rule requires the field to be marshalled no less than 50m and no more than 100m from the start.

The proposed amendment allows for discretion and flexibility for starters in determining the distance required for the moving start before "dispatch". Under this they will consider the appropriate distance for the field to form up, taking into account the track conditions and safety. This will be no less than 100 metres from the start with no maximum distance specified.

S Phillips (Board) / A Thomas (Reefton) CARRIED

19 CORRECT BARRIER POSITION - RULE 862(2) - by the Board

Remit

Amend Rule 862(2) by adding in the words "or in advance of its correct barrier position" so as to read;

- (2) *No horseman shall permit a horse to start and no horse shall start other than from its correct barrier position or in advance of its correct barrier position (either at a standing or mobile or moving start), unless directed by the Starter in accordance with Rule 860(8).*

Reason

The proposed amendment clarifies that no horse may start in advance of its correct barrier position, be it from a standing or mobile start. The JCA recommended that HRNZ clarify this following a judicial decision earlier in the season.

S Phillips (Board) / G Hardaker (Bay of Plenty)

Amendment to the motion : add "or moving" after the word "mobile".

Amendment : A Brown (Manawatu) / G Hardaker (Bay of Plenty) CARRIED

20 RUNNING OF THE RACE - RULE 869(8) - by the Harness Racing Trainers & Drivers Assn

Remit

Delete Rule 869(8) and insert a new Rule 869A which reads:

869A (1) *If a placed horse or its horseman causes interference to another placed horse, and the Judicial Committee is of the opinion that the horse so interfered with may 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 in addition to any other penalty which may be imposed pursuant to Rule 1003.*

(2) *For the purposes of this Rule:*

- (a) *"placed horse" shall be a horse placed by the Judge in a dividend bearing place, or such other finishing place as the Stipendiary Steward may determine; and*
- (b) *"interference" is defined as:*
- (i) *a horse itself, or its horseman, in any way interfering with the horseman of another horse, or the progress of another horse, in a Race;*
 - (ii) *a horse making a forward movement being forced to race wider on the track unless its nose is behind the sulky wheel of the horse moving forward; or*
 - (iii) *a horse making a forward movement being forced to race inside the track markers or marker line:*

unless it is proved that such interference was caused by the fault of some other horse or horseman or that the horse or horseman interfered with was partly at fault.

Reason

The current Rule can cause inconsistent and unfair decisions for both connections and the betting fraternity. To remove a race from a horse that has caused minimal interference can be harmful for the sport and damage punter confidence.

Betting confidence is a major component to Harness Racing's success. Our closest neighbour in both harness racing and betting is Australia. It is important that we are consistent where possible with significant Rules. We exchange participants and horses regularly and it must be difficult for those participants to compete with different Rules.

For the punter it must be disheartening to have a bet on a New Zealand harness race and lose a winning bet due to the low level of proof required to have an objection upheld as opposed to being confronted with the same scenario in Australia where it would be dismissed.

Racing Integrity Unit (RIU) opinion is that in all likelihood the punter would feel more secure and confident with betting in Australia and New Zealand if the protest Rules were consistent. In addition, we have commingled pools so it makes sense to have the same Rule being applied in both New Zealand and Australia where possible.

When considering changes to the Rules of Harness Racing one must be satisfied that there is a need and more importantly, that it is in the best interests of the industry.

The current HRNZ Protest Rule in the opinion of the RIU requires review for a number of key factors:

- 1) Consistency both domestically and internationally.
- 2) Punter confidence.
- 3) Higher level of proof for a change of placings.
- 4) Same interpretation with NZ Thoroughbred code for the JCA.

The current scenario of a "horses chances being affected" being the yardstick for a change of placings can be very loose and provide for inconsistent decisions. Furthermore, generally a raceday is subject to numerous protest hearings or at least a delay in the all clear because of the low level proof required to alter placings.

The proposed remit requires a higher level of proof before a change of placings may occur. This in itself gives more protection to the participants and punter when interference occurs during a race. Under the remit, protests may only be lodged against horses in dividend bearing positions from horses who may be promoted to a dividend bearing position.

The industry is driven by investment confidence whether that is by an owner, trainer or punter. Adopting the proposed remit would potentially achieve greater confidence from all sectors.

It is crucial we understand that at all times the proposed Rule permits a horse to be disqualified from any placing and obviously drivers can be charged and penalised in accordance with the Rules. This should and will deter drivers driving in a manner that would be considered dangerous and deliberate.

D Rankin (NZMTC) / G Hardaker (Bay of Plenty) LOST

21 PROHIBITED SUBSTANCES - RULE 1004CA - by the Board

Remit

Amend the Rules by inserting a new Rule 1004CA which provides:

1004CA Where a certificate issued under rule 1004B certifies that a sample upon analysis contained a prohibited substance the horse shall not be eligible to start in a race until such time as a further sample taken from the horse is analysed by an approved laboratory and is found to be free of prohibited substances. The costs of the analysis shall be paid by the trainer and/or owner of the horse.

Reason

From an integrity and PR perspective it is not a good look for a horse to continue to race while subject to proceedings. Therefore, it is proposed that a horse that has returned a positive swab shall be ineligible to start in a race until it has returned a sample clear of any prohibited substance.

The proposed amendment also makes it clear that the costs of any such analysis shall be met by the trainer and/or owner of the horse.

WITHDRAWN

22 FOURTH SCHEDULE - MINOR INFRINGEMENT SYSTEM - by the Board

Remit

That the Fourth Schedule is amended as follows:

(a) Rule 864(2)(d) Gear incorrectly applied – fine reduced from \$250 to \$100;

And by including the following Rules and corresponding fines:

(b) Regulations Mudguards and Mudsheets not fitted - \$50.00 fine.

(c) Rule 823(3) Horse Movement greater than 14 days not notified - \$50.00 fine.

(d) Rule 823(3) Horse movement greater than 12 weeks not transferred – \$200.00 fine.

Reason

The Minor Infringement System (MIS) allows a Judicial Committee to impose a penalty, without the requirement for an information to be filed on a licensed person who:

- (a) admits in writing that they have committed a breach of one or more of the Rules set out in the schedule; and**
- (b) accepts in writing the penalty imposed, being a fine in the amount specified in the schedule.**

The introduction in 2010 of the MIS has expedited the judicial process for the Judicial Committee, HRNZ and licensed persons.

The proposed amendment reduces the fine for gear being incorrectly applied and extends the scope of the current MIS to include breaches of the Rules with regards to the fitting of mudguards and mud sheets and horse movement notification requirements.

S Phillips (Board) / R Rennie (Amberley) CARRIED

23 MINOR INFRINGEMENT SYSTEM - RULE 1105A - by the Board

Remit

Amend Rule 1105A as follows:

- (a) Amend the first five lines in Rule 1105A(1) so as to read:
Where a person commits a breach of a Rule set out in the Minor Infringement Regulations made by the Board, a Judicial Committee may impose a penalty set out in the regulations where the Licensed Person:
(a) admits in writing he has committed the breach; and;
(b) accepts in writing the penalty imposed, specified in the regulations, and
- (b) Amend Rule 1105A(2) by deleting the words “Fourth Schedule” where it appears and substituting the words “Minor Infringement Regulations”; and
- (c) Amend Rule 1105A(4), so as to read:
(4) The Minor Infringement Regulations made by the Board shall be set out in the Fourth Schedule of the Rules.

Reason

Currently the schedule of offences and fines covered by the Minor Infringement System is stated in the “Fourth Schedule”, as part of Rule 1105A (4). This means that if the fines are to be altered in any way, whether that is down or up, the Rule has to be changed each time. From a practical perspective this is unnecessarily time consuming.

The proposed amendment provides for the introduction of “Minor Infringement Regulations” which will encapsulate the detail currently prescribed in the Rules. As Regulations these can be amended by Board resolution. This will allow for more expedient alterations where the JCA, HRNZ and the Trainers & Drivers Association are in agreement.

S Phillips (Board) / B Anngow (Banks Peninsula) CARRIED

24 FORFEIT OF FILING FEES - RULES 1114(10) AND 1215 - by the Board

Remit

Amend Rules 1114(10) and 1215 by deleting the word “HRNZ” and substituting the words “the Judicial Control Authority” so as to read:

1114 (10) Where any person has pursuant to Rule 1103(4)(a) or Rule 1112(1)(c) lodged a filing fee the Judicial Committee may order that such fee be returned or refunded to such person. Where the Judicial Committee refuses or fails to make such order, the filing fee lodged shall forfeit to the Judicial Control Authority.

1215 The Appeals Tribunal may order on determination that any fee paid on the filing of an appeal be refunded or returned to the appellant. Where the Appeals Tribunal refuses or fails to make such order the filing fee lodged shall forfeit to the Judicial Control Authority.

Reason

The proposed amendments reflect that the Judicial Control Authority (JCA) is funded directly by the NZRB and not by HRNZ and the clubs, as previously was the case. Therefore, where the Appeals Tribunal makes no order for refund or return, it is appropriate that the filing fee shall be forfeited to the JCA rather than HRNZ. With HRNZ not directly funding the JCA, these funds are not required to offset costs incurred in setting up hearings by HRNZ, and it is more relevant these be matched to JCA expenditure.

S Phillips (Board) / G Stanbury (Akaroa) CARRIED

APPOINTMENT OF COMMITTEES

Mr B Hutton (Hororata) moved and Mr J Rogers (Westport) seconded that the appointment of Committees be left in the hands of the incoming Board.

CARRIED

PLACE AND DATE OF NEXT ANNUAL CONFERENCE

Mr J Rogers (Westport) moved and Mr J McKenzie (Nelson) seconded that the 2013 Annual Conference be held in Christchurch. It was agreed the dates would be decided on by the Board at a future meeting.

CARRIED

APPOINTMENT OF AUDITORS

Mr R O'Connor moved and Mr A Thomas (Reefton) seconded that Deloitte NZ be reappointed Auditors to Harness Racing New Zealand for the forthcoming year, and the Board be authorised to negotiate remuneration thereon.

CARRIED

2012/13 BUDGET

Mr O'Connor (Finance Chair) moved and Mr C Hobbs (Taranaki) seconded that HRNZ's budget for 2012/13 as circulated be approved.

CARRIED

GENERAL BUSINESS

Mr B Ford (Kaikoura) asked if the NZMTC had any intention of applying to host the Harness Jewels. Mr D Ranking (NZMTC) advised this had not been considered by the NZMTC Board.

Mr A Butt (NZ Harness Racing Trainers & Drivers) advised that he thought the open forum on Saturday was worthwhile, but should be held at the start of the Conference on the Friday.

PRESENTATIONS / VOTE OF THANKS

As it was Mr P O'Brien's (Chair) last AGM, Mr R O'Connor (Finance Chair) thanked Mr O'Brien on behalf of the industry for his contribution as Chairman of HRNZ. This was reaffirmed by a standing ovation.

CLOSURE

The meeting closed at 3:15pm.

THE ABOVE MATTERS WERE TAKEN
AS READ AND THE SAME WERE
CONFIRMED ON 27 JULY 2013

GS ALLEN (CHAIRMAN)