

OFFICIAL NOTICE

RULE AMENDMENTS

Effective as of 06 September 2012

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)

Rule 418(4) amended 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.”

2 COLOURS - RULES 452 to 460

Rules 452-460 are deleted and replaced by 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 or her 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 or her 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 or her colours prior to entering the assembly area.*

(5) *No horseman shall remove his or her colours prior to leaving the assembly area.*

- (6) *Every horseman shall return colours to the owner or trainer of a horse driven by him or her 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.

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

Rule 503 and 504 are deleted and replaced by 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.*

4 BETTING BY HORSEMAN - RULE 505

Rule 505 is amended 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.*

5 LAYING OF HORSES TO LOSE - RULE 505A

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.*

6 BETTING BY HORSEMAN ON DRIVERS EVENTS - RULE 505B

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.*

7 HORSEMAN DEMONSTRATION OF ABILITY - RULE 506

Rule 506 deleted.

8 HORSEMAN'S ENGAGEMENT - RULE 507

Rule 507 is amended 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.*

9 TIME TO TAKE UP AN ENGAGEMENT - RULE 507A

Rule 507A amended 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.*

10 REMUNERATION PAYABLE TO A HORSEMAN - RULE 508

Rule 508 amended 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.*

11 LOSING DRIVING FEE - RULE 509 AND RULE 510

Rule 509 deleted and Rule 510 amended 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.

12 TRAINERS WINNING STAKES PERCENTAGE - RULE 511

Rule 511 amended 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.

13 USE OF THE NAME "DERBY" - RULE 607(2)(a)

Rule 607(2)(a) amended 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.

14 MARSHALLING AND PATROL STEWARDS - RULES 712 AND 713

Rules 712 and 713 are deleted.

15 CHECKING OUT – SAFETY GEAR - RULE 847 (2)

Rule 847 amended 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.

16 MOBILE STARTS - RULE 857(3)(j) AND (k)

Rule 857(3)(j) and (k) amended 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.

17 MOVING STARTS - RULE 857(4)(a)

Rule 857(4)(a) amended 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;*

18 CORRECT BARRIER POSITION - RULE 862(2)

Rule 862(2) amended 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).*

19 FOURTH SCHEDULE - MINOR INFRINGEMENT SYSTEM

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.*

20 MINOR INFRINGEMENT SYSTEM - RULE 1105A

Rule 1105A amended as follows:

- (a) The first five lines in Rule 1105A(1) amended 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) Rule 1105A(2) amended by deleting the words “*Fourth Schedule*” where it appears and substituting the words “*Minor Infringement Regulations*”; and
- (c) Rule 1105A(4), amended so as to read:
(4) The Minor Infringement Regulations made by the Board shall be set out in the Fourth Schedule of the Rules.

21 FORFEIT OF FILING FEES - RULES 1114(10) AND 1215

Rules 1114(10) and 1215 amended 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.

Brigit Hearn
PLANNING AND OPERATIONS MANAGER