

May 2017



# **The Rules of The National Horseracing Authority of Southern Africa**

# THE RULES OF THE NATIONAL HORSERACING AUTHORITY OF SOUTHERN AFRICA

## DEFINITIONS AND GENERAL

### 1. DEFINITIONS

- 1.1 In these rules, unless the context indicates otherwise, words in capital letters listed below have the following meanings:
- 1.1.1 ACADEMY - South African Jockeys Academy.
- 1.1.2 ALL CLEAR - the announcement that the result of a RACE is official.
- 1.1.3 ANALYSIS - the analysis of a SPECIMEN or SAMPLE or any portion of a SPECIMEN or SAMPLE and ANALYSE shall have a corresponding meaning.
- 1.1.4 ANALYST - the PERSON or individual who ANALYSES the SPECIMEN or SAMPLE or under whose supervision any ANALYSIS of a SPECIMEN or SAMPLE was undertaken.
- 1.1.5 APPEAL BOARD - an appeal board constituted and appointed in terms of the CONSTITUTION.
- 1.1.6 APPRENTICE - a PERSON who is REGISTERED or licensed as such in terms of the RULES.
- 1.1.7 APPRENTICE LICENCE - a licence granted in terms of RULE 17.7.
- 1.1.8 ASSISTANT TRAINER - a PERSON who has been granted a licence as such in terms of the RULES and, save where the context otherwise indicates, includes a stable manager.
- 1.1.9 AUTHORISED AGENT - a TRAINER in whose favour an authority to act has been REGISTERED in terms of the RULES.
- 1.1.10 BANNED SUBSTANCE - a banned substance specified and defined in RULE 77.
- 1.1.11 CHIEF EXECUTIVE - the Chief Executive Officer of the NATIONAL HORSERACING AUTHORITY appointed by the NATIONAL BOARD or any person whom the Chief Executive duly appoints to act for him.
- 1.1.12 CHIEF EXECUTIVE OF A RACING OPERATOR - the senior official or Chief Executive or general manager employed by a RACING OPERATOR or group of RACING OPERATORS, or a PERSON nominated by him to act on his behalf.
- 1.1.13 CLAUSE - a clause of the CONSTITUTION.
- 1.1.14 CLOSE CORPORATION - a close corporation registered in terms of the Close Corporation Act 1984 or such equivalent act in force in Zimbabwe.
- 1.1.15 COLOURS - the registration of the right to race a HORSE in terms of the RULES.
- 1.1.16 COLT - a male HORSE under five years of age, which, after attaining the age of 5 years, shall be classified as a HORSE.
- 1.1.17 COMPANY - a limited liability company registered in terms of the Companies Act, 71 of 2008 or such equivalent act in force in Zimbabwe from time to time.
- 1.1.18 CONSTITUTION - the constitution of the NATIONAL HORSERACING AUTHORITY as amended from time to time.
- 1.1.19 DAY - shall, except where the context otherwise indicates, include Saturdays, Sundays and public holidays and shall be calculated by the exclusion of the first day and the inclusion of the last.
- 1.1.20 DEFAULTER - an individual who has been determined to be in arrears and/or default and who has been declared to be a defaulter in terms of RULE 97.
- 1.1.21 DEFAULTERS' LIST - the list referred to in RULE 97.
- 1.1.22 FILLY - a female HORSE under five years of age, which, after attaining the age of 5 years, shall be classified as a MARE.
- 1.1.23 FILM - includes video or other pictorial representation.
- 1.1.24 FOAL - a foal born from a REGISTERED mare or a mare registered with another Thoroughbred Stud Book Authority recognised by the NATIONAL HORSERACING AUTHORITY.
- 1.1.24 (1) FORBIDDEN SUBSTANCE – a forbidden substance as provided for in RULE 74.

- 1.1.25 FOREIGN RACING AUTHORITY - a racing authority of another country recognized by the NATIONAL HORSERACING AUTHORITY, the names of which having been published from time to time in the International Agreement on Breeding and Racing.
- 1.1.26 HORSE - a horse REGISTERED with the NATIONAL HORSERACING AUTHORITY and includes a COLT or horse, stallion, gelding, rig, FILLY or MARE.
- 1.1.27 IMPORTED HORSE - a HORSE foaled elsewhere than in SOUTHERN AFRICA.
- 1.1.28 INDENTURES - the contract between the ACADEMY and an APPRENTICE governing the apprenticeship of an APPRENTICE.
- 1.1.29 INQUIRY - an inquiry into or investigation of and the adjudication upon any breach or contravention of the CONSTITUTION and/or the RULES by an INQUIRY BOARD.
- 1.1.30 INQUIRY BOARD - an inquiry board constituted and appointed in terms of the CONSTITUTION.
- 1.1.31 INQUIRY REVIEW BOARD - an inquiry review board constituted and appointed in terms of the CONSTITUTION.
- 1.1.32 INQUIRY PROCEEDINGS - the proceedings before and by an INQUIRY BOARD.
- 1.1.33 JOCKEY - a PERSON who is licensed as such in terms of the RULES.
- 1.1.34 JURISTIC PERSON - a COMPANY, CLOSE CORPORATION, TRUST or syndicate which OWNS a HORSE or HORSES.
- 1.1.35 LABORATORY - the NATIONAL HORSERACING AUTHORITY laboratory and/or any other laboratory approved and appointed by the NATIONAL BOARD, and includes any laboratory designated in terms of RULES 75 and 78 for the purpose of analysing SPECIMENS and SAMPLES.
- 1.1.36 LICENSED OFFICIAL - a PERSON licensed in terms of RULE 6.1 or 6.2.
- 1.1.37 LICENSING BOARD - a licensing board constituted and appointed in terms of the CONSTITUTION.
- 1.1.38 MAIDEN - a HORSE which has never won a RACE the result of which is recorded in the RACING CALENDAR, or a horse which has never won a race in another country under the auspices of any FOREIGN RACING AUTHORITY, provided that any HORSE which was either first past the winning post or which was declared a winner and which, in either case, has subsequently been disqualified as a result of a PROHIBITED SUBSTANCE being present in the HORSE shall not be a maiden.
- 1.1.39 MANAGER - a Manager of the NATIONAL HORSERACING AUTHORITY appointed by the CHIEF EXECUTIVE or any person duly appointed to act for him by the CHIEF EXECUTIVE and licensed as such by the LICENSING BOARD in terms of RULES 6.1 or 6.2.
- 1.1.40 MARE - a female HORSE which has attained the age of five years.
- 1.1.41 MED ACT - Medicines and Related Substances Control Act 101 of 1965 of Southern Africa or any Act which replaced this Act.
- 1.1.42 MEDICAL RECORD BOOK - a RIDER'S medical record book with such instructions and information to be contained therein, as determined by the CHIEF EXECUTIVE from time to time.
- 1.1.43 NATIONAL BOARD - the body of Directors constituted in terms of the CONSTITUTION.
- 1.1.44 NATIONAL HORSERACING AUTHORITY or NHA - the National Horseracing Authority of Southern Africa, including its functionaries and officials.
- 1.1.45 NOMINEE - the PERSON designated as such by a syndicate, CLOSE CORPORATION or COMPANY.
- 1.1.46 OBJECTION - an objection lodged in terms of the RULES.
- 1.1.47 OBJECTION BOARD - an OBJECTION board constituted, and whose members are appointed, in terms of the RULES.
- 1.1.48 OWNER - the PERSON REGISTERED as such in terms of these RULES and shall include the individual, partnership, syndicate, CLOSE CORPORATION or COMPANY, the owner of the racing career of a HORSE or the lessee of a HORSE. OWN and OWNERSHIP shall have a corresponding meaning.

- 1.1.49 PARTICIPANT - in the case of a COMPANY, a director of that COMPANY and in the case of a CLOSE CORPORATION or syndicate, a member of the CLOSE CORPORATION or syndicate, and in the case of a TRUST, a Trustee.
- 1.1.50 PASSPORT - a HORSE identity document with such instructions and information to be contained therein, as determined by the CHIEF EXECUTIVE from time to time.
- 1.1.51 PERSON - an individual who is subject to and/or bound by the CONSTITUTION and/or RULES.
- 1.1.52 PRIVILEGE - any authority, right, licence, permission, permit, or REGISTRATION required by, granted or provided for in the CONSTITUTION or RULES.
- 1.1.55 PROFESSIONAL RIDER - a PERSON referred to in RULES 19.1 or 21.10.
- 1.1.53 PROHIBITED SUBSTANCE - a prohibited substance specified and defined in RULE 73.4.
- 1.1.54 RACE - a horse race held in terms of the RULES.
- 1.1.55 RACE CARD - the publication issued by or on behalf of a RACING OPERATOR in terms of the RULES.
- 1.1.56 RACE COURSE - a race course licensed in terms of the RULES.
- 1.1.57 RACE COURSE PROPERTY - the property together with improvements on which RACE MEETINGS are held and shall further include such property which is owned or leased by a RACING OPERATOR or any associated body in which a RACING OPERATOR has an interest, whether directly or indirectly.
- 1.1.58 RACE MEETING - a meeting of a RACING OPERATOR at which HORSES are raced under the RULES.
- 1.1.59 RACE MEETING REPRESENTATIVE or RMR - a RACING OPERATOR REPRESENTATIVE designated to officiate at a RACE MEETING of the RACING OPERATOR concerned.
- 1.1.60 RACING CALENDAR - the publications published under that name by the NATIONAL HORSERACING AUTHORITY.
- 1.1.61 RACING DISTRICT - one or more of the racing districts defined in CLAUSE 8.
- 1.1.61 (1) RACING MANAGER – a PERSON who has been REGISTERED as such by the NHA at the request of an OWNER as provided for in RULE 27.
- 1.1.62 RACING OPERATOR - any club or company which holds RACE MEETINGS under this CONSTITUTION and the RULES.
- 1.1.63 RACING OPERATOR REPRESENTATIVE or ROR - a person appointed as such by the RACING OPERATOR; to perform such functions and duties as may be delegated to him from time to time, by inter alia the CHIEF EXECUTIVE OF THE RACING OPERATOR. If no ROR is appointed, the ROR functions and duties shall be performed by the CHIEF EXECUTIVE OF THE RACING OPERATOR.
- 1.1.64 RACING YEAR - the period from 1 August to 31 July in the following year.
- 1.1.65 REGISTRATION - the recordal by the NATIONAL HORSERACING AUTHORITY of anything which the NATIONAL BOARD requires recorded or which is required to be recorded in terms of the CONSTITUTION or RULES. REGISTER and REGISTERED shall have a corresponding meaning.
- 1.1.66 RIDER - an APPRENTICE who has been granted permission to ride in qualifying RACES or has been granted an APPRENTICE LICENCE, or a JOCKEY or a WORK RIDER as provided in RULE 20.1.4.
- 1.1.67 RULES - the rules of The NATIONAL HORSERACING AUTHORITY made by The NATIONAL BOARD in terms of the CONSTITUTION as amended from time to time.
- 1.1.68 SAMPLE - a sample of urine or blood from a RIDER.
- 1.1.69 SB - a properly constituted body of the STIPENDIARY STEWARDS of the NATIONAL HORSERACING AUTHORITY.
- 1.1.70 SOUTHERN AFRICA - for the purposes of the CONSTITUTION and the RULES, includes the Republic of South Africa, Zimbabwe and any other country over whose racing and breeding activities the NATIONAL HORSERACING AUTHORITY has been granted, and has accepted, jurisdiction.

- 1.1.71 SPECIFIED RACING AUTHORITY - a racing authority of another country recognized by the NATIONAL HORSERACING AUTHORITY, the names of which having been published from time to time in the International Agreement on Breeding and Racing.
- 1.1.72 SPECIMEN - a sample in any quantity taken from the saliva, urine, perspiration, blood, tissue, hide, body fluids or any excretion of a HORSE and also any portion of such sample.
- 1.1.73 SPECIMEN COLLECTOR - any PERSON who is licensed by the NATIONAL HORSERACING AUTHORITY to collect SPECIMENS from a HORSE, and shall further include any veterinary surgeon licensed by the NATIONAL BOARD and anybody to whom written authority to collect a SPECIMEN has been granted by a STIPENDIARY STEWARD or the CHIEF EXECUTIVE.
- 1.1.74 SPECIMEN COLLECTOR'S REGISTER - a register maintained by the SPECIMEN COLLECTOR in the prescribed form.
- 1.1.75 SPOUSE - a husband or wife, or a person with whom another person has a committed and serious relationship akin to a marriage based on objective criteria of mutual dependency and a shared and common household, irrespective of the gender of either party to such a relationship.
- 1.1.76 STABLE EMPLOYEE - a PERSON who has been REGISTERED as such in terms of the RULES.
- 1.1.77 STALLION MANAGER - the PERSON who has been REGISTERED as such in terms of the RULES.
- 1.1.78 STEWARD - a PERSON who is a member of the NATIONAL BOARD, ROR or SB, as the case may be.
- 1.1.79 STEWARDS - collectively the NATIONAL BOARD, the ROR and the SB, or where the context so indicates, any individual member of the NATIONAL BOARD or SB.
- 1.1.80 STIPENDIARY STEWARD - a stipendiary steward licensed in terms of RULE 6.1.
- 1.1.81 STOCK ACT - the Fertilizers, Farm Feeds, Agriculture Remedies and Stock Remedies Act, 36 of 1947 or any which replaces this Act.
- 1.1.82 STUD BOOK - "The General Stud Book of Southern Africa" published under that name by the NATIONAL HORSERACING AUTHORITY.
- 1.1.83 TRAINER - a PERSON who has been granted a licence as such in terms of the RULES and, save where the context otherwise indicates, includes a TRAINING PARTNERSHIP and an ASSISTANT TRAINER.
- 1.1.84 TRAINING PARTNERSHIP - a partnership referred to in RULE 11.4.
- 1.1.85 TREATMENT RECORD - a record entered into the Veterinary Treatment Register as approved by the NATIONAL BOARD and shall include a discharge form from a registered veterinary hospital.  
[Amended 21.10.2016]
- 1.1.86 TRUST - a validly formed trust registered whether in the Republic of South Africa or elsewhere, in which the Trustees have been registered to act in terms of section 6 of the Trust Property Control Act 57 of 1988 in respect of a locally registered trust and under the applicable legislation in respect of a trust registered outside of the Republic.
- 1.1.87 WELFARE OFFICER - a STIPENDIARY STEWARD nominated by the CHIEF EXECUTIVE to fulfil, in respect of APPRENTICES ordinarily resident in that RACING DISTRICT, the duties and functions imposed by the INDENTURES, the RULES, Rules and the regulations of the ACADEMY.
- 1.1.88 WORK RIDER – a PERSON who has been granted a licence as such in terms of the Rules.
- 1.1.89 WRITING - includes a facsimile, e-mail or an on-line electronic communication.
- 1.1.90 ZIM ACT- the Drugs and Allied Substances Control Act, or any Act which replaces this Act from time to time.

## **1.2 GENERAL**

In the RULES, unless inconsistent with the context:

- 1.2.1 words referring to one gender shall include a reference to the other genders;
- 1.2.2 words importing the singular shall include the plural and vice versa.

- 1.3 In the RULES, headings do not form part of the RULES and are inserted only for ease of reference.
- 1.4 The NATIONAL BOARD shall have the power to interpret the meaning, intent and effect of any of the RULES. Such interpretation shall be published in the RACING CALENDAR and upon publication, such interpretation shall be final and binding on all PERSONS, any APPEAL BOARD, any INQUIRY BOARD, any INQUIRY REVIEW BOARD and any LICENSING BOARD.
- 1.5 No indulgence granted by the NATIONAL HORSERACING AUTHORITY, the NATIONAL BOARD, any APPEAL BOARD, any INQUIRY REVIEW BOARD, any INQUIRY BOARD, the LICENSING BOARD, any OBJECTION BOARD, the CHIEF EXECUTIVE, any MANAGER, any SB, any STEWARD or any LICENSED OFFICIAL to any PERSON shall constitute a waiver or abandonment of rights under the CONSTITUTION or the RULES; accordingly the NATIONAL HORSERACING AUTHORITY, the NATIONAL BOARD, any APPEAL BOARD, any INQUIRY BOARD, any INQUIRY REVIEW BOARD, the LICENSING BOARD, any OBJECTION BOARD, the CHIEF EXECUTIVE, any MANAGER, any SB, any STEWARD or any LICENSED OFFICIAL shall not be precluded as a consequence of having granted that indulgence, from enforcing or relying on any of the provisions of the CONSTITUTION or the RULES or from exercising any rights against any PERSON which may have arisen in the past or which may arise in the future.
- 1.6 Notwithstanding the provisions contained in any of the RULES, the NATIONAL BOARD may, in its sole discretion, act in accordance with the powers conferred on it in terms of the CONSTITUTION and in all such cases the provisions of the RULES shall be subordinate to the CONSTITUTION.
- 1.7 The failure of any STEWARD, any LICENSED OFFICIAL, any RACING OPERATOR official or a LABORATORY to comply with any procedures laid down in terms of the RULES shall not invalidate any action or decision taken or made, by such STEWARD, LICENSED OFFICIAL or RACING OPERATOR official or LABORATORY, nor shall any penalty imposed in terms of these RULES be invalidated as a consequence of any such non-compliance, provided that such failure has not materially prejudiced the PERSON concerned.
- 1.8 No person (whether or not subject to the RULES) shall have any claim of any nature whatsoever and howsoever arising (including, but without limitation to the foregoing, any claims for damages to or loss or destruction of any HORSE or other property) against the NATIONAL HORSERACING AUTHORITY or a RACING OPERATOR or any of their respective STEWARDS, directors, officials or employees, arising, from any act or omission in connection with racing or breeding or with the administration, operation and regulation thereof, whether in terms of the RULES or not.
- 1.9 Where it is provided in these RULES for any functions to be performed by the SB or a STIPENDIARY STEWARD they shall be so performed provided that:-
- 1.9.1 if there is an inadequate number of STIPENDIARY STEWARDS; or
- 1.9.2 if there are no such STEWARDS who are available or able to perform such functions or duties;
- then such functions or duties shall be performed by those STIPENDIARY STEWARDS available and/or by RACE MEETING REPRESENTATIVES, as the case may be.
- 1.10 All acts done in good faith by:
- 1.10.1 the NATIONAL BOARD, any APPEAL BOARD, any INQUIRY REVIEW BOARD, any INQUIRY BOARD, the LICENSING BOARD, any OBJECTION BOARD or any SB shall, notwithstanding that it be afterwards discovered that there was some defect in the composition, election or appointment of such body, be as valid as if such body had been duly constituted, elected or appointed;
- 1.10.2 any STEWARD, any member of any APPEAL BOARD, INQUIRY REVIEW BOARD, INQUIRY BOARD, LICENSING BOARD or OBJECTION BOARD or SB, the CHIEF EXECUTIVE, any MANAGER or any NATIONAL HORSERACING AUTHORITY official shall, notwithstanding that it be afterwards discovered that there was some defect in the election or appointment of such individual or PERSON or member of such board, be as valid as if every such individual or PERSON had been duly elected or appointed.

- 1.11 Whenever on any application form or licence, permit or other document the words "The Rules of the National Horseracing Authority" appear, they shall be deemed to be a reference to the CONSTITUTION and the RULES.
- 1.12 Where reference is made in the RULES to any contract, agreement, application form, register or other document, such contract, agreement, application form, register or document shall be in the form prescribed and approved from time to time by the CHIEF EXECUTIVE.
- 1.13 Where in these RULES any power, duty, function or discretion is given or is to be carried out or exercised by the CHIEF EXECUTIVE, such power, duty, function or discretion may be carried out or exercised by a MANAGER nominated by the CHIEF EXECUTIVE.
- 1.14 The CHIEF EXECUTIVE and any MANAGER nominated by him in terms of RULE 1.13 shall act in conformity with the CONSTITUTION, the RULES, and any directions or decisions given or made by the NATIONAL BOARD.
- 1.15 A PERSON shall be deemed to have been given proper notice if a communication in writing be sent by registered post to his latest address recorded with the NATIONAL HORSERACING AUTHORITY, and he shall be deemed to have received such notice within 7 DAYS of dispatch; or if notice is given by facsimile or by e-mail, such notice shall be deemed to have been delivered on receipt of a confirmation of receipt of a successful facsimile transmission or a read-received confirmation from the person to whom notice was given.1.16 No REGISTRATION shall be effective unless and until received, processed and recorded in the records of the NATIONAL HORSERACING AUTHORITY by the CHIEF EXECUTIVE and the applicable fee as published from time to time in the RACING CALENDAR has been paid.
- 1.17 All INQUIRY PROCEEDINGS, OBJECTION BOARD hearings, LICENSING BOARD hearings, APPEAL BOARD hearings, INQUIRY REVIEW hearings, and proceedings before the NATIONAL BOARD shall be conducted in English, provided that any party or witness in any such hearings or proceedings shall be entitled to the services of a translator and/or interpreter approved by the board or body concerned.

## **APPOINTMENT AND POWERS OF THE NATIONAL BOARD, INQUIRY REVIEW BOARD, SB, ROR AND RMR**

### **2. GENERAL POWERS OF THE NATIONAL BOARD**

- 2.1 The NATIONAL BOARD shall have such powers as are determined by the CONSTITUTION, which powers include such specific powers as are set out in the RULES. Notwithstanding anything contained in the RULES, the NATIONAL BOARD shall on good cause shown having regard to the particular circumstances of each case and in the interests of fairness and equity, in its sole discretion be entitled to vary, amend and/or waive the requirements and/or conditions for the REGISTRATION of INDENTURES of apprentices and for the granting and/or renewal of licences in respect of APPRENTICES, JOCKEYS, WORK RIDERS, ASSISTANT TRAINERS and TRAINERS and to impose such terms and conditions as the NATIONAL BOARD in its sole discretion deems fit in registering such INDENTURES and granting such licences. Without limiting the powers of the NATIONAL BOARD in terms of the CONSTITUTION the NATIONAL BOARD shall have the power to:
- 2.1.1 cancel, withdraw or suspend any PRIVILEGE;
  - 2.1.2 declare any PERSON or individual ineligible to hold the office of NATIONAL BOARD DIRECTOR, ROR or RMR;
  - 2.1.3 cancel or suspend the licence of any RACING OPERATOR or RACE COURSE;
  - 2.1.4 suspend any HORSE for any period;
  - 2.1.5 disqualify any HORSE from a RACE;
  - 2.1.6 cancel or suspend a PERSON'S membership of the NATIONAL HORSERACING AUTHORITY.

### **3. [DELETED]**

### **4. APPOINTMENT AND GENERAL POWERS OF THE SB**

#### **4.1 APPOINTMENT**

- 4.1.1 The SB shall comprise STIPENDIARY STEWARDS who shall be appointed by the NATIONAL BOARD.
- 4.1.2 A quorum of the SB shall be 2 STIPENDIARY STEWARDS save where only one STIPENDIARY STEWARD is available, in which case a quorum shall be 1 STIPENDIARY STEWARD.

#### **4.2 GENERAL POWERS**

In addition to any other powers and duties delegated or granted to them or provided in terms of the CONSTITUTION or the RULES, the SB and the STIPENDIARY STEWARDS shall have the power to do all things necessary to enable them to fulfil their functions and duties. Without derogating from the generality of this provision, the SB and the STIPENDIARY STEWARDS shall have the following powers, functions and duties:

- 4.2.1 to officiate at RACE MEETINGS and to carry out such functions as the NATIONAL BOARD may from time to time determine for the proper control of racing;
- 4.2.2 to detain on a RACE COURSE, after a RACE, any HORSE for the purpose of:
  - 4.2.2.1 a veterinary examination should they deem it necessary; or
  - 4.2.2.2 the taking of a SPECIMEN for analytical testing.
- 4.2.3 to furnish the ROR and the CHIEF EXECUTIVE with a written report on each RACE MEETING at which they officiate;
- 4.2.4 to investigate and report on any matter which the NATIONAL BOARD and/or the CHIEF EXECUTIVE may refer to them;
- 4.2.5 of their own accord to investigate any matter whether or not involving a breach or contravention of the RULES and to make any recommendations, including, in appropriate circumstances, a recommendation that an INQUIRY be held, to the NATIONAL BOARD, the CHIEF EXECUTIVE or any convenor of INQUIRY BOARDS;



- 4.2.6 to visit, inspect and search any place where training, racing or breeding of HORSES takes place, as well as any REGISTERED spelling farm and shall, in the course of such inspection and search, have unlimited access to all cupboards, refrigerators or vehicles in or on any such place and shall further be empowered to remove such items as the SB or STIPENDIARY STEWARDS may determine for the purposes of investigation and reporting thereon to the CHIEF EXECUTIVE;
- 4.2.7 to consider and satisfy themselves as to the fitness of a HORSE to run in a RACE, in accordance with the provisions of RULES 10.5.7 and 49.7 and to withdraw from a RACE a HORSE;
- 4.2.8 to determine the tractability of a HORSE at the start of a RACE;
- 4.2.9 to withdraw any HORSE from a RACE at any time if they, in their sole discretion, determine that such HORSE is ineligible to run in the RACE in terms of the RULES or the conditions of the RACE or has been allotted the incorrect weight;
- 4.2.10 to order an examination and, if they deem necessary, the detention for observation and further examination of any HORSE which has run in a RACE or which is on a RACE COURSE for the purpose of running in a RACE, and to take any action they consider necessary as a result of such examination, provided that the period of detention shall not exceed 48 hours and that the OWNER of the HORSE, or his representative, shall have the right to be present during the whole or any part of such period of detention;
- 4.2.11 to instruct a SPECIMEN COLLECTOR to take SPECIMENS from any HORSE for analytical testing;
- 4.2.12 to withdraw any HORSE from any RACE, on the recommendation of a licensed veterinary surgeon, that the HORSE is unfit because of disease, infirmity, unsoundness, untrained condition, savageness, unreliable temper, or any other cause which in their opinion may render such HORSE a danger or source of danger or interference to other HORSES or PERSONS taking part in that RACE or to other individuals or PERSONS present at the RACE COURSE;
- 4.2.13 to withdraw from a RACE a HORSE which does not arrive at the RACE COURSE or at the start of the RACE in which such HORSE is engaged, timeously;
- 4.2.14 to withdraw from a RACE, a HORSE which has, or is reasonably suspected of having, been drenched or infused in contravention of RULE 72.1.23 or has had, or is reasonably suspected of having had, blood drawn from it in contravention of RULE 72.1.22;
- 4.2.15 to cause the ALL CLEAR to be announced after the provisions of RULE 66.3.3 have been complied with and provided that they are satisfied that no OBJECTION has been lodged;
- 4.2.16 to withdraw from a RACE, where the track condition is unsuitable, a HORSE which has a demonstrated history of unsoundness and/or of not acting on that particular type of track condition;
- 4.2.17 to remove, or cause to be removed, anybody who is warned off or who is a DEFAULTER from the RACE COURSE.

## **5. APPOINTMENT AND GENERAL POWERS OF THE ROR**

### **5.1 APPOINTMENT**

- 5.1.1 The ROR shall be appointed by the RACING OPERATOR concerned. The ROR shall have the powers determined in terms of the RULES including, the power of delegation; provided that no individual or PERSON shall have the powers of, or be permitted to fulfil the duties of a ROR, if:
  - 5.1.1.1 he has not submitted to the CHIEF EXECUTIVE consent in WRITING, to be bound by the CONSTITUTION and the RULES;
  - 5.1.1.2 he has been declared ineligible to hold such office by the NATIONAL BOARD;
  - 5.1.1.3 he or his SPOUSE holds a licence from the NATIONAL HORSERACING AUTHORITY;
  - 5.1.1.4 he or his SPOUSE is a bookmaker or holds a bookmaker's right or is employed by a bookmaker;
  - 5.1.1.5 he or his SPOUSE has been warned off or placed on the DEFAULTERS' LIST.

## 5.2 GENERAL POWERS

In addition to any other powers and duties delegated or granted to the ROR or provided in terms of the RULES, the ROR and, where such powers have been delegated to him by the ROR, the RMR shall have the following powers to enable him to fulfil his functions and duties:

- 5.2.1 to make and to vary all such arrangements for the conduct of a RACE MEETING in consultation with the SB;
- 5.2.2 to abandon or cancel or postpone a RACE MEETING or a RACE, subject to the provisions of RULE 5.2.5, to another time and/or date;
- 5.2.3 if there is a protest from any PERSON about continuing to race at a RACE MEETING, such protest shall be considered by a panel comprising:
  - 5.2.3.1 the RMR;
  - 5.2.3.2 two STIPENDIARY STEWARDS, one of whom shall act as Chairman of the panel; and
  - 5.2.3.3 a NATIONAL HORSERACING AUTHORITY veterinary surgeon or failing him, another STIPENDIARY STEWARD.

In the event that any person or persons referred to in RULES 5.2.3.1, 5.2.3.2 or 5.2.3.3, fail or refuse to attend this hearing, the remaining persons shall constitute the panel.

This panel, after hearing the evidence of such PERSONS as it may wish to call, but including two TRAINERS nominated by the SB, and two JOCKEYS nominated by the SB, shall decide the matter. If the protest involves the condition of the Race Track, the panel shall also hear the evidence of the RACE COURSE track manager.

In the event of the panel, by majority decision, concluding that the RACE MEETING should continue, but the JOCKEY and/or TRAINER nominee/s disagree with such decision, the panel shall consult with each TRAINER and each JOCKEY having runners/rides in the remaining RACES to ascertain whether or not they are willing to continue racing. All HORSES trained by unwilling TRAINERS will be scratched and unwilling JOCKEYS will be replaced by JOCKEYS willing to ride.

- 5.2.4 to decide how and to what extent the time lost shall be made up should a start be delayed for any reason. Such decision shall be made in consultation with the SB and shall be made known forthwith over the public address system;
- 5.2.5 to change, subject to the provisions of RULE 49.19, in the event of unforeseen circumstances and after consultation with the SB, a programme or the venue and/or date of a RACE MEETING or a RACE, and/or the distance of a RACE or RACES and/or the course over which a RACE is to be run, provided that there shall be no cancellation or postponement of a RACE MEETING to accommodate a meeting which has been postponed, without the permission of the CHIEF EXECUTIVE;
- 5.2.6 to cancel a RACE if the number of runners required by the advertised conditions of the RACE be not obtained;
- 5.2.7 to reduce the advertised value of a RACE, in the proportion of the number of actual starters relative to the number of runners required by the advertised conditions of the RACE;
- 5.2.8 to delegate the power to act on behalf of the RACING OPERATOR concerned in receiving entries, scratchings and the declaration of RIDERS, HORSES, grooms blinkers, pacifiers, tongue ties and tongue straps ;
- 5.2.9 to exclude from all places under their control anybody who is:-
  - 5.2.9.1 warned off or whose name is on the DEFAULTERS' LIST;
  - 5.2.9.2 reported to them, through the CHIEF EXECUTIVE, by any SPECIFIED RACING AUTHORITY, as being warned off or as being a DEFAULTER;
  - 5.2.9.3 specifically suspended from being present at a RACE MEETING held under these RULES;
  - 5.2.9.4 barred from attending a RACE MEETING by a RACING OPERATOR.

- 5.2.10 to request the CHIEF EXECUTIVE to investigate any matter relating to horse racing at any RACE COURSE over which the ROR has control and to make such recommendations to the NATIONAL BOARD regarding the holding of an INQUIRY or otherwise, as they deem fit.

### **5.3 CONTROL**

The ROR and/or the RMR shall not enter the SPECIMEN collection area or the Jockey's Quarters or enter or remain in the judge's box during the running of a RACE or at any time after the running of a RACE until the judge has given his decision.

### **5.4 LIMITATIONS**

The ROR and/or the RMR shall not:-

- 5.4.1 sit on, take part in or adjudicate upon any investigation, INQUIRY, OBJECTION or other hearing if he is bound to recuse himself by virtue of any particular knowledge which he may possess or any material interest he may have in the outcome of such matter;
- 5.4.2 bet directly or indirectly on any HORSE participating in a RACE for which he is officiating, whether for or on behalf of himself or on behalf of any party whomsoever, or execute a betting commission for or on behalf of himself or any party whomsoever whether with a bookmaker or on a totalisator.

### **5.5 CONTRAVENTIONS**

The NATIONAL BOARD may declare a ROR and/or a RMR ineligible to hold office if it is found, after a hearing, that such person has committed an offence in terms of the RULES.

## LICENSED OFFICIALS

### 6. LICENSED OFFICIALS

- 6.1 Upon receipt of a licence from the LICENSING BOARD, the following officials and their assistants or deputies may act on behalf of the NATIONAL HORSERACING AUTHORITY and/or a RACING OPERATOR to perform such functions and duties as are specified in the RULES and as the NATIONAL BOARD and/or a RACING OPERATOR may determine. Save where otherwise provided in the RULES, nobody shall act as such without being so licensed
- ACADEMY Principal
  - ACADEMY Riding Master
  - Clerk of the Scales
  - CHIEF EXECUTIVE OF A RACING OPERATOR
  - CHIEF EXECUTIVE of the NATIONAL HORSERACING AUTHORITY
  - Handicapper
  - Horse Identifier
  - Judge
  - Laboratory Director
  - MANAGER of the NATIONAL HORSERACING AUTHORITY
  - Race Course Manager
  - RMR
  - ROR
  - SPECIMEN COLLECTOR
  - Starter
  - STIPENDIARY STEWARD
  - Veterinary Surgeon
- 6.2 The NATIONAL BOARD shall be entitled from time to time to determine further classes of officials to be licensed by the LICENSING BOARD to perform such additional functions and duties as the NATIONAL BOARD may determine.
- 6.3 The CHIEF EXECUTIVE, his deputies, any MANAGER of the NATIONAL HORSERACING AUTHORITY and the STIPENDIARY STEWARDS shall have free access to all stands, rooms, enclosures and other places used for the purpose of RACE MEETINGS except that they shall not enter or remain in the judge's box during the running of a RACE or at any time after the running of a RACE until the judge has given his decision.
- 6.4 Every LICENSED OFFICIAL shall accept all rights and obligations conferred on him in terms of the CONSTITUTION and the RULES and shall agree to be bound thereby.
- 6.5 Every LICENCED OFFICIAL employed by the NATIONAL HORSERACING AUTHORITY in a full time capacity shall retire at the end of the month in which he reaches the age of 65 years. The NATIONAL BOARD in its sole discretion on the recommendation of the CHIEF EXECUTIVE may however allow such a LICENSED OFFICIAL to be re-employed by the NATIONAL HORSERACING AUTHORITY in a full time capacity on such terms and conditions as may be agreed.
- 6.6 Every LICENCED OFFICIAL who is employed by the NATIONAL HORSERACING AUTHORITY on a part-time basis shall retire at the end of the month in which he reaches the age of 65 years, save where the NATIONAL BOARD in its sole discretion on the recommendation of the CHIEF EXECUTIVE otherwise determines, in which event the NATIONAL BOARD may allow such official to continue to act as such, or may grant a new licence to such official.
- 6.7 Nobody shall be licensed as an official if:
- 6.7.1 he or his SPOUSE has been warned off at any time in any part of the world; or
  - 6.7.2 he or his SPOUSE is a bookmaker, or in the employ of a bookmaker;
  - 6.7.3 he is employed by any totalisator agency or similar board;
  - 6.7.4 he or his SPOUSE is employed by any bookmakers association.

**6.8 No LICENSED OFFICIAL:-**

- 6.8.1 except the CHIEF EXECUTIVE OF A RACING OPERATOR, shall bet or be directly or indirectly interested in any bet or execute any betting commission upon any RACE wheresoever held whilst he is in SOUTHERN AFRICA, and on any RACE held in SOUTHERN AFRICA whilst he is not in SOUTHERN AFRICA;
- 6.8.2 or his SPOUSE, shall hold individual or partnership COLOURS or be a member of a syndicate or CLOSE CORPORATION having COLOURS or be a director of a COMPANY having COLOURS;
- 6.8.3 shall hold an authority to act or in any way act as an agent in any matter governed by the RULES;
- 6.8.4 or his SPOUSE, shall be REGISTERED as a thoroughbred breeder, stallion OWNER or mare OWNER save for those already REGISTERED.

**6.9 COMPLAINTS AGAINST LICENSED OFFICIALS**

- 6.9.1 If any PERSON is aggrieved by the action of any LICENSED OFFICIAL (excluding the CHIEF EXECUTIVE), he may lodge a complaint in WRITING with the CHIEF EXECUTIVE. Such complaint shall set out the circumstances giving rise to the complaint and the grounds thereof and shall, unless lodged by a STEWARD or LICENSED OFFICIAL, be accompanied by a deposit of R3000.
- 6.9.2 The CHIEF EXECUTIVE shall refer the complaint to the NATIONAL BOARD which may appoint an INQUIRY BOARD to investigate the complaint or take such other steps with regard to the complaint as they deem appropriate, including the dismissal of the complaint.
- 6.9.3 The NATIONAL BOARD, or if an INQUIRY BOARD has been appointed, that INQUIRY BOARD, shall decide what amount, if any, of the deposit shall be refunded.
- 6.9.4 The complainant may be fined not more than R50000 if his complaint is considered unwarranted.

**6.10 COMPLAINT AGAINST THE CHIEF EXECUTIVE**

- 6.10.1 If any PERSON is aggrieved by the actions or any decision of the CHIEF EXECUTIVE or any MANAGER in the exercise of their powers, duties, functions or discretions given or to be carried out or exercised in terms of the RULES, such PERSON may lodge a complaint in WRITING with the NATIONAL BOARD. Such complaint shall set out the circumstances giving rise to the complaint and the grounds thereof and shall, unless lodged by a STEWARD or LICENSED OFFICIAL, be accompanied by a deposit of R3000.
- 6.10.2 The NATIONAL BOARD shall investigate the complaint and take whatever steps with regard to the complaint as they deem appropriate. The NATIONAL BOARD shall, inter alia, have the power to:-
  - 6.10.2.1 dismiss the complaint;
  - 6.10.2.2 overrule any decision taken or discretion exercised by the CHIEF EXECUTIVE or MANAGER;
  - 6.10.2.3 substitute their own action, decision or exercise their own discretion in place of any action, decision or discretion taken or exercised by the CHIEF EXECUTIVE or MANAGER;
  - 6.10.2.4 refer any matter back to the CHIEF EXECUTIVE for reconsideration;
  - 6.10.2.5 decide what amount, if any, of the deposit shall be refunded.
- 6.10.3 The complainant may be fined not more than R50000 if his complaint is considered unwarranted.

**6.11 EMPLOYEES**

- 6.11.1 Nobody shall be employed by the NATIONAL HORSERACING AUTHORITY whilst he is a member of the NATIONAL HORSERACING AUTHORITY.

## PRIVILEGES – GENERAL

### 7. PRIVILEGES

7.1 Subject to the provisions of RULE 7.2.2 the LICENSING BOARD shall have the power to, and may, in its absolute discretion, after consideration of the recommendation of the Chief Stipendiary Steward of the SB in the RACING DISTRICT concerned, grant or refuse to grant any new application for a PRIVILEGE provided for in the CONSTITUTION or the RULES, excluding the PRIVILEGES referred to in RULE 7.6. The provisions of RULE 7.1 shall apply in instances where the applicant has relinquished his PRIVILEGE and subsequently wishes to reapply for a PRIVILEGE.

[Amended 15.02.2013]

7.2 Every new application for a PRIVILEGE shall be made on the prescribed form and signed by everyone who is a party thereto, which form, together with any other information required by the LICENSING BOARD and the prescribed fee (if any), shall be lodged with the Chief Stipendiary Steward of the SB in the RACING DISTRICT in which the applicant resides or such other body or PERSON as may be provided in terms of the RULES.

[Amended 15.02.2013]

7.2.1 If the application is for a PRIVILEGE other than COLOURS, the Chief Stipendiary Steward shall consider such application whereupon his recommendation together with the application shall be forwarded to the LICENSING BOARD for consideration and adjudication.

[Amended 15.02.2013]

7.2.2 If the application is for the granting of COLOURS, the SB shall consider the application and if the SB is satisfied that the applicant qualifies for the granting of COLOURS, may recommend to the Secretary of the LICENSING BOARD that COLOURS be granted. If the SB has any doubt about the suitability of the applicant, the application will be forwarded by the SB to the LICENSING BOARD for consideration and adjudication.

[Amended 15.02.2013]

7.3 [DELETED]

[Amended 15.02.2013]

7.4 [DELETED]

[Amended 15.02.2013]

7.5 Every applicant for, or the holder of, a PRIVILEGE shall be bound by the CONSTITUTION and the RULES.

7.6 The NATIONAL BOARD shall have the power:-

7.6.1 to grant, subject to such terms and conditions as it may impose, or to refuse a licence to a RACING OPERATOR. If such a licence is granted it shall be restricted to a specified RACE COURSE or RACE COURSES;

7.6.2 to grant, subject to such terms and conditions as it may impose, or to refuse a licence for a RACE COURSE;

7.6.3 to cancel or suspend the licence of any RACING OPERATOR or RACE COURSE.

### 7.7 LAPSING OF PRIVILEGES

Other than an authority to act, REGISTRATION of OWNERSHIP and INDENTURES, every PRIVILEGE shall, unless otherwise specified or provided, lapse with effect from 1 August in each year. However, subject to the provisions of RULE 7.10, should the prescribed form for renewal of the PRIVILEGE and prescribed fee and penalty, if any, have been lodged prior to 1 August, the PRIVILEGE shall automatically be renewed, unless the LICENSING BOARD issues a ruling that a specified PRIVILEGE not be renewed or renewed subject to conditions, in which event the provisions of RULE 7.11 will apply mutatis mutandis.

[Amended 15.02.2013]

### 7.8 LIMITATION

**No PRIVILEGE shall be granted to a bookmaker, other than COLOURS, REGISTRATION as a mare OWNER or stallion OWNER or REGISTRATION as a bookmaker.**

### 7.9 REFUSAL AND CANCELLATION

In the event that an application for a PRIVILEGE is refused or a PRIVILEGE is cancelled in circumstances other than those relating to a warning off, no further application for the same PRIVILEGE shall be considered until 180 DAYS after such refusal or cancellation. Any

application for a PRIVILEGE following a refusal or cancellation shall be regarded in all respects and for all purposes as a new application by the applicant for such PRIVILEGE.

#### **7.10 RENEWALS**

Except those REGISTRATIONS specified in RULE 32.7.7, applications for the renewal of all PRIVILEGES shall be lodged in the prescribed form, together with the prescribed fee, with the CHIEF EXECUTIVE by not later than 15 June of each year, failing which the penalties as published in the RACING CALENDAR from time to time shall be payable.

[Amended 15.02.2013]

#### **7.11 CONDITIONS**

**Any PRIVILEGE may be granted or renewed subject to such terms, conditions or qualifications as the LICENSING BOARD in its sole discretion deems fit, and a PERSON in receipt of such PRIVILEGE shall comply with such terms, conditions or qualifications.**

**7.12 JURISDICTION**  
Any PERSON who, at any time, surrenders any PRIVILEGE or whose PRIVILEGE is cancelled or whose application for renewal is refused shall, notwithstanding the surrender, cancellation or refusal of renewal of such PRIVILEGE, be subject to the jurisdiction of the NATIONAL HORSERACING AUTHORITY in respect of any acts or omissions during the period when such PERSON held a PRIVILEGE, and in respect of any proceedings in relation to such acts or omissions.

#### **7.13 TEMPORARY PRIVILEGES**

- 7.13.1 If a trainer and/or owner registered as such in a SPECIFIED RACING AUTHORITY ("the foreign trainer and/or owner") wishes to race a horse registered in such SPECIFIED RACING AUTHORITY ("the foreign horse") in a RACE, the foreign trainer and/or owner must apply to the LICENSING BOARD for the granting of a temporary PRIVILEGE before such foreign horse may race in South Africa.
- 7.13.2 The LICENSING BOARD shall be entitled to grant such temporary PRIVILEGE subject to such conditions and for such period as it may in its absolute discretion determine.

## **COLOURS**

### **8. COLOURS**

No PERSON shall enter, declare or start a HORSE for or in a RACE unless the OWNER is the current holder of COLOURS, save in the case of a HORSE entered or declared on or prior to 31 July for a RACE to take place on or after 1 August.

[Amended 24.10.2016]

#### **8.1 REGISTRATION**

Subject to the provisions of the RULES, only the following categories of COLOURS may be REGISTERED:-

- 8.1.1 individual - in the name of a natural PERSON;
- 8.1.2 estate - in the name of the estate of a natural PERSON if he had COLOURS REGISTERED in his name at the time of death;
- 8.1.3 partnership - in the name of the partnership or in the names of the individuals, syndicates, and/or JURISTIC PERSONS comprising the partnership;
- 8.1.4 syndicate - in the name of the syndicate which shall comprise not less than 5 natural PERSONS and/or JURISTIC PERSONS and not more than 20 natural PERSONS and/or JURISTIC PERSONS;
- 8.1.5 CLOSE CORPORATION - in the name of the NOMINEE of a CLOSE CORPORATION the membership of which shall comprise not more than 10 natural PERSONS, including the NOMINEE;
- 8.1.6 COMPANY - in the name of the COMPANY;
- 8.1.7 TRUST - in the name of a TRUST.

#### **8.2 RESTRICTIONS**

- 8.2.1 Without derogating from the rights of the LICENSING BOARD to refuse to grant COLOURS, individual or partnership COLOURS shall not be granted to or held by anyone unless he has attained the age of eighteen years and shall not be granted to or held by any of the following people or their SPOUSES:
  - 8.2.1.1 an APPRENTICE;
  - 8.2.1.2 a LICENSED OFFICIAL save that a veterinary surgeon who is not in the full time employ of the NATIONAL HORSERACING AUTHORITY may be granted COLOURS on condition that he shall not officiate at any RACE MEETING at which a horse owned by him is carded to run;
  - 8.2.1.3 any employee of the NATIONAL HORSERACING AUTHORITY;
  - 8.2.1.4 anyone whose estate is sequestrated, wound up or liquidated or who is an unrehabilitated insolvent or any COMPANY or CLOSE CORPORATION which is wound up or in liquidation;
  - 8.2.1.5 an individual or PERSON who is warned off, disqualified, suspended or whose name is on the DEFAULTERS' LIST.
- 8.2.2 Should any PERSON who has COLOURS REGISTERED in his name at any time fall within one of the above categories of PERSONS, his COLOURS shall automatically lapse.
- 8.2.3 In the event that a COLOUR holder or his estate is provisionally sequestrated or provisionally liquidated, the NATIONAL BOARD may, after a hearing, cancel such PERSON'S COLOURS.
- 8.2.4 The provisions of RULE 8.2.1 shall apply in like manner to PARTICIPANTS in a JURISTIC PERSON.

#### **8.3 DESCRIPTION AND DESIGN**

- 8.3.1 A HORSE shall run in the REGISTERED colours of its OWNER and the OWNER and/or TRAINER of a HORSE shall ensure that such colours are available. Where the colours are not available for any reason, a STIPENDIARY STEWARD may allow a HORSE to run in REGISTERED club colours.
- 8.3.2 Colours shall be designed and described so as to be easily distinguishable.



- 8.3.3 If any colours in a RACE are practically indistinguishable, the clerk of the scales or a STIPENDIARY STEWARD shall order one or more sets to be changed, without penalty, for the RACE concerned.
- 8.3.4 In RACE CARDS, colours shall be described as published in the RACING CALENDAR.
- 8.3.5 Notwithstanding anything to the contrary contained in Rule 8.3, in the event of any Invitational International or Provincial Jockeys Challenge being scheduled by any RACING OPERATOR, then it shall be permitted, in the sole discretion of the CHIEF EXECUTIVE and on such conditions as he determines, that the HORSES participating in the races relevant to that Invitational International Jockeys Challenge, run in colours depicting the country of birth or permanent residence of the rider of that HORSE, or, in the event of races relevant to that Invitational Provincial Jockeys Challenge, run in colours depicting the province of permanent residence of the rider of that HORSE.

#### **8.4 DEATH OF A PERSON HOLDING INDIVIDUAL COLOURS**

Should the PERSON referred to in RULE 8.1 die, his COLOURS shall remain REGISTERED for a period not exceeding 180 DAYS from the date of death, whereafter such COLOURS shall lapse unless the lawful representative of the deceased's estate shall have applied for and been granted COLOURS. The lawful representative shall apply for the REGISTRATION of COLOURS in the name of the estate if the estate wishes to continue racing the HORSES which were owned or leased by the deceased at the time of his death. Such representative shall assume the responsibilities of an OWNER and shall be subject to the CONSTITUTION and the RULES.

#### **8.5 PARTNERSHIP COLOURS**

- 8.5.1 A HORSE owned in partnership shall be raced in partnership COLOURS or in the COLOURS of the individual partner specified in the application to REGISTER the partnership of the HORSE concerned.
- 8.5.2 All the partners of a partnership shall be responsible and may be held liable for the actions of the partnership or for any offence in relation to any HORSE owned in the partnership and shall be deemed to have assumed the responsibilities of an OWNER.
- 8.5.3 Should any partner retire, be warned off, disqualified, or his name be placed on the DEFAULTERS' LIST or the partnership be dissolved for any reason, including but not limited to a partner withdrawing from the partnership, the COLOURS of the partnership shall automatically lapse.
- 8.5.4 Should a partner die, the COLOURS of the partnership shall remain REGISTERED for a period not exceeding 180 DAYS from the date of death, whereafter such COLOURS shall lapse unless the lawful representative of the deceased partner's estate shall have applied for and been granted COLOURS. Such representative shall apply for the name of the estate of the deceased partner to be substituted for the name of the deceased if the estate wishes to continue racing the HORSES which were owned or leased by the deceased in partnership. Such representative shall assume the responsibilities of an OWNER and shall be subject to the CONSTITUTION and the RULES.
- 8.5.5 The following PERSONS shall not race in partnership:
- 8.5.5.1 a TRAINER with another TRAINER, except that;
- 8.5.5.1.1 an ASSISTANT TRAINER may race in partnership with a TRAINER by whom he is employed;
- 8.5.5.1.2 a TRAINER may race in partnership with his partner in a TRAINING PARTNERSHIP;
- 8.5.5.1.3 if the TRAINERS are ordinarily resident and train in different RACING DISTRICTS, and do not have any training establishments in the same RACING DISTRICT.
- 8.5.5.2 the SPOUSE of a TRAINER with another TRAINER or his SPOUSE except where the TRAINERS are partners in a TRAINING PARTNERSHIP.

- 8.5.6 Each partnership shall forthwith on COLOURS being granted or renewed, as the case may be, in WRITING, appoint one member and failing such member an alternate member to serve as its representative. The authorised representative shall exercise all the powers of an OWNER in respect of the partnership but all the partners shall have access to those restricted areas on a RACE COURSE to which OWNERS are admitted. Should the authorised representative of the partnership or his alternate be removed by the remaining partners, the partners shall forthwith in writing appoint a further partner or partners to be the authorised representative of the partnership.
- 8.5.7 Notwithstanding the provisions of RULE 8.5.6 all partners in a partnership shall be bound by the CONSTITUTION and RULES and shall be responsible and may be held liable for the actions of its authorised representative/s for an offence in relation to any HORSES OWNED by the partnership and all partners shall be jointly and severally responsible for any liability incurred by the partnership to the NATIONAL HORSERACING AUTHORITY.

## **8.6 JURISTIC PERSON'S COLOURS**

- 8.6.1 All names of JURISTIC PERSONS shall be approved by the LICENSING BOARD.
- 8.6.2 Each JURISTIC PERSON shall appoint, in WRITING, one of its PARTICIPANTS as a NOMINEE and, subject to the provisions of RULE 8.6.5, only he shall exercise the powers of an OWNER in respect of the JURISTIC PERSON.
- 8.6.3 The NOMINEE shall be responsible and may be held liable for the actions of the JURISTIC PERSON or for any offence in relation to any HORSE owned by the JURISTIC PERSON and shall be deemed to have assumed the responsibilities of an OWNER.
- 8.6.4 Notwithstanding the provisions of RULE 8.6.3, all PARTICIPANTS in a JURISTIC PERSON shall be bound by the CONSTITUTION and RULES and shall be responsible and may be held liable for the actions of the JURISTIC PERSON or for any offence in relation to any HORSE owned or leased by the JURISTIC PERSON. All PARTICIPANTS in a JURISTIC PERSON shall be jointly and severally responsible for any liability incurred by the JURISTIC PERSON to the NATIONAL HORSERACING AUTHORITY.
- 8.6.5 The NOMINEE of a JURISTIC PERSON shall have access to those restricted areas on a RACE COURSE to which only OWNERS are admitted. The number of PARTICIPANTS in a JURISTIC PERSON who are allowed access to the areas on a RACE COURSE in which only OWNERS are admitted, may be restricted by the RMR.
- 8.6.6 A HORSE owned by a JURISTIC PERSON shall be raced in the COLOURS of such JURISTIC PERSON, and in the name of the JURISTIC PERSON represented by the NOMINEE, e.g.  
 XYZ Syndicate - NOMINEE Mr AB  
 XYZ (Pty) Ltd - NOMINEE Mr AB  
 If the JURISTIC PERSON is a syndicate, the HORSE may be raced in the COLOURS of the NOMINEE.  
 XYZ TRUST - NOMINEE Mr AB  
 XYZ CC - NOMINEE Mr AB
- 8.6.7 Should the NOMINEE or any PARTICIPANT in his individual capacity be warned off, disqualified, suspended, or his name be placed on the DEFAULTERS' LIST, the COLOURS of the JURISTIC PERSON shall automatically be suspended for a period of 30 DAYS or until the date of reconstitution of the JURISTIC PERSON, whichever is the earlier. During this period the remaining PARTICIPANTS may appoint a new NOMINEE and/or apply for the reconstitution of the JURISTIC PERSON and/or the REGISTRATION of the new NOMINEE. If the reconstitution is not applied for or a new NOMINEE is not appointed, or approved and REGISTERED by the LICENSING BOARD, the COLOURS of the JURISTIC PERSON shall automatically lapse.

- 8.6.8 Should the NOMINEE of a JURISTIC PERSON die or retire, or be removed as NOMINEE by the remaining PARTICIPANTS, the remaining PARTICIPANTS shall forthwith apply for the appointment of a PERSON eligible in terms of the RULES to be the NOMINEE of the JURISTIC PERSON. The HORSES REGISTERED in the name of the JURISTIC PERSON shall not be entered for or be permitted to run in any RACE until the change is REGISTERED by the LICENSING BOARD, save for those engagements made prior to the removal, death or retirement of the NOMINEE.
- 8.6.9 Any change in the PARTICIPANTS in a JURISTIC PERSON shall be subject to the approval of the LICENSING BOARD, on such conditions as may be determined by it, provided that if in the opinion of the LICENSING BOARD such changes result in the JURISTIC PERSON not complying with the provisions of the RULES the LICENSING BOARD may require that the proposed changes not be implemented and/or the COLOURS of the original JURISTIC PERSON be cancelled and/or the COLOURS in the name of a new JURISTIC PERSON be REGISTERED.
- 8.6.10 The NOMINEE of a JURISTIC PERSON shall advise the CHIEF EXECUTIVE in WRITING on the prescribed form of the names of any proposed new PARTICIPANTS and/or any other proposed changes in the PARTICIPANTS of that JURISTIC PERSON. No HORSE may be entered to run in a RACE in the COLOURS of the JURISTIC PERSON until such change has been approved by the LICENSING BOARD.
- 8.6.11 The assignment by a PARTICIPANT in a JURISTIC PERSON of any part of his share or interest in the JURISTIC PERSON shall be deemed to be a change in the PARTICIPANTS and the provisions of RULE 8.6.9 and 8.6.10 shall, in that event, be complied with.
- 8.6.12 COLOURS shall not be REGISTERED in the name of a JURISTIC PERSON, nor shall a JURISTIC PERSON be permitted to RACE if:-
- 8.6.12.1 more than one TRAINER is a PARTICIPANT in the JURISTIC PERSON; or
- 8.6.12.2 a TRAINER is a PARTICIPANT in the JURISTIC PERSON and any HORSE owned by the JURISTIC PERSON is trained by another TRAINER, except where such HORSE is trained by his ASSISTANT TRAINER or STABLE EMPLOYEE in terms of RULE 11.2.2 or 11.2.5.
- 8.6.13 The NATIONAL BOARD may, after a hearing, cancel the COLOURS of any JURISTIC PERSON if the JURISTIC PERSON or its NOMINEE fails within a reasonable time to furnish the CHIEF EXECUTIVE and/or the LICENSING BOARD with such information as the CHIEF EXECUTIVE and/or the LICENSING BOARD may require from time to time.

## **8.7 CONTINUATION OF REGISTRATION**

Where it is provided in RULES 8.4, 8.5 and 8.6 that upon the death of any PERSON, REGISTRATION of COLOURS shall continue subject to certain conditions, such provisions shall apply mutatis mutandis to any other REGISTRATION, including a REGISTRATION of OWNERSHIP or lease of a HORSE.

## **8.8 GENERAL**

The COLOURS of a JURISTIC PERSON shall automatically lapse if a JURISTIC PERSON ceases to operate or is placed under final liquidation.

## **AUTHORITIES TO ACT**

### **9. AUTHORITIES TO ACT**

- 9.1 An AUTHORISED AGENT may:-
- 9.1.1 enter HORSES for RACES;
  - 9.1.2 scratch HORSES from RACES;
  - 9.1.3 engage and declare RIDERS; and
  - 9.1.4 declare blinkers, pacifiers, tongue ties, tongue straps and/or racing plates.
- 9.2 All entries, scratchings, engagements and the declaration of HORSES, RIDERS, blinkers, pacifiers, tongue ties, tongue straps and racing plates shall be made in terms of the RULES and any RACING OPERATOR'S conditions, as published from time to time.
- 9.3 No person, other than a TRAINER may act as an AUTHORISED AGENT provided that an authority to act has been REGISTERED in favour of such AUTHORISED AGENT and is accompanied, where applicable, by a power of attorney or letters of executorship, save as provided for in RULE 9.12.

### **9.4 HORSE BEING ENTERED FOR A RACE**

- 9.4.1 Each colour holder (who for the purposes of this RULE, includes every member of a partnership and every PARTICIPANT in a JURISTIC PERSON) shall ensure that the TRAINER responsible for the training of his HORSE shall have been granted an authority to act prior to such HORSE being entered for a RACE.
- 9.5 The AUTHORISED AGENT may delegate his authority to act to an ASSISTANT TRAINER or STABLE EMPLOYEE employed by him provided that he shall advise the CHIEF EXECUTIVE through the SB for the RACING DISTRICT concerned, in WRITING, in the prescribed form, of the name of the ASSISTANT TRAINER or STABLE EMPLOYEE employed by him and of any changes thereto.
- 9.6 The acceptance and/or REGISTRATION of any authority to act shall not absolve the grantor thereof from personal responsibility or liability for any contravention of the CONSTITUTION or the RULES which may have been committed by the grantee acting in terms of the authority granted to him.
- 9.7 Every authority to act shall, except as provided for in RULES 9.9, 9.12 and 9.17, remain in force until cancelled by the grantor, and where the grantor is a partnership, by the authorised representative of the partnership, or until the grantor ceases to exist by virtue of the dissolution of the partnership, syndicate or JURISTIC PERSON.
- 9.8 Every cancellation of an authority to act shall be immediately notified, in WRITING, by the grantor to the CHIEF EXECUTIVE who shall immediately record the cancellation thereof; provided that the withdrawal or cancellation of an authority to act shall be of force and effect immediately upon notification thereof by the grantor to the grantee.
- 9.9 The CHIEF EXECUTIVE may, upon a request to him in WRITING by the grantee of an authority to act, cancel such authority to act.
- 9.10 Any authority to act granted in terms of the RULES shall automatically lapse in the event of:-
- 9.10.1 the cancellation or the CHIEF EXECUTIVE'S acceptance of the relinquishment of the grantee's licence or REGISTRATION; or
  - 9.10.2 the cancelling of the grantor's COLOURS; or
  - 9.10.3 the COLOUR holder advising the CHIEF EXECUTIVE, in WRITING, that he has relinquished his COLOURS; or
  - 9.10.4 the grantor failing to re-apply for his COLOURS before 31 October in any year; or
  - 9.10.5 the grantee advising the CHIEF EXECUTIVE, in WRITING, that the grantor has removed his HORSES from his care, and that the grantee will not train HORSES for the grantor in future; or
  - 9.10.6 an ASSISTANT TRAINER or STABLE EMPLOYEE, who has been granted an authority to act arising from his employment by a TRAINER, leaving the employment of that TRAINER, but only in respect of that ASSISTANT TRAINER or STABLE EMPLOYEE.

- 9.11 The grantee of an authority to act shall advise the grantor, in WRITING, of the cancellation of the authority to act in terms of RULES 9.9, 9.10.1 and 9.10.6 and, where applicable, shall advise the CHIEF EXECUTIVE of the cessation of employment of the ASSISTANT TRAINER or STABLE EMPLOYEE concerned.
- 9.12 Should the grantor of an authority to act die, such authority shall remain in force for a period not exceeding 180 DAYS from the date of death whereafter such authority to act shall lapse and be of no further force and effect unless the lawful representative of the deceased grantor's estate shall have applied for and been granted COLOURS. The lawful representative shall, if the estate wishes to continue racing the HORSES which were owned or leased by the deceased at the time of death, apply for COLOURS in the name of the estate and, if granted, may apply for the REGISTRATION of an authority to act in the name of the estate: such authority shall remain in force until the estate is finalised and the representative is discharged by the Master of the Supreme Court or other relevant authority or the HORSES are disposed of, whichever is the earlier
- 9.13 Should the grantor of an authority to act remove a HORSE, which has been entered for a RACE, from the care of a TRAINER to whom he has granted an authority to act, he shall forthwith give verbal notice, to be confirmed in WRITING, of the removal of such HORSE to the ROR concerned. The grantee from whom a HORSE has been removed, as provided in terms of the RULES, shall not scratch such HORSE from any RACE for which it was entered under that grantee's authority to act.
- 9.14 In an emergency a PERSON holding an authority to act may, with the approval of the SB, delegate his authority for a specific RACE MEETING to another PERSON. If for any reason it is not possible to comply with the foregoing, the SB may appoint some PERSON to act for the grantee.
- 9.15 The SB may refuse to accept or recognise an authority to act for a specific RACE MEETING.
- 9.16 An authority to act shall not be REGISTERED in favour of:-
- 9.16.1 a bookmaker;
- 9.16.2 an employee of a bookmaker;
- 9.16.3 an employee of the NATIONAL HORSERACING AUTHORITY;
- 9.16.4 an employee of a RACING OPERATOR unless the NATIONAL BOARD, in its sole discretion may determine otherwise.
- [Amended 15.02.2013]
- 9.16.5 a LICENSED OFFICIAL;
- 9.16.6 a STEWARD except a ROR, who is also a TRAINER where the authority to act is granted by his SPOUSE with whom he races HORSES in partnership;
- 9.16.7 anybody who is suspended or warned off or whose name is on the DEFAULTERS' LIST;
- 9.16.8 the SPOUSE of any of the above except the SPOUSE of a ROR referred to in RULE 9.16.6;
- 9.16.9 an employee of a totalisator agency or similar board;
- 9.16.10 a RIDER;
- 9.16.11 anyone under 18 years of age.
- 9.17 If the grantor of an authority to act cancels such authority, such cancellation shall be null and void in respect of a HORSE that has been entered and declared for a RACE if such cancellation takes place within seven days of the date of the RACE, unless the OWNERS and the TRAINER agree to such cancellation, failing which the cancellation shall only become effective in respect of such HORSE after the RACE has been run.

## **TRAINERS, ASSISTANT TRAINERS AND STABLE EMPLOYEES**

### **10. TRAINERS, ASSISTANT TRAINERS AND STABLE EMPLOYEES**

- 10.1 Only the following PERSONS may train HORSES to run at RACE MEETINGS:
- 10.1.1 a TRAINER;
  - 10.1.2 an ASSISTANT TRAINER who has, in terms of RULE 11.2.4, obtained the permission of a STIPENDIARY STEWARD to act during the absence or illness of a TRAINER who employs him;
  - 10.1.3 an ASSISTANT TRAINER controlling a racing stable on behalf of his employer, who shall be a TRAINER, and who shall have obtained permission in terms of RULE 11.2.5;
  - 10.1.4 a STABLE EMPLOYEE who has in terms of RULE 11.2.4 obtained the permission of a STIPENDIARY STEWARD to act during the absence or illness of a TRAINER who employs him;
  - 10.1.5 a TRAINING PARTNERSHIP.
- 10.2 No one may act as a TRAINER unless and until such PERSON has been granted a licence by the LICENSING BOARD. A licence shall not be granted to anybody referred to in RULE 9.16.
- 10.3 No PERSON shall enter a HORSE for a RACE or run a HORSE in a RACE unless it is trained by one of the PERSONS referred to in RULE 10.1. No HORSE shall be eligible to run in any RACE unless it is trained by one of the PERSONS referred to in RULE 10.1.
- 10.4 An application for a licence or permit to train shall not be granted unless the applicant's stables have been approved. Such stables may not be shared with anyone else except if they are owned or leased and managed or controlled by a RACING OPERATOR or such other organisation as approved by the NATIONAL BOARD and on such conditions as the NATIONAL BOARD may impose.
- 10.5 A TRAINER, ASSISTANT TRAINER or STABLE EMPLOYEE (where applicable):-
- 10.5.1 shall be responsible for the care, treatment and training of all HORSES under his control;
  - 10.5.2 shall only occupy stables which have been approved by the Chief Stipendiary Steward of the SB of the RACING DISTRICT within which the training establishment is situated, and such stables may be inspected at any time by any LICENSED OFFICIAL so instructed by the CHIEF EXECUTIVE;
  - 10.5.3 shall exercise control over the stables in which the HORSES he trains are stabled;
  - 10.5.4 shall notify the Chief Stipendiary Steward of the SB of the RACING DISTRICT within which the training establishment is situated, within 7 DAYS of the names of any HORSES which have entered or left his training establishment, such notification to be in the prescribed form;
  - 10.5.5 shall notify the Chief Stipendiary Steward of the SB of the RACING DISTRICT within which the training establishment is situated of the death of any HORSE under his care within 7 DAYS of such death;
  - 10.5.6 shall:-
    - 10.5.6.1 within 7 DAYS of the event, give written notice to the Chief Stipendiary Steward of the SB in the RACING DISTRICT in which the HORSE is being trained when any HORSE under his care has been castrated or de-sexed;
    - 10.5.6.2 ensure that the veterinary surgeon concerned immediately endorses the PASSPORT that the HORSE has been castrated or de-sexed;
    - 10.5.6.3 ensure within 7 DAYS of a gelding entering his training establishment that the Chief Stipendiary Steward of the SB in the RACING DISTRICT in which the training establishment is situated, is notified that the HORSE is a gelding;
  - 10.5.7 shall, in the case of a HORSE which has not raced before or which has not raced for a period of 90 DAYS or more at the time of the race, prior to entry day advise the SB in his RACING DISTRICT of the name of such HORSE which he intends to enter and shall, when required by the SB in terms of RULE 4.2.7 and prior to final declarations, satisfy the SB that a HORSE is fit to take part in a RACE for which it is to be or has been entered. The HORSE shall be required to run at not less than half pace over a distance of not less than 600m or as determined by the SB;

- 10.5.8 shall be responsible for the equipment carried or used on a HORSE being exercised or in a RACE, and shall ensure that such equipment complies with the requirements of the RULES and/or the instructions issued by the NATIONAL BOARD;
- 10.5.9 shall ensure that no HORSE which has an infectious or contagious disease is moved to any place where HORSES are stabled or taken to a RACE COURSE or communal training facility;
- 10.5.10 shall ensure that, if his HORSES are to be on a RACE COURSE in the care of his ASSISTANT TRAINER or there has been a delegation pursuant to RULES 9.5 or 9.14, such ASSISTANT TRAINER or STABLE EMPLOYEE furnishes a STIPENDIARY STEWARD with a letter of authority, which letter shall be handed to such STIPENDIARY STEWARD more than 60 minutes before the official starting time of the first RACE in which any one of his HORSES is due to run. An ASSISTANT TRAINER or STABLE EMPLOYEE shall also ensure compliance with the provisions of this RULE;
- 10.5.11 shall not employ in his training stables, whether for gain or not anybody as an ASSISTANT TRAINER or as a STABLE EMPLOYEE unless such PERSON is so licensed or REGISTERED;
- 10.5.12 shall notify the SB immediately he becomes aware of any circumstances that could lead to the scratching of any HORSE trained by him which has been entered for a RACE and, if called upon to do so, shall without delay furnish the ROR with a supporting veterinary certificate where appropriate;
- 10.5.13 shall not, except with the permission of the CHIEF EXECUTIVE, employ in his training stable, whether for gain or not, anybody to whom the LICENSING BOARD has refused to grant a PRIVILEGE;
- 10.5.14 shall, accurately and legibly record or cause to be accurately and legibly recorded as a TREATMENT RECORD in a Treatment Register, preparations which contain a PROHIBITED SUBSTANCE administered and/or any veterinary treatment to any HORSE under his care. The TRAINER shall ensure that the Treatment Register is available at all times for inspection by any LICENSED OFFICIAL. Once the Treatment Register is full it shall be returned to the NATIONAL HORSERACING AUTHORITY at which time a new register will be issued;  
[Amended 11.07.2016]
- 10.5.15 shall be obliged to allow STIPENDIARY STEWARDS and such PERSONS as they may wish to accompany them to visit and inspect his yard and exercise their rights in accordance with the provisions of RULE 4.2.6;
- 10.5.16 shall not have in his possession or on the premises where he trains, any medicine, drug or related substance which:-
- 10.5.16.1 is listed in Schedule 3 to 7 of the MED ACT or in any schedules equivalent to Schedules 3 to 7 of the MED ACT;
- 10.5.16.2 is registered as a Stock Remedy in terms of the STOCK ACT or is listed in Schedule 1 and 2 of the STOCK ACT, if it contains an ingredient which could be present in any medicine, drug or related substance as defined in RULE 10.5.16.1;
- 10.5.16.3 is not listed or registered as provided for in RULES 10.5.16.1 and/or 10.5.16.2, but would be required as a result of its composition to be registered in any of the Schedules 1 to 7 of the MED ACT or as a Stock Remedy in terms of the STOCK ACT, if it is imported into and/or sold in South Africa as defined in the MED ACT or STOCK ACT;
- 10.5.16.4 is specified in any regulations, including the Drugs Control (Declaration of Specified Drugs) Notices, made under the ZIM ACT:  
unless the medicine, drug or related substance has been prescribed by a Veterinary Surgeon and, notwithstanding the manufacturers' label, also contains a further label indicating at least the following:
- the name, qualifications and address of the veterinarian by whom the medicine, drug or related substance was prescribed;
  - the name, qualifications and address of the veterinarian or pharmacist by whom the medicine, drug or related substance was dispensed;
  - the name of the HORSE to which the medicine, drug or related substance is to be administered;

the dosage, route of administration and frequency of administration, of the medicine, drug or related substance;

the name of the PERSON to whom the medicine, drug or related substance is dispensed;

the name of the medicine; and

the sequence number of the TREATMENT RECORD of the attending Veterinary Surgeon.

[Amended 02.05.2017]

10.5.16.5 is classified as a FORBIDDEN SUBSTANCE in terms of RULE 74;

[Amended 02.05.2017]

10.5.17 shall not have in his possession or on the premises where he trains:-

[Amended 11.07.2016]

10.5.17.1 any dependence-producing substance; or

10.5.17.2 any undesirable dependence-producing substance, as defined in the Drugs and Drug Trafficking Act 140 of 1992 (or the equivalent statute in Zimbabwe),

unless such substance has been prescribed in WRITING by a registered medical practitioner for any HORSE owned by such medical practitioner or has been prescribed by a veterinary surgeon and the written prescription has been retained by such TRAINER until such substance has been used up or discarded; or

10.5.17.3 any medicine, drug or related substance which was prescribed more than 30 days previously, is expired or remains unused from or superfluous to a previously prescribed treatment.

[Amended 24.10.2016]

10.6 HORSES OWNED by an employee of a TRAINER shall be trained by the employee's employer or by another TRAINER outside the RACING DISTRICT in which he is employed.

10.7 HORSES owned, whether wholly or in part, by a TRAINER or his SPOUSE shall only be trained by that TRAINER or by another TRAINER who has his training establishment outside the RACING DISTRICT in which the first mentioned TRAINER has his training establishment with the exception that a TRAINER based in Kimberley may send HORSES owned, whether wholly or in part, by him or his SPOUSE to a TRAINER based in Gauteng or at the Vaal Training Centre and vice versa.

10.8 The provisions of RULE 10.5.16 shall apply mutatis mutandis to an OWNER.

## 11. TRAINERS

11.1 [DELETED]

11.2 A TRAINER:-

11.2.1 shall ensure that he is the grantee of an authority to act by every PERSON for whom he trains HORSES;

11.2.2 may during his absence or illness leave any or all the HORSES trained by him in the charge of:-

11.2.2.1 his ASSISTANT TRAINER or STABLE EMPLOYEE provided that such PERSON has obtained the necessary permission in terms of RULE 11.2.4 or 11.2.5; or

11.2.2.2 another TRAINER, with the permission of the SB;

11.2.3 shall ensure that a substitute TRAINER appointed in terms of RULE 11.2.2 is granted an authority to act, in the prescribed form, by each of the PERSONS whose HORSE it is intended to RACE during that period of absence or illness;

11.2.4 shall ensure that, where an ASSISTANT TRAINER or a STABLE EMPLOYEE in terms of RULES 10.1.2 or 10.1.4 respectively is left in charge of any HORSES of a TRAINER during that TRAINERS absence or illness, the permission of a STIPENDIARY STEWARD to act during such period shall be obtained; provided that:-

11.2.4.1 a STIPENDIARY STEWARD shall be notified immediately of the TRAINER'S absence or illness;

11.2.4.2 such permission shall not be granted for a period of more than 30 DAYS except by the SB on request to it.



- 11.2.5 shall ensure that where an ASSISTANT TRAINER in his employ is left in charge of a racing stable in terms of RULE 10.1.3:-
- 11.2.5.1 the TRAINER shall obtain the permission of the SB of all RACING DISTRICTS concerned where his establishment is to be run by his ASSISTANT TRAINER; and
- 11.2.5.2 the TRAINER and the ASSISTANT TRAINER shall be jointly and severally liable for all actions of the ASSISTANT TRAINER running the stable on behalf of the TRAINER.
- 11.2.6 shall keep proper records detailing all charges and disbursements in respect of each HORSE under his 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 any PERSON authorised so to do by the NATIONAL BOARD or the CHIEF EXECUTIVE;
- 11.2.7 shall not accept payment of any charges, whether in whole or in part, in respect of any HORSE in his care other than from the OWNER in whose name the HORSE is REGISTERED and/or the SPOUSE of such PERSON or the agent.
- 11.2.8 shall ensure that a HORSE trained by him is presented in the parade ring with all the equipment it was declared to run in, unless permission to do otherwise has been granted by the SB.
- 11.3 A TRAINER shall ensure that if a HORSE trained by him is sent to another RACING DISTRICT for the purpose of racing, such HORSE shall be under:-
- 11.3.1 his personal care; or
- 11.3.2 the care of his ASSISTANT TRAINER who shall have an authority to act granted to him by the OWNER of the HORSE, in the prescribed form; or
- 11.3.3 the care of a PERSON who has been granted a temporary TRAINER'S licence for a specified period and who shall have an authority to act granted to him by the OWNER of the HORSE; or
- 11.3.4 the care of another TRAINER who shall have an authority to act granted to him by the OWNER of the HORSE providing that should the HORSE remain in the care of the other TRAINER for more than 30 DAYS, the original TRAINER shall advise the Chief Stipendiary Steward of the SB in the Racing District in which the HORSE is racing.
- [Amended 07.06.2013]
- 11.4 A PERSON shall be entitled to train in partnership in a TRAINING PARTNERSHIP on condition that:
- 11.4.1 the TRAINING PARTNERSHIP shall not consist of more than two partners at any one time;
- 11.4.2 the name of the TRAINING PARTNERSHIP shall consist of the name of each of the two partners;
- 11.4.3 the terms of the TRAINING PARTNERSHIP agreement, and any amendment thereof, shall be in writing and shall be REGISTERED with the NATIONAL HORSERACING AUTHORITY;
- 11.4.4 the NATIONAL HORSERACING AUTHORITY shall in its discretion be entitled to refuse to REGISTER any partnership if in its opinion the granting of such licence will, is likely to be or may be prejudicial to racing;
- 11.4.5 upon the granting of a TRAINING PARTNERSHIP license, any training privileges that either applicant holds will lapse.
- 11.5 The RULES applicable to a TRAINER shall be applicable to each partner of the TRAINING PARTNERSHIP and also, where applicable mutatis mutandis, to the TRAINING PARTNERSHIP. In particular each partner of the TRAINING PARTNERSHIP shall be jointly and severally liable with the other for the professional conduct of such partner, or for any breaches of the RULES and CONSTITUTION. A partner shall not be entitled to raise as a defence that he had no knowledge of the conduct of the other partner giving rise to a breach of any of the RULES or CONSTITUTION.

## **12 COMPLIANCE WITH LEGISLATION**

- 12.1 A TRAINER shall ensure that he complies with all legislative requirements and prescripts, and in particular the Basic Conditions of Employment Act, insofar as the employment of stable personnel is concerned (“the Labour requirements”).
- 12.2 A TRAINER found guilty by a competent body of non-compliance with the Labour requirements, may be required to re-apply for a trainer’s licence and the non-compliance will be taken into account when such re-application is considered by the LICENSING BOARD.

## **13. ASSISTANT TRAINERS**

Should an ASSISTANT TRAINER act in terms of RULES 10.1.2, 10.1.3, 11.2.2.1 or 11.3.2, the responsibilities imposed on a TRAINER in terms of the RULES shall apply mutatis mutandis to him.

## **14. STABLE EMPLOYEES**

- 14.1 A STABLE EMPLOYEE may act as authorised by a TRAINER, in terms of RULE 11.2.
- 14.2 No PERSON shall employ anyone in the capacity as a STABLE EMPLOYEE and nobody shall act as a STABLE EMPLOYEE unless he has been granted REGISTRATION as such.
- 14.3 REGISTRATION as a STABLE EMPLOYEE shall not be granted to anybody referred to in RULES 9.16.1 to 9.16.9.
- 14.4 Should a STABLE EMPLOYEE act in terms of RULES 10.1.4. or 11.2.2.1 the responsibilities imposed on a TRAINER in terms of the RULES shall apply mutatis mutandis to him.

## **APPRENTICES**

### **15. INDENTURES**

- 15.1 The conditions of apprenticeship shall be contained in INDENTURES the terms of which shall be determined from time to time by the Board of the ACADEMY in consultation with the CHIEF EXECUTIVE.
- 15.2 A copy of the INDENTURES shall be lodged with the CHIEF EXECUTIVE.
- 15.3 The Board of the ACADEMY may, in its discretion cancel or extend the period of INDENTURES if, in its opinion, such cancellation or extension is warranted. Any decision to cancel or extend INDENTURES shall immediately be communicated to the CHIEF EXECUTIVE.

### **16. [DELETED]**

### **17. RIDING AND ATTENDANCE AT RACE MEETINGS**

- 17.1 No APPRENTICE shall engage or be engaged to ride in a RACE, whether generally or in relation to a specific HORSE, without the consent of the ACADEMY riding master or hostel superintendent or, after allocation to a TRAINER, without the consent of such TRAINER or PERSON under whose control he has been placed, provided further that the provisions of RULE 17.6 or RULE 17.7 and RULE 20.4.3 have been complied with.
- 17.2 No APPRENTICE who would have to carry more than 15Kg deadweight (the total weight of all articles which have to be put onto the scale in terms of RULE 59.3) may ride in a RACE unless the ACADEMY riding master or hostel superintendent or WELFARE OFFICER obtains the permission of the Chief Stipendiary Steward of the SB for the APPRENTICE to accept such ride.
- 17.3 The APPRENTICE, and the TRAINER to whom he is allocated or the ACADEMY riding master or hostel superintendent, shall be responsible for ensuring that the APPRENTICE does not ride in a RACE without the necessary permission.
- 17.4 No PERSON shall engage an APPRENTICE under his care to ride more than one HORSE in a RACE or to ride at different RACE COURSES on the same day and no APPRENTICE shall accept such engagement.
- 17.5 No APPRENTICE shall ride in any hurdle RACE or steeplechase.

### **17.6 QUALIFYING RIDES**

An APPRENTICE who has been INDENTURED for not less than 180 DAYS may apply for permission to ride in 13 qualifying RACES of which not less than 8 must be around a bend, 2 of which must be over a distance of 1600m or more.

[Amended 29.05.2015]

### **17.7 APPRENTICE LICENCE**

An APPRENTICE who has ridden satisfactorily in the prescribed qualifying RACES may apply to the LICENSING BOARD for an APPRENTICE LICENCE which shall remain valid until:

- 17.7.1 28 DAYS after the completion of his INDENTURES, during which period he shall not qualify for any APPRENTICE allowance;
- 17.7.2 the cancellation of his INDENTURES;
- 17.7.3 the withdrawal of the APPRENTICE LICENCE by the LICENSING BOARD;
- 17.7.4 the expiry of his APPRENTICE LICENCE; or
- 17.7.5 he is granted a JOCKEY'S licence by the LICENSING BOARD whichever of these events is the earlier.

### **18. JOCKEY'S LICENCE**

An APPRENTICE who has been granted an APPRENTICE LICENCE and who is due to complete his INDENTURES within not more than 30 DAYS or who has completed his INDENTURES may apply to the LICENSING BOARD for a JOCKEY'S licence.

## 19. GENERAL

- 19.1 An APPRENTICE shall be regarded as a PROFESSIONAL RIDER from the time that he is granted an APPRENTICE LICENCE and for so long as he remains an APPRENTICE.
- 19.2 The CHIEF EXECUTIVE may require any APPRENTICE who is the holder of a licence or permit to ride to submit himself for examination by a registered medical practitioner nominated by the CHIEF EXECUTIVE and may, notwithstanding that he holds a licence or permit to ride, debar him from riding until the CHIEF EXECUTIVE is satisfied that he is physically and/or mentally fit so to do.
- 19.3 No APPRENTICE shall own a HORSE which is being trained for the purpose of participating in a RACE except where he is the lessor of such HORSE.
- 19.4 No APPRENTICE shall bet on a RACE whether directly or indirectly, either personally or through any other party, nor shall any PERSON, or individual place a bet on behalf of any APPRENTICE on a RACE. For the purpose of this Rule, "RACE" shall include any race held under the auspices of any FOREIGN RACING AUTHORITY.  
[Amended 11.07.2016]
- 19.5 Without the WRITTEN permission of the SB, no APPRENTICE shall enter or visit any registered betting premises where members of the public are able to place any bets or wagers of any kind whatsoever.  
[Amended 11.07.2016]
- 19.6 No individual or PERSON other than the OWNER and/or TRAINER of the HORSE which an APPRENTICE rides in a RACE may offer or give that APPRENTICE any money or other benefit or incentive in relation to that RACE, and then only with the permission of the WELFARE OFFICER or a STIPENDIARY STEWARD, who shall report such matter to the WELFARE OFFICER, provided that a RACING OPERATOR may make a presentation to an APPRENTICE, in the form of cash, trophy or other prize for winning or being placed in a RACE.
- 19.7 Subject to the proviso to RULE 19.6, no APPRENTICE may accept any money or other benefit or incentive in relation to a RACE from anybody other than the OWNER and/or TRAINER of the HORSE which he rides in the RACE, and then only with the permission of the WELFARE OFFICER or a STIPENDIARY STEWARD, who shall report such matter to the WELFARE OFFICER.
- 19.8 No APPRENTICE shall carry any form of advertising material on any part of his clothing or equipment on a RACE COURSE during a RACE MEETING save on the terms and conditions as approved by the RACING OPERATORS from time to time.
- 19.9 Subject to the provisions of RULES 59.4 and 59.5, an APPRENTICE shall ensure that, when he weighs out for a RACE and that during the running of the RACE he carries the correct weight for that HORSE in that RACE. In the event that a part of the APPRENTICE makes contact with the ground during the running of a RACE, such horse shall not have carried the correct weight throughout that Race and shall be susceptible to disqualification subject to the provisions of Rule 68.2.16.  
[Amended 24.10.2016]

## RIDERS

### 20. JOCKEYS AND RIDERS

- 20.1 Only the following PERSONS shall ride or be permitted to ride or be engaged to ride HORSES in any RACE:
- 20.1.1 JOCKEYS;
- 20.1.2 anybody in possession of a valid international licence, subject to the provisions of RULE 20.2;
- 20.1.3 APPRENTICES;
- 20.1.4 WORK RIDERS who are eligible to ride in terms of the conditions of a RACE MEETING of a RACING OPERATOR.
- 20.2 The CHIEF EXECUTIVE may from time to time determine the terms and conditions on which anybody referred to in 20.1.2 may ride in SOUTHERN AFRICA.
- 20.3 No one shall ride or be permitted to ride or be engaged to ride HORSES in any RACE as a JOCKEY unless and until he has been granted a licence by the LICENSING BOARD. The LICENSING BOARD shall not grant a JOCKEY'S licence to anyone, unless:-
- 20.3.1 he has satisfactorily completed the INDENTURES between him and the ACADEMY; or
- 20.3.2 he has satisfactorily completed an apprenticeship approved by the LICENSING BOARD and he is licensed as a JOCKEY by a SPECIFIED RACING AUTHORITY and the provisions of RULE 20.4 have been complied with.
- 20.4 An application for a JOCKEY'S licence by anyone referred to in 20.3.2 shall be accompanied by:-
- 20.4.1 a valid international clearance or a letter of clearance;
- 20.4.2 such medical report as the LICENSING BOARD may require;
- 20.4.3 the written consent by the applicant that he will allow a sample of his blood, breath or urine to be obtained from him by or under the supervision of the RACE COURSE medical officer, a registered medical nurse or authorised LICENSED OFFICIAL if and whenever the applicant is required by the CHIEF EXECUTIVE or a STIPENDIARY STEWARD to permit such a sample to be so obtained;
- and the licence, if granted, shall be for an initial period of 60 DAYS only during which period the JOCKEY shall ride consistently to the satisfaction of the SB and in at least six RACES. Thereafter, a fresh application for a licence, together with a report by the SB shall be submitted to the LICENSING BOARD.
- 20.5 The provisions of RULE 19.2 shall apply mutatis mutandis to any PERSON who holds a JOCKEY'S licence or any applicant for a JOCKEY'S licence.
- 20.6 Any PERSON who is older than 35 years of age shall submit, with every re-application for a JOCKEY'S licence, a certificate by a RACE COURSE medical officer certifying that he is fit to ride.

### 21. JOCKEYS

- 21.1 A JOCKEY shall be entitled, individually or in partnership, to own or be the lessor of a HORSE which is being trained for the purpose of participating in a RACE.
- 21.2 No JOCKEY shall bet on a RACE whether directly or indirectly, either personally or through any other party, nor shall any PERSON or individual place a bet on behalf of any JOCKEY on a RACE. For the purpose of this Rule, "RACE" shall include any race held under the auspices of any FOREIGN RACING AUTHORITY.  
[Amended 11.07.2016]
- 21.3 Without the WRITTEN permission of the SB, no JOCKEY shall enter or visit any registered betting premises where members of the public are able to place any bets or wagers of any kind whatsoever.  
[Amended 11.07.2016]

- 21.4 No one other than the OWNER and/or TRAINER of the HORSE which a JOCKEY rides in a RACE may offer or give that JOCKEY any money or other benefit or incentive in relation to that RACE, provided that a RACING OPERATOR may make a presentation to a JOCKEY, in the form of cash, trophy or other prize for winning or being placed in a RACE.
- 21.5 Subject to the proviso in RULE 21.4, no JOCKEY may accept any money or other benefit in relation to a RACE from any individual or PERSON other than the OWNER and/or TRAINER of the HORSE he rides in the RACE.
- 21.6 No JOCKEY shall carry any form of advertising material on any part of his clothing or equipment on a RACE COURSE during a RACE MEETING save on the terms and conditions as approved by the RACING OPERATORS from time to time.
- 21.7 No JOCKEY shall declare himself available to ride or engage himself to ride or accept an engagement to ride at different RACE COURSES on the same day unless practicable so to do, nor to ride more than one HORSE in a RACE. Should a RIDER be engaged to ride two HORSES in the same RACE and the SB are unable to determine which engagement was entered into first, the SB may in its discretion prohibit the RIDER from fulfilling either engagement.
- 21.8 [DELETED]
- 21.9 [DELETED]
- 21.10 For the purposes of the RULES, a JOCKEY is a PROFESSIONAL RIDER from the time he is first licensed as such and he shall at all times thereafter retain the status of a PROFESSIONAL RIDER.
- 21.11 Subject to the provisions of RULES 59.4 and 59.5, a JOCKEY shall ensure that, when he weighs out for a RACE and that during the running of the RACE he carries the correct weight for that HORSE in that RACE. In the event that a part of the RIDER makes contact with the ground during the running of a race, such horse shall not have carried the correct weight throughout that RACE and shall be susceptible to disqualification subject to the provisions of RULE 68.2.16.  
[Amended 24.10.2016]
- 21.12 No PERSON shall declare or engage a JOCKEY to ride more than one HORSE in a RACE nor engage more than one JOCKEY to ride a particular HORSE in a RACE.
- 21.13 Subject to the provisions of RULE 55.2, a JOCKEY shall be obliged to fulfil his riding engagements and shall seek permission from the SB immediately he is aware that he is unable to fulfil a riding engagement.  
[Amended 11.07.2016]
- 21.14 A RIDER shall submit a copy of a valid international clearance or a letter of clearance to the CHIEF EXECUTIVE prior to a RIDER leaving SOUTHERN AFRICA to ride in another jurisdiction and again immediately upon the return of the RIDER to SOUTHERN AFRICA.
- 21.15 A HORSE owned by a JOCKEY individually, or in partnership, or by his SPOUSE, shall only be ridden in a RACE by such JOCKEY, or in the event of that JOCKEY not participating at all in that RACE, by another JOCKEY.
- 21.16 No RIDER or his SPOUSE shall be involved, directly or indirectly, in any concern or entity which conducts business as a bookmaker, a betting operator or a totalisator and shall not be sponsored by any such concern or entity.
- 22 [DELETED]

## **23. RIDERS' INSURANCES**

- 23.1 No RIDER shall ride in a RACE unless, while he is participating as a RIDER in that RACE MEETING, he has adequate medical aid cover and, he is adequately insured in respect of any accident, injury or disability which he may suffer during the course of the RACE MEETING.  
[Amended 01.12.2015]
- 23.2 Proof of such insurance cover shall be furnished by the RIDER to the LICENSING BOARD, at the time of initial application for a licence and thereafter at every renewal thereof.

- 23.3 Notwithstanding the provisions of RULE 23.1 the CHIEF EXECUTIVE may, in his discretion and on such terms and conditions as he may determine, authorise a RIDER to ride in one or more RACES without having the insurance cover specified in terms of RULE 23.1.

## **24. WORK RIDING**

The SB may prohibit anybody from riding work or exercise.

## **25. RIDERS' MEDICAL RECORD BOOKS**

- 25.1 Every RIDER (who for the purposes of this rule, shall also include an APPRENTICE whose INDENTURES have been REGISTERED) shall be issued with a MEDICAL RECORD BOOK.
- 25.2 A RIDER shall ensure that his MEDICAL RECORD BOOK is available for inspection at any time by any STEWARD, LICENSED OFFICIAL, RACE COURSE medical officer, NATIONAL HORSERACING AUTHORITY medical/surgical consultant or NATIONAL HORSERACING AUTHORITY insurers.
- 25.3 A RIDER shall:-
- 25.3.1 present his MEDICAL RECORD BOOK to the clerk of the scales at least 60 minutes before the official starting time of the first RACE in which the RIDER has an engagement at a RACE MEETING; or
- 25.3.2 where he has no booked rides, present his MEDICAL RECORD BOOK to the SB when he arrives on course and reports to the SB his availability to ride;
- 25.3.3 if he is taking any medication, whether prescribed by a medical practitioner or otherwise, report this fact to the RACE COURSE medical officer who shall declare the RIDER fit or unfit to ride, as the case may be, and shall inform a STIPENDIARY STEWARD and the clerk of scales of his decision. If a RIDER is declared unfit to ride, the provisions of RULE 25.7 shall apply.
- 25.4 A re-application for a RIDER'S licence by a PERSON currently licensed as a RIDER may not be considered unless:
- 25.4.1 the RIDER'S MEDICAL RECORD BOOK has been examined by the SB, who shall report thereon to the LICENCING BOARD; and
- 25.4.2 the application is accompanied by the written consent by the RIDER that he will allow a sample of his blood, breath or urine to be obtained from him by or under the supervision of the RACE COURSE medical officer, a registered medical nurse or authorised LICENSED OFFICIAL if and whenever the RIDER is required by the CHIEF EXECUTIVE or a STIPENDIARY STEWARD to permit such a sample to be so obtained.
- 25.5 The SB shall note the certificate referred to in RULE 20.6 in the space provided therefor in the MEDICAL RECORD BOOK and shall report thereon to the LICENSING BOARD.
- 25.6 In the event that a RIDER is unable to present his MEDICAL RECORD BOOK as required in terms of RULE 25.3.1 or RULE 25.3.2, he shall be examined by the RACE COURSE medical officer, who shall declare him fit or unfit to ride, as the case may be, and shall inform a STIPENDIARY STEWARD and the clerk of the scales of his decision.
- 25.7 Should a RIDER be declared unfit to ride in terms of RULE 25.3.3 or RULE 25.6 the RACE COURSE medical officer shall give the RIDER a note to that effect. The RIDER shall present this note to the RACE COURSE medical officer when he is medically examined before he rides in any further RACE. The contents of the note and any eventual clearance shall be entered in the MEDICAL RECORD BOOK by the medical officer conducting the examination and the SB and the clerk of scales shall be advised of this action. Notwithstanding the foregoing, no RIDER who has been declared unfit to ride, shall ride any HORSE in any RACE until he has been medically examined and declared fit to ride by the RACE COURSE medical officer.
- 25.8 Should a registered medical practitioner deem a RIDER unfit to ride, he shall enter the reasons therefor in the MEDICAL RECORD BOOK.
- 25.9 Where the last report in a RIDER'S MEDICAL RECORD BOOK has been made in terms of RULE 25.8, the RIDER shall be examined by the RACE COURSE medical officer, who may

in his discretion endorse the MEDICAL RECORD BOOK "cleared fit to ride", or "unfit to ride", as the case may be.

- 25.10 All medical examinations, for whatever reason, shall be entered in the accident/sickness report in the MEDICAL RECORD BOOK and no entry may be made in this section other than by a registered medical practitioner.
- 25.11 No RIDER may weigh out for a RACE unless:-
- 25.11.1 a clean MEDICAL RECORD BOOK has been presented to the clerk of the scales; or
- 25.11.2 he has been declared fit to ride by the RACE COURSE medical officer.
- 25.12 A RIDER who has, through illness or accident, been unable to fulfil an engagement or has given illness or accident as a reason for not having been able to ride a HORSE to the best of his ability, or who has failed to fulfil an engagement on the grounds of illness or accident, shall not, except with the permission of the SB, be entitled to ride a HORSE in any RACE for a period of 2 DAYS, subsequent to the RACE MEETING at which he failed to fulfil the engagement. In addition to the foregoing, a RIDER shall not ride again at any further RACE MEETING unless and until he shall have delivered to the clerk of the scales, a certificate of fitness signed by the RACE COURSE medical officer.

## **26. JOCKEYS' AGENTS**

- 26.1 No PERSON or individual shall arrange rides or other benefits for a JOCKEY in respect of that JOCKEY'S racing activities, and no JOCKEY shall permit a PERSON or individual so to act, unless:
- 26.1.1 the PERSON or individual is REGISTERED as an agent by the LICENSING BOARD; and
- 26.1.2 the agreement whereby the agent will act for the JOCKEY is REGISTERED by the LICENSING BOARD.
- 26.2 The following shall not be REGISTERED as JOCKEY'S agents by the LICENSING BOARD:
- 26.2.1 anybody under 18 years of age;
- 26.2.2 a LICENSED OFFICIAL or the SPOUSE of a LICENSED OFFICIAL;
- 26.2.3 anybody or the SPOUSE of anybody in the employ of:-
- 26.2.3.1 the NATIONAL HORSERACING AUTHORITY;
- 26.2.3.2 any RACING OPERATOR;
- 26.2.3.3 any association of RACING OPERATORS or any committee of a RACING OPERATOR or clubs;
- 26.2.3.4 a totalisator agency or similar board;
- 26.2.3.5 a bookmaker;
- 26.2.3.6 any Tattersalls committee or Bookmakers' association.
- 26.2.4 a STEWARD or his SPOUSE;
- 26.2.5 a bookmaker or his SPOUSE;
- 26.2.6 a farrier or his SPOUSE;
- 26.2.7 a TRAINER or his SPOUSE;
- 26.2.8 anybody or the SPOUSE of anybody in the employ of a TRAINER save that an employee of a TRAINER may, with the TRAINER'S approval, act as an agent for a JOCKEY who is contracted to that TRAINER.
- 26.3 [DELETED]
- 26.4 The REGISTRATION of anybody as a JOCKEY'S agent shall automatically lapse if he or his SPOUSE falls within the ambit of the provisions of RULES 26.2.2 to 26.2.8.
- 26.5 A JOCKEY may enter into an agreement as provided for in RULE 26.1 provided that:-
- 26.5.1 the agreement is in writing and is, within 14 DAYS of its execution, lodged with the Chief Stipendiary Steward of the SB of the RACING DISTRICT concerned for transmission together with his recommendation to the LICENSING BOARD for approval. If approved, the LICENSING BOARD may REGISTER such agreement;
- 26.5.2 every agreement shall expire on 31 July each year;



26.5.3 the acceptance and/or REGISTRATION of an agreement shall not absolve the JOCKEY from personal responsibility for any contravention of the RULES by the agent and no delegation of any powers or authorities under the agreement shall be made.

**27 RACING MANAGER**

An OWNER may appoint a RACING MANAGER to represent such OWNER and to act on behalf of such OWNER provided that:

27.1 a written application to be licenced and REGISTERED as a RACING MANAGER, signed by the OWNER and by the prospective racing manager, shall be submitted to the CHIEF EXECUTIVE, who may in his discretion, accept or refuse such application; [Amended 01.12.2015]

27.2 the RACING MANAGER agrees to abide by and be subject to the RULES and CONSTITUTION;

27.3 the appointment shall not in any way affect any of the rights, duties and obligations of the OWNER in terms of the RULES and CONSTITUTION; and

27.4 the provisions of RULE 9.16 shall apply mutatis mutandis to the appointment of a RACING MANAGER.

## THE STUD BOOK

### 28. THE STUD BOOK

#### 28.1 ARTIFICIAL INSEMINATION.

No HORSE shall be conceived by artificial insemination, embryonic transfer or in vitro fertilization.

#### 28.2 HORSES ELIGIBLE FOR INCLUSION IN THE STUD BOOK

28.2.1 Any HORSE claiming admission to the STUD BOOK must:-

28.2.1.1 be the product of a mating between a sire and dam both of which were REGISTERED prior to 1 January 1980 in a Stud Book approved by the International Stud Book Committee, or must trace all lines of its pedigree to horses so REGISTERED; or

28.2.1.2 be able to prove satisfactorily eight recorded crosses consecutively with horses in the category described in RULE 28.2.1.1 including the cross of which it is the progeny. Notwithstanding that a HORSE may qualify in terms of RULE 28.2.1, the CHIEF EXECUTIVE reserves the sole right to refuse to record the HORSE in the STUD BOOK if the party seeking REGISTRATION cannot prove satisfactorily eight recorded crosses consecutively, including the cross of which it is the progeny, with HORSES referred to in RULES 28.2.1.1 and 28.2.1.2, but such refusal shall not be effective unless it is confirmed by the unanimous decision of the International Stud Book Committee.

#### 28.2.2 FOALS NOT ELIGIBLE FOR INCLUSION IN THE STUD BOOK

28.2.2.1 No FOAL is eligible to be recorded in the STUD BOOK unless it is entirely the product of a natural service or covering which is the physical mounting of a mare by a stallion followed by a natural gestation resulting in delivery from the body of the mare in which the foal was conceived. This natural service can include the immediate re-enforcement of the stallion's service or cover by using any residual semen ejaculated by the stallion whilst it penetrated that mare during that service or that cover of that mare.

28.2.2.2 No semen obtained from the stallion by any artificial means may be used to re-enforce a service or covering.

28.2.2.3 Where possible the proposed use of immediate re-enforcement of a stallion's service should be notified in advance to the CHIEF EXECUTIVE. Where this is not possible, such advice must be given to the CHIEF EXECUTIVE within 24 hours after the re-enforcement. In either case the names of the stallion, the mare, the person who will or has supervised the re-enforcement and the date of such re-enforcement or proposed re-enforcement shall be furnished to the CHIEF EXECUTIVE.

#### 28.2.3 PARENTAGE TESTING

28.2.3.1 In addition to the documentary evidence of a FOAL'S parentage which the CHIEF EXECUTIVE requires, a FOAL shall not be eligible to be recorded in the STUD BOOK unless its parentage has been confirmed by the use of genetic typing.

28.2.3.2 Such genetic typing shall be undertaken by a LABORATORY appointed by the CHIEF EXECUTIVE.

28.2.3.3 The genetic profile shall be confidential to the CHIEF EXECUTIVE and shall not be divulged except to another Stud Book Authority.

28.2.4 Notwithstanding that a HORSE is eligible for entry under RULE 28.2, it shall not be entered in the STUD BOOK:-

28.2.4.2 until the identity and breeding of the HORSE is established to the satisfaction of the CHIEF EXECUTIVE;

28.2.4.3 if the HORSE was bred in SOUTHERN AFRICA:-

28.2.4.3.1 unless the stallion OWNER, the stallion, the mare OWNER and the mare were REGISTERED when the mare was covered;

28.2.4.3.2 unless the mare OWNER and the mare were REGISTERED at the time the FOAL was born;

- 28.2.4.3.3 unless the application for REGISTRATION is accompanied by a certificate of service, in the prescribed form, signed by the stallion OWNER or by his AUTHORISED AGENT or his stud manager;
- 28.2.4.3.4 unless the application for REGISTRATION is made in terms of RULE 32.7.7; and
- 28.2.4.3.5 unless the application for REGISTRATION is received on or before 15 July of the RACING YEAR in which the HORSE was born which requirement may be waived by the CHIEF EXECUTIVE in his discretion on the payment of such penalty as published in the RACING CALENDAR from time to time.

### **28.2.5 IMPORTED AND EXPORTED HORSES**

- 28.2.5.1 No imported thoroughbred horse shall be REGISTERED in the STUD BOOK unless duly REGISTERED as an IMPORTED HORSE in accordance with these RULES and the prescribed trade development levy has been paid.
- 28.2.5.2 A STUD BOOK certificate in respect of any thoroughbred HORSE exported from SOUTHERN AFRICA shall not be issued until the age and markings of the HORSE have been taken by a qualified veterinary surgeon for inclusion in the certificate. The South African Veterinary Association shall determine the fee to be paid by the exporter to the veterinary surgeon issuing the certificate.
- 28.2.5.3 A PERSON/PARTICIPANT who exports a HORSE, or who sells a HORSE which is subsequently exported, for racing or breeding purposes shall advise the CHIEF EXECUTIVE of the name of the HORSE and the country of destination at least 14 DAYS prior to the export of such HORSES.
- 28.2.5.4 The PASSPORT of any HORSE which is exported shall be returned to the CHIEF EXECUTIVE at least 14 DAYS prior to the day on which the HORSE leaves SOUTHERN AFRICA so that the PASSPORT can be endorsed.

### **28.3 THE BREEDER OF A HORSE**

The breeder of a HORSE is the PERSON in whose name the dam of such HORSE is REGISTERED at the time the HORSE is born and the names of breeders of any HORSES entered in the STUD BOOK shall be REGISTERED accordingly.

## **29. THE NON-THOROUGHbred REGISTER**

- 29.1 Any HORSE not eligible for inclusion in the STUD BOOK but which is REGISTERED shall have its name and pedigree recorded in the Non-Thoroughbred Register.
- 29.2 No HORSE shall be REGISTERED in the Non-Thoroughbred Register unless the names of its sire and dam are REGISTERED in either the STUD BOOK or the Non-Thoroughbred Register.
- 29.3 No HORSE shall be REGISTERED in the Non-Thoroughbred Register unless the documentation similar to that required by the CHIEF EXECUTIVE for the REGISTRATION of a HORSE in the STUD BOOK is completed.

## **30. PROMOTION OF A HORSE FROM THE NON-THOROUGHbred REGISTER TO THE STUD BOOK**

- 30.1 A HORSE may be promoted from the Non-Thoroughbred Register to the STUD BOOK provided that:-
  - 30.1.1 the HORSE can prove eight thoroughbred crosses (defined as a mating in which either the sire or dam is one of the category of HORSES defined in RULES 28.2.1.1 or 28.2.1.2) consecutively including the cross of which it is the progeny; and
  - 30.1.2 the HORSE can show such performances, in RACES open to thoroughbreds, in both the Thoroughbred and Non-Thoroughbred sections of its pedigree as to warrant its assimilation with thoroughbreds; and
  - 30.1.3 the promotion is approved by the unanimous agreement of the International Stud Book Committee.

### **31. APPROVED STUD BOOKS**

The Stud Books of those countries approved by the International Stud Book Committee shall be deemed to be approved Stud Books.

### **32. REGISTRATION OF STALLION AND MARE OWNERS AND STALLIONS AND MARES**

- 32.1 Any PERSON who owns a stallion or a mare at stud shall REGISTER as a stallion or mare OWNER, as the case may be, and shall furthermore REGISTER all his stallions and mares at stud. Every application for REGISTRATION:-
- 32.1.1 as a stallion OWNER for the ensuing year shall be made to the CHIEF EXECUTIVE prior to 15 July in each year;
- 32.1.2 as a mare OWNER for the ensuing year shall be made to the CHIEF EXECUTIVE prior to 15 July in each year;
- 32.1.3 of a stallion or mare at stud for the ensuing year shall be made to the CHIEF EXECUTIVE prior to 15 July in each year in respect of each stallion or mare at stud at that time. Where a later application is made for the REGISTRATION of a stallion or mare, when the stallion has already served a mare or a mare has already been covered, then the CHIEF EXECUTIVE may in his discretion accept or reject such late application and may in addition to the prescribed fee, impose an additional fee in an amount which shall be determined by the CHIEF EXECUTIVE in respect of each stallion and/or mare, per year. Any REGISTRATION shall be conditional upon payment of such fees and additional fees within 21 DAYS of the REGISTRATION being approved, failing which it shall lapse and be of no force and effect. Late REGISTRATIONS including any late REGISTRATIONS which occurred at any time prior to the date of this RULE shall be deemed to be a proper REGISTRATION for the purposes of RULE 28.2.4.4;
- 32.1.4 should a mare OWNER breed a mare pursuant to a partnership, or joint venture agreement the mare shall, for the seasons during which the agreement applies, be REGISTERED in the name of the partnership, or the parties to the joint venture or contingency agreement as the case may be.
- 32.2 The CHIEF EXECUTIVE may, in his discretion, but subject to the provisions of the RULES, grant, refuse to grant, renew or refuse to renew any REGISTRATION of any stallion OWNER or mare OWNER or stallion or mare.
- 32.3 Every REGISTRATION as a stallion OWNER or as a mare OWNER shall expire on 31 July in each year.
- 32.4 Every stallion OWNER and every mare OWNER shall be bound by the CONSTITUTION, these RULES and by any decisions of the NATIONAL BOARD.
- 32.5 Failure to comply with the provisions of RULE 33 may result in the cancellation of the REGISTRATION of the stallion OWNER or mare OWNER in terms of RULE 32.2.

### **32.6 STALLION OWNER**

Every stallion OWNER shall:-

- 32.6.1 maintain a "National Horseracing Authority Register of Coverings" which register will be supplied to the stallion OWNER by the CHIEF EXECUTIVE. Such register must be available, at all reasonable times, for inspection by any LICENSED OFFICIAL;
- 32.6.2 permit any LICENSED OFFICIAL to inspect and examine his stud records and any other documents concerning his HORSES and breeding operations, at all reasonable times;
- 32.6.3 advise the CHIEF EXECUTIVE in WRITING, on the prescribed form:
- 32.6.3.1 of the death of any stallion owned by him, by no later than 30 DAYS after such death;
- 32.6.3.2 of the castration of any stallion owned by him within 7 DAYS of the event;
- 32.6.3.3 of any change of OWNERSHIP of a stallion owned by him, within 21 DAYS of the event;
- 32.6.3.4 of the name of the STALLION MANAGER employed to manage the stallion.
- 32.6.4 advise the CHIEF EXECUTIVE, on the prescribed form, of the castration of any stallion owned by him within 7 DAYS of the event;
- 32.6.5 advise the CHIEF EXECUTIVE, on the prescribed form, of any change of OWNERSHIP of a stallion owned by him, within 21 DAYS of the event;

- 32.6.6 permit any LICENSED OFFICIAL to inspect and examine his stallions and the property on which such stallions are kept;
- 32.6.7 at the time of REGISTRATION of the stallion for the ensuing year, submit to the CHIEF EXECUTIVE, a list of names of all shareholders who have shares in the stallion, together with the number of shares that each shareholder owns. A Stallion Syndication Agreement as amended from time to time, shall be written and a copy shall be lodged with the CHIEF EXECUTIVE;
- 32.6.8 where the stallion OWNER is a syndicate:-
  - 32.6.8.1 have audited annual financial statements prepared no later than 16 months after the conclusion of the stallion's covering season, which shall be deemed to have ended no later than the 31st December each year; and
  - 32.6.8.2 hold an annual general meeting no later than the 31 May each year, the proceedings of which shall be minuted;
  - 32.6.8.3 send copies of the audited annual financial statements and the minutes of the annual general meeting to all shareholders of the syndicate and to the CHIEF EXECUTIVE for record purposes, within 30 DAYS of the annual general meeting.
- 32.6.9 submit to the head office of the NATIONAL HORSERACING AUTHORITY all covering certificate stubs (form 2A) by not later than 31 January immediately following the covering season;
- 32.6.10 submit to the head office of the NATIONAL HORSERACING AUTHORITY a list of all mares covered by the stallion(s) owned by him during each calendar month by not later than the 15th day of the following month.

### **32.7 MARE OWNER**

Every mare OWNER shall:-

- 32.7.1 maintain records of his breeding operations in a form acceptable to the CHIEF EXECUTIVE;
- 32.7.2 permit any LICENSED OFFICIAL to inspect and examine his stud records and any other documents concerning his HORSES and breeding operations, at all reasonable times;
- 32.7.3 permit any LICENSED OFFICIAL to inspect and examine his mares and FOALS and the property on which such mares and FOALS are kept;
- 32.7.4 advise the CHIEF EXECUTIVE, in WRITING, of the death of any HORSE under his care by not later than the 15th of the month following death. In the case of an unnamed or unregistered horse the date of birth, colour, sex and breeding of such horse must be stated;
- 32.7.5 advise the CHIEF EXECUTIVE, on the prescribed form, of the castration or desexing of any HORSE under his care within 7 DAYS of the event;
- 32.7.6 advise the CHIEF EXECUTIVE, on the prescribed form, of any change of OWNERSHIP of a mare owned by him within 21 DAYS of the event;
- 32.7.7 apply for the REGISTRATION, in the STUD BOOK or the Non-Thoroughbred Register, of all FOALS bred by him during that foaling season by not later than 15 July immediately following the foaling season and submit to the CHIEF EXECUTIVE, the prescribed fees and the following documents, which documents shall be accurately completed in all respects:-
  - 32.7.7.1 the covering certificate tear-off portion;
  - 32.7.7.2 the FOAL identification certificate and naming form;
  - 32.7.7.3 the STUD BOOK return part 1.

### **32.8 GENERAL PROVISIONS**

- 32.8.1 All PERSONS who REGISTER FOALS will be supplied with an identity document in the August following the foaling season. Such document must be completed in all respects, including the vaccination history of the HORSE, and shall be returned to the CHIEF EXECUTIVE by such PERSON within a period of 30 DAYS from receipt thereof.
- 32.8.2 Failure to comply with any of the provisions of RULES 32.1, 32.6.2 or 32.7.7 may result in a FOAL not being REGISTERED.

### **32.9 STALLION MANAGER**

- 32.9.1 a STALLION MANAGER may be authorised to act on behalf of a stallion OWNER in regard to a specified stallion;
- 32.9.2 no PERSON shall employ anyone as a STALLION MANAGER and nobody shall be authorised to act as a STALLION MANAGER unless he has been granted REGISTRATION as such.

## **33. VETERINARY HEALTH**

### **33.1 STUD HEALTH SCHEME**

Every mare OWNER and stallion OWNER shall comply with the requirements of the Stud Health Scheme as published from time to time in the RACING CALENDAR.

### **33.2 CONTAGIOUS AND INFECTIOUS DISEASES**

Every mare OWNER and Stallion OWNER shall:

- 33.2.1 notify the CHIEF EXECUTIVE of any case, or suspected case, of any of the diseases published in the RACING CALENDAR from time to time which affects any horse under his care;
- 33.2.2 not move any horse from a stud farm, spelling farm, training establishment, race course, auction sale or any other property where horses are kept on which a contagious or infectious disease is present except where a veterinary certificate confirming that the movement of such horse does not constitute a veterinary health risk has been obtained;
- 33.2.3 instruct and authorise his veterinarian to notify the CHIEF EXECUTIVE of any case, or suspected case, of any of the diseases published in the RACING CALENDAR from time to time which affects any horse under his care.

## **34. REGISTRATION OF HORSES**

- 34.1 No PERSON shall enter or start a HORSE for or in any RACE at a RACE MEETING, unless such horse is REGISTERED in the name of the lawful owner of such HORSE.
- 34.2 An application for the REGISTRATION of a FOAL shall be made, to the CHIEF EXECUTIVE.
- 34.3 A FOAL shall not be REGISTERED later than 15 July immediately following the foaling season in which it is born, save where the CHIEF EXECUTIVE, in exceptional circumstances, otherwise determines and subject further to the payment of such penalty as the CHIEF EXECUTIVE may determine.
- 34.4 A horse foaled in SOUTHERN AFRICA shall not be REGISTERED in the STUD BOOK or in the Non-Thoroughbred Register unless the REGISTRATION has complied with the RULES and/or regulations covering entry into such books and the CHIEF EXECUTIVE in his discretion has approved such REGISTRATION.
- 34.5 Where the CHIEF EXECUTIVE discovers that an incorrect REGISTRATION or recordal of any information has been made by THE NATIONAL HORSERACING AUTHORITY he may, after advising the parties concerned, cancel any such REGISTRATION and/or recordal and enter the information which he has determined is correct. Any PERSON who is affected by such change may appeal to the NATIONAL BOARD to set aside the decision of the CHIEF EXECUTIVE. The NATIONAL BOARD may, in their sole discretion, uphold or set aside the decision of the CHIEF EXECUTIVE or substitute any finding which they see fit.
- 34.6 In the event of a dispute as to the identity of the lawful owner/s of any HORSE, the CHIEF EXECUTIVE shall be entitled to intervene and to register the HORSE in the name of the person/s who is able to establish, to the satisfaction of the CHIEF EXECUTIVE, his/their lawful ownership of the HORSE in question.

### **35. NAMES OF HORSES**

- 35.1 All names shall be subject to the approval of the CHIEF EXECUTIVE who shall not approve the REGISTRATION of the following names:
- 35.1.1 those consisting of more than 18 characters, including punctuation marks and/or spaces, save that 18 characters may be exceeded when a country code suffix is required;
  - 35.1.2 those of well-known people, save where written permission is obtained from the individual or the descendants of the individual concerned, by the PERSON seeking to REGISTER the name;
  - 35.1.3 those on the International or National List of Protected Names;
  - 35.1.4 those containing numbers or initials or a combination of numbers and initials;
  - 35.1.5 those of a similar spelling or pronunciation to those already REGISTERED;
  - 35.1.6 those in bad taste or which have an unacceptable connotation in another language;
  - 35.1.7 prominent company, product or trade names, except with the written approval of the company or body associated with the name.
- 35.2 A REGISTERED name shall not be changed except with permission of the CHIEF EXECUTIVE and then only on payment of the prescribed fee. The CHIEF EXECUTIVE shall not approve any change in the name of an IMPORTED HORSE unless such change of name has been approved by the racing authority of the country of foaling.
- 35.3 The CHIEF EXECUTIVE may order a REGISTERED name to be changed.

### **36. REGISTRATION OF IMPORTED HORSES**

- 36.1 No PERSON shall import any horse into SOUTHERN AFRICA, for racing or breeding purposes, in contravention of the RULES or any law and without subsequently applying to the CHIEF EXECUTIVE for the REGISTRATION of such HORSE. The PERSON responsible for the importation of a horse into SOUTHERN AFRICA shall notify the CHIEF EXECUTIVE within 30 DAYS after such horse's arrival in SOUTHERN AFRICA.
- 36.2 An application for the REGISTRATION of an IMPORTED HORSE shall be made to the CHIEF EXECUTIVE, and shall be accompanied by the prescribed fee and following documents:
- 36.2.1 the Stud Book certificate or other appropriate certificate issued by the Stud Book authority of the country of foaling;
  - 36.2.2 the certificate of age and identity signed by the veterinary surgeon who examined the horse after its arrival in SOUTHERN AFRICA;
  - 36.2.3 the customs documents;
  - 36.2.4 the racing record of the horse (if it has raced);
  - 36.2.5 any other documents required by the CHIEF EXECUTIVE; and,
  - 36.2.6 the vaccination certificate or vaccination record of the horse.
- 36.3 A named horse imported into SOUTHERN AFRICA shall have the suffix of its country of foaling added to its name.
- 36.4 An unnamed horse imported into SOUTHERN AFRICA shall be named after REGISTRATION and the suffix of its country of foaling shall be included in its name.

### **36.5 CONDITIONS OF IMPORTATION FOR RACING OR BREEDING PURPOSES**

- 36.5.1 No imported filly or mare shall be de-sexed without the prior permission of the NATIONAL BOARD.
- 36.5.2 A PERSON who imports a horse for racing or breeding purposes shall ensure that:-
- 36.5.2.1 any import duty and/or other fees levied by the Government has been paid;
  - 36.5.2.2 the REGISTRATION of the horse is effected in terms of RULE 36;
  - 36.5.2.3 the prescribed fee is paid.

36.5.3 An application for the REGISTRATION of an IMPORTED HORSE shall not be considered unless the provisions of RULES 36.1 and 36.2 have been complied with.

### **37. AGES OF HORSES**

37.1 The age of a FOAL shall be determined as follows :

37.1.1 If the FOAL is born between 1 July and 31 December, and

37.1.1.1 its dam was covered on or after 1 September (of the previous year), it shall take its age from 1 August of the calendar year of its birth;

37.1.1.2 its dam was covered prior to 1 September (of the previous year), it shall take its age from 1 August of the calendar year during which its dam was covered.

37.1.2 If the FOAL is born between 1 January and 30 June, it shall take its age from 1 August of the previous year.

37.2 Where any doubt or dispute as to the age of a HORSE exists, the age of the HORSE shall be determined by a licensed veterinary surgeon.



## PASSPORTS

### 38. PASSPORTS

- 38.1 PASSPORTS shall be issued by the CHIEF EXECUTIVE for all HORSES and any PASSPORT so issued shall remain the property of the NATIONAL HORSERACING AUTHORITY, however, the PASSPORT shall remain with the HORSE for its natural life and shall only be returned to the NATIONAL HORSERACING AUTHORITY in the event of the death of such HORSE. No individual shall withhold the PASSPORT of a HORSE from any person who is entitled to be in possession of such PASSPORT.  
[Amended 24.10.2016]
- 38.2 The PERSON responsible for the care of a HORSE shall ensure that he is in possession of its PASSPORT.
- 38.3 The OWNER and/or PERSON responsible for the care or training of a FOAL, or of a HORSE, shall comply with the instructions contained in a PASSPORT as issued from time to time by the CHIEF EXECUTIVE and shall ensure that all PASSPORTS are made available for inspection at a time and place requested by any STEWARD, LICENSED OFFICIAL or other PERSON authorised by the CHIEF EXECUTIVE.
- 38.4 The OWNER and/or PERSON responsible for the care or training of a FOAL, or of a HORSE, shall be responsible for the completion and updating of a PASSPORT and shall ensure that such PASSPORT contains an up to date record of all details required by the CHIEF EXECUTIVE.
- 38.5 No unauthorised PERSON or individual may change or amend any information contained in the PASSPORT.
- 38.6 No HORSE shall be entered for a RACE unless the PERSON responsible for the care or training of that HORSE is in possession of its PASSPORT.

## **VACCINATIONS**

### **39. VACCINATIONS**

#### **39.1 AFRICAN HORSE SICKNESS**

- 39.1.1 All HORSES and all FOALS shall be vaccinated against African Horse Sickness by a veterinary surgeon, using a registered, non-expired vaccine according to the manufacturer's recommendations, in accordance with the programme of vaccination as published from time to time in the RACING CALENDAR. Such vaccine shall be supplied by the Veterinarian administering the vaccine.
- 39.2 The OWNER, the TRAINER and/or any other PERSON responsible for the care, treatment or training of a HORSE which is required to be vaccinated in accordance with RULE 39.1 shall be individually and jointly responsible for ensuring that such HORSE is so vaccinated.
- 39.3 The OWNER, the TRAINER and/or any other PERSON responsible for the care, treatment or training of a HORSE which is required to be vaccinated in terms of RULE 39.1 shall be guilty of an offence if such HORSE is not vaccinated as prescribed.
- 39.4 If a SB determines that a HORSE or a FOAL is not vaccinated in accordance with RULE 39.1, it shall, in its sole discretion, be entitled to debar the HORSE from racing or being used at stud for such period as it might determine.
- 39.5 If an INQUIRY BOARD determines that a HORSE or FOAL is not vaccinated in accordance with RULE 39.1, it shall, in its sole discretion, be entitled to impose a fine not exceeding R10000 on the OWNER, the TRAINER and/or the PERSON responsible for the care, treatment or training of the HORSE, or suspend or cancel any PRIVILEGES held by such OWNER, TRAINER or PERSON, or impose both such fine and such suspension or cancellation, provided that the OWNER shall be exonerated from responsibility if the INQUIRY BOARD is satisfied that he believed that the TRAINER or PERSON responsible for the care of the HORSE had complied with RULE 39.

#### **39.6 PROHIBITIONS**

- 39.6.1 No HORSE or FOAL shall enter the province of the Western Cape from any other province of South Africa or from any other country where African Horse Sickness is endemic unless it has been vaccinated against African Horse Sickness by a Veterinary Surgeon, using a registered, non-expired vaccine according to the manufacturer's recommendations within 2 years of such entry.
- 39.6.2 Notwithstanding RULE 39.6.1, no HORSE or FOAL shall enter the province of the Western Cape from any other province of South Africa or from any other country where African Horse Sickness is endemic if it has received an African Horse Sickness vaccination within 40 days of such entry.  
[Amended 24.10.2016]
- 39.6.3 No PERSON shall move or transport a HORSE or FOAL into the area defined in RULE 39.6.4, or from outside the Western Cape into the Western Cape unless such PERSON has complied with the Export Control Regulations as promulgated and published in the RACING CALENDAR.
- 39.6.4 For the purposes of RULE 39.6.3 the area shall include the magisterial districts of Cape Town, Vredenburg, Hopefield, Moorreesburg, Malmesbury, Wellington, Paarl, Stellenbosch, Kuilsrivier, Goodwood, Wynberg, Simonstown, Somerset West, Bellville, Mitchell's Plain and Strand.
- 39.6.5 A PERSON or PARTICIPANT who exports or moves a HORSE or FOAL shall comply with any Export/Movement Control provisions stipulated for or determined by the NHA from time to time.

## 39.7 EQUINE INFLUENZA

- 39.7.1 All HORSES and all FOALS shall be vaccinated by a PERSON or veterinary surgeon against Equine Influenza both in accordance with the programme of vaccinations and with a non-expired vaccine from the recommended list as determined by the NATIONAL BOARD and as published from time to time in the RACING CALENDAR; provided that only a veterinary surgeon shall supply and administer the vaccine to all HORSES trained by, or under the care, or in the stable of a TRAINER.
- 39.7.2 No FOAL or HORSE shall, unless it has been vaccinated in accordance with RULE 39.7.1:-
- 39.7.2.1 be trained, or be under the care of, or be in the stable of a TRAINER;
  - 39.7.2.2 be sent to or accepted in a REGISTERED spelling farm;
  - 39.7.2.3 be put to stud or sent to or accepted in a breeding establishment; or
  - 39.7.2.4 be sent to a public auction.
- 39.7.3 The PERSON or veterinary surgeon administering the vaccination shall record in the HORSE'S or FOAL'S PASSPORT or where a PASSPORT has not been issued, into the vaccination record form, the name of the PERSON or veterinary surgeon, the name of the HORSE or FOAL vaccinated, the date of vaccination and a description of the vaccine used. In addition, the PERSON or veterinary surgeon shall, where the vial containing the vaccine carries a detachable label, stick such label into the HORSE'S PASSPORT or into the vaccination record form, as the case may be.
- 39.7.4 The OWNER, TRAINER and/or any other PERSON responsible for the breeding, care, treatment or training of a HORSE or FOAL which is required to be vaccinated in accordance with RULE 39.7.1 shall be individually and jointly responsible for ensuring that such HORSE or FOAL is so vaccinated.
- 39.7.5 The OWNER, TRAINER and/or any other PERSON responsible for the breeding, care, treatment or training of a HORSE or FOAL which is required to be vaccinated in terms of RULE 39.7.1 shall be guilty of an offence if such HORSE or FOAL is not vaccinated as prescribed.
- 39.7.6 If a SB determines that a HORSE is not vaccinated in accordance with RULE 39.7.1 it shall be entitled, in its sole discretion, to debar the HORSE from participating in a RACE.
- 39.7.7 If an INQUIRY BOARD determines that a HORSE or a FOAL is not vaccinated in accordance with RULE 39.7.1 it shall be entitled, in its sole discretion, to impose a fine on the OWNER, TRAINER and/or the PERSON responsible for the breeding, care, treatment or training of the HORSE or FOAL, or suspend or cancel any PRIVILEGES held by such OWNER, TRAINER and/or PERSON, or impose both such fine and such suspension or cancellation, provided that the OWNER shall be exonerated from responsibility if the INQUIRY BOARD is satisfied that the OWNER bona fide believed that the TRAINER and/or PERSON responsible for the breeding, care, treatment or training of the HORSE or FOAL, had complied with RULE 39.7.1.
- 39.7.8 No HORSE shall enter any training establishment from a breeding or spelling establishment unless it has been vaccinated in accordance with RULE 39.7.1.
- 39.7.9 Any HORSE or FOAL not vaccinated in accordance with RULE 39.7.1 will be required to be re-vaccinated according to the vaccination programme provided for in RULE 39.7.1.

## RESTRICTIONS ON RUNNING

### 40. RESTRICTIONS ON RUNNING

- 40.1 Yearlings shall not run in any RACE.
- 40.2 Two-year-olds foaled south of the equator and two year olds foaled north of the equator between 1 August and 31 December shall not run:-
  - 40.2.1 before 1 October;
  - 40.2.2 twice on the same day;
  - 40.2.3 with older HORSES before 1 April;
  - 40.2.4 in RACES of less than 1000M after 15 January;
  - 40.2.5 in RACES of more than 1200M before 15 February;
  - 40.2.6 in RACES of 2000M until 1 May;
  - 40.2.7 in RACES exceeding 2000M.
- 40.3 No HORSE foaled north of the equator between 1 January and 31 July shall be eligible to run as a two-year old.
- 40.4 Three-year-olds and upwards shall not run less than 1000M at any RACE MEETING, except where special permission has been granted in terms of the RULES by the CHIEF EXECUTIVE.  
[Amended 15.02.2013]
- 40.5 No HORSE shall run in more than one RACE on the same day.

## REGISTRATION OF OWNERSHIP

### 41. REGISTRATION OF OWNERSHIP

- 41.1 No PERSON may enter or start a HORSE for or in a RACE unless its OWNERSHIP has been REGISTERED provided that a FOAL or yearling may be entered for a RACE even though its OWNERSHIP has not been REGISTERED, but it may not be declared to run in such a RACE until the OWNERSHIP in respect of it has been REGISTERED.
- 41.2 Notwithstanding the provisions of RULE 41.1 the REGISTRATION requirements to RACE a HORSE shall be deemed to have been met if the HORSE is to RACE:-
- 41.2.1 in the name of the PERSON who bred it; or
- 41.2.2 in the name of a partnership of not more than 6 PERSONS who bred the HORSE in their partnership and which has COLOURS REGISTERED in their joint names; or
- 41.2.3 in the name of a JURISTIC PERSON which bred it and which has COLOURS REGISTERED in its name, provided that the applicable fees, as published from time to time in the RACING CALENDAR, have been paid.
- 41.3 In the event of a sale of a HORSE by public auction, the prescribed change of OWNERSHIP form may be signed on behalf of the seller by a representative of the organization conducting the auction, provided that the conditions of the sale authorise a representative of the auctioneering organisation to sign on behalf of the seller;  
[Amended 02.05.2017]
- 41.4 The CHIEF EXECUTIVE shall not REGISTER the lessee of a HORSE as OWNER unless and until the lease of that HORSE has been REGISTERED in terms of RULE 42. Where a lease lapses or is cancelled, the HORSE concerned shall be deemed to be REGISTERED in the name of its lessor.
- 41.5 All applications for REGISTRATION of OWNERSHIP shall be made to the CHIEF EXECUTIVE, in WRITING, on the prescribed form. The CHIEF EXECUTIVE may, in his discretion, grant or refuse the REGISTRATION of any OWNERSHIP. Should the CHIEF EXECUTIVE refuse the REGISTRATION of any OWNERSHIP, he shall give reasons for such refusal.
- 41.6 The NATIONAL BOARD (and not the CHIEF EXECUTIVE may, after a hearing, in its discretion cancel the REGISTRATION of any OWNERSHIP.
- 41.7 Every PERSON who disposes of a HORSE to another person or individual, whether or not that person or individual has a PRIVILEGE or is subject to the RULES, shall forthwith notify the CHIEF EXECUTIVE, in WRITING, of the name and address of the person or individual to whom the HORSE was disposed.
- 41.8 The PERSONS who are the parties to the cancellation of a lease, a sale, the cessation of a partnership, or change in the composition of the JURISTIC PERSON shall ensure that immediate written notification of such event is given to the CHIEF EXECUTIVE.
- 41.9 Should the OWNER of a HORSE die, the REGISTRATION shall, subject to the provisions of RULE 8.4, remain effective until changed. Should the legal representative of the estate wish to continue racing any such HORSE, he shall apply for the REGISTRATION of the OWNERSHIP in the name of the estate.
- 41.10 The OWNER of a HORSE shall remain responsible for the care and welfare of a HORSE registered in his name with the NHA, once it retires from racing and for the rest of its natural life, unless he:
- 41.10.1 transfers ownership of the HORSE to another OWNER or an owner in another racing jurisdiction; or
- 41.10.2 transfers ownership of the HORSE to a BREEDER; or
- 41.10.3 transfers ownership of the HORSE to a Horsecare Unit run under the auspices of the National Horse Trust or another rehoming facility approved by the CHIEF EXECUTIVE, together with the required fee; or
- 41.10.4 has the HORSE humanely euthanased and reports such euthanasia to the NHA;  
or

41.10.5 disposes, whether by an auction approved by the CHIEF EXECUTIVE or otherwise, the HORSE out of racing, on condition that a “second career assessment form” as prescribed from time to time, has been completed by a veterinary surgeon, the OWNER and the TRAINER, enabling the HORSE to pursue an intended second career outside of horseracing. If required, the OWNER agrees to make all relevant veterinary history available to the veterinary surgeon and TRAINER, in order to complete the form accurately. The assessment form shall be submitted to the CHIEF EXECUTIVE within one week of the horse retiring from racing.

Should the assessment recommend humane euthanasia and the OWNER elects not to humanely euthanase the HORSE, then the OWNER shall remain responsible for that horse’s welfare for the rest of its natural life.

41.11 An OWNER shall be guilty of an offence if he fails to dispose of a horse in accordance with RULE 41.10

41.12 For the purposes of Rule 41, a horse will be regarded as having been retired from the time it leaves a Trainers’ yard or a breeding establishment to be placed in the care of a person who is not registered with the National Horseracing Authority.

[Amended 01.03.2016]

## 42. LEASES

42.1 A lessor and lessee wishing to REGISTER a lease of a HORSE shall jointly apply to the CHIEF EXECUTIVE, in WRITING, on the prescribed form. The CHIEF EXECUTIVE may REGISTER a lease for a definite or indefinite period but not for the racing career of a HORSE, provided that a lease for a definite period may be extended for a further definite period, prior to expiry, upon written notification to the CHIEF EXECUTIVE of the terms and conditions of such extension.

42.2 The lessee may terminate a lease at any time on 30 DAYS written notice to the lessor.

42.3 The lessor shall not be entitled to terminate the lease without the permission of the lessee before:-

42.3.1 the expressed date for the termination of a lease for a definite period;

42.3.2 the end of the four-year-old season of a FILLY or the six-year-old season of a HORSE or gelding, in the case of a lease for an indefinite period.

42.4 Notwithstanding the provisions of RULE 42.3, the lessor shall be entitled to terminate the lease without the permission of the lessee provided that:-

42.4.1 he shows good and sufficient reason to the CHIEF EXECUTIVE;

42.4.2 the CHIEF EXECUTIVE approves such cancellation; and

42.4.3 the CHIEF EXECUTIVE determines the required period of notice, if any, which shall not exceed 30 DAYS.

42.5 No HORSE which is the subject of a REGISTERED lease may be disposed of by the lessor unless the new OWNER agrees to the existing lease being continued on the same terms and conditions, except if the lessee agrees to any change therein. The new OWNER shall, simultaneously with the lodgement of the application to REGISTER OWNERSHIP, lodge the application to REGISTER the lease of the HORSE to the existing lessee.

42.6 A lease shall not be REGISTERED if the proposed lessee:-

42.6.1 does not have COLOURS;

42.6.2 is a deceased estate and the HORSE had not, prior to death, been leased to the deceased.

42.7 The REGISTRATION of a lease shall automatically lapse if:-

42.7.1 the lessee ceases to have COLOURS;

42.7.2 the estate of a deceased lessee does not apply for COLOURS;

42.7.3 it is still in existence 10 years after the date on which it was REGISTERED;

42.7.4 the lessee returns the HORSE to the lessor and the lessor notifies the CHIEF EXECUTIVE of that fact and that he has been unable to obtain the lessee's signature to the cancellation.

42.8 The REGISTRATION of a lease shall not lapse if:-

- 42.8.1 the lessor is warned off or has his name placed on the DEFAULTERS' LIST;
- 42.8.2 the lessor dies, except that the lease shall be transferred automatically into the name of the executor or the heir;
- 42.8.3 the lessee dies, provided that the executor of the estate is granted COLOURS in the name of the estate or the heir is granted COLOURS in his own right, when the lease shall be transferred automatically into his name.

### **43. SPELLING FARMS**

- 43.1 A spelling farm may be REGISTERED as such by the LICENSING BOARD after consideration of recommendations by the Chief Stipendiary Steward of the SB of the RACING DISTRICT in which the spelling farm is situated.
- 43.2 The LICENSING BOARD shall not consider an application for the REGISTRATION of a spelling farm unless the SB has approved the facilities thereon.
- 43.3 The REGISTRATION of a spelling farm shall not be granted nor remain valid unless the manager of the spelling farm has been satisfactorily examined by the SB and has passed the examination.
- 43.4 Should the OWNERSHIP or manager of a spelling farm change, a fresh application for REGISTRATION of the spelling farm shall be made.
- 43.5 Every REGISTRATION of a spelling farm shall expire on 31 July in each year.

## **RACING OPERATORS**

### **44. RACING OPERATORS**

- 44.1 A RACING OPERATOR shall be bound by, and shall hold its RACE MEETINGS under the RULES and shall not hold a RACE MEETING at any place other than the RACE COURSE or RACE COURSES specified in its licence, except by permission of the NATIONAL BOARD.
- 44.2 A licence to RACE under the RULES shall only be granted to a RACING OPERATOR, which agrees to abide by and be bound by the CONSTITUTION and the RULES and which conforms with and conducts itself in a manner which conforms with legislation in force for the time being in the Province in which the RACE COURSE on which the RACING OPERATOR intends to hold RACE MEETINGS is situated.
- 44.3 A licence to RACE under the RULES shall be automatically cancelled if a RACING OPERATOR ceases to conduct itself in a manner which conforms with legislation in force for the time being in the Province in which the RACE COURSE on which the RACING OPERATOR intends to hold RACE MEETINGS is situated.
- 44.4 A RACING OPERATOR shall not be required to re-apply for a licence annually and a licence granted to a RACING OPERATOR shall endure until it lapses or is cancelled in terms of RULE 44.2 or 44.5 or until the disbanding of the RACING OPERATOR.
- 44.5 The NATIONAL BOARD may, in its sole discretion, after a hearing, cancel any licence granted by it to a RACING OPERATOR or suspend any RACING OPERATOR from holding RACES.
- 44.6 A RACING OPERATOR shall observe, abide by and enforce the CONSTITUTION and the RULES, and all instructions and decisions of the NATIONAL BOARD, made from time to time, failing which a RACING OPERATOR shall be liable to be suspended, or have its licence withdrawn at the discretion of the NATIONAL BOARD.
- 44.7 A RACING OPERATOR shall ensure that any STEWARDS or officials appointed by it in terms of the RULES consent to be bound by and abide by the CONSTITUTION and the RULES.



## RACE COURSES

### 45. RACE COURSES

- 45.1 Every RACING OPERATOR shall apply to the NATIONAL BOARD for a licence for any RACE COURSE on which it is intended to hold RACE MEETINGS and the NATIONAL BOARD may, in its sole discretion grant such a licence, subject to such terms and conditions as it may from time to time determine.
- 45.2 No RACE or RACE MEETING shall be conducted at any venue which is not a RACE COURSE.
- 45.3 A RACE COURSE, and the facilities and improvements thereon, shall be open for inspection at all reasonable times by the NATIONAL BOARD or the CHIEF EXECUTIVE.
- 45.4 Before any licence is granted in respect of a RACE COURSE, the plan of such RACE COURSE and such other information as required by the NATIONAL BOARD shall be submitted to, and be approved by, the NATIONAL BOARD.
- 45.5 A licence in respect of a RACE COURSE shall not lapse annually but shall remain in force until cancelled by the NATIONAL BOARD in its sole discretion or upon request by the RACING OPERATOR conducting RACE MEETINGS at such RACE COURSE.
- 45.6 Any proposed alteration to any existing RACE COURSE on which RACES are to be run shall be submitted to, and be approved by, the NATIONAL BOARD.
- 45.7 On every RACE COURSE there shall be installed, in a conspicuous position for viewing by the public:-
  - 45.7.1 a clock which shall be known as the official clock and the time shown by it shall be the official time for the purposes of the RULES;
  - 45.7.2 an information/changes board displaying such information as determined by the SB in consultation with the ROR;
  - 45.7.3 a board on which shall be shown, as soon as possible after a RACE has been run at a RACE MEETING, the numbers of the HORSES placed by the judge and such board, or other suitable supplementary board, shall be in a position where it can be seen by all the RIDERS on their return to the place of dismounting after the RACE has been run.

## **RACE MEETINGS**

### **46. RACE MEETINGS**

All meetings at which RACES take place shall be run in terms of the RULES.

### **47. PROGRAMMES**

- 47.1 All programmes of RACE MEETINGS shall have been published at least 14 DAYS before the date fixed for the closing of entries. The advertisement of the programme shall state:-
- 47.1.1 the names, values, distances and conditions of the RACES to be run;
  - 47.1.2 the conditions of the RACE MEETING;
  - 47.1.3 that the RACE MEETING is subject to the RULES;
  - 47.1.4 the date on which the meeting is to be held;
  - 47.1.5 the date, time and place or places for the closing of entries;
  - 47.1.6 the RACES, if any, in which APPRENTICES' allowances may not be claimed.
- 47.2 No RACE shall be run unless the numbers of HORSES in a RACE is limited to the number which can with safety compete in the RACE concerned.
- 47.3 A RACING OPERATOR may include any of the undermentioned types of RACES in a programme and shall comply with the requirements referred to in this RULE for such RACES:-
- 47.3.1 a conditions RACE, which shall be a RACE in which weights are allocated to HORSES in terms of the conditions of the RACE, as specified by the ROR;
  - 47.3.2 a handicap, which shall be a RACE in which the weights to be carried by the HORSES are allocated by the handicapper for the purpose of equalising their chances of winning;
  - 47.3.3 a match, which shall be a RACE between 2 HORSES, the property of 2 different OWNERS, on terms agreed by them, and remains a match even if a RACING OPERATOR adds a prize or stake money;
  - 47.3.4 a plate, which shall be a RACE in which all HORSES of the same age and sex are allocated the same weight, and remains a plate even if the HORSES carry penalties of extra weight for previous wins;
  - 47.3.5 a weight-for-age RACE, which shall be a RACE in which weights are allocated to HORSES in terms of RULE 54.3.

## **RACE MEETING OFFICIALS**

### **48. RACE MEETING OFFICIALS**

- 48.1 The following LICENSED OFFICIALS shall be present at RACE MEETINGS, unless their attendance is not possible for good reason:
- 48.1.1 STIPENDIARY STEWARDS;
  - 48.1.2 SPECIMEN COLLECTORS;
  - 48.1.3 two veterinary surgeons unless the CHIEF EXECUTIVE permits the appointment of one only;
  - 48.1.4 a licensed horse identifier if one has been appointed in that RACING DISTRICT.
- 48.2 The following LICENSED OFFICIALS and other PERSONS shall be present at RACE MEETINGS:
- 48.2.1 a RMR;
  - 48.2.2 a judge;
  - 48.2.3 a starter;
  - 48.2.4 a clerk of the scales;
  - 48.2.5 a registered medical officer;
  - 48.2.6 a licensed farrier.
- 48.3 In an emergency, the SB, may appoint a suitable individual to act in any of the capacities referred to in RULES 48.1 and 48.2 for a specific RACE MEETING. Such individual will not require a licence for that meeting but, before commencing such duties, shall agree to be and shall be bound by the CONSTITUTION and the RULES. The cost of such appointment may be recovered from the RACING OPERATOR concerned.

### **48.4 CHIEF EXECUTIVE OF A RACING OPERATOR**

Shall take all necessary steps for the proper conduct of a RACE MEETING, including ensuring that:-

- 48.4.1 the RACE COURSE is properly maintained, measured and marked;
- 48.4.2 the photo-finish camera is in working order and is lined up with the finish line by a surveyor;
- 48.4.3 the information contained in a RACE CARD in respect of a RACE MEETING is correct and a copy of each day's RACE CARD is forwarded to the ROR;
- 48.4.4 a clean saddle cloth is provided for every HORSE taking part in the RACE MEETING;
- 48.4.5 no PERSON or individual who is warned off, suspended, whose name is on the DEFAULTERS' LIST or who has been debarred by a RACING OPERATOR, is allowed entry to the RACE COURSE PROPERTY;
- 48.4.6 all entries are checked and comply with the RULES and with the conditions of the RACE;
- 48.4.7 only authorised PERSONS are admitted to the JOCKEYS' quarters the weighing room, the parade ring and the security area;
- 48.4.8 a copy of the RACING OPERATOR'S audited annual accounts is sent to the CHIEF EXECUTIVE, as soon as they have been approved by the ROR;
- 48.4.9 all clocks in use at the RACE COURSE for the purposes of the RACE MEETING synchronise with the official clock;
- 48.4.10 the starting stalls are in working order;
- 48.4.11 the scale is correctly calibrated and in working order. A second similar scale shall be provided to be used in the event of the first scale not operating properly;
- 48.4.12 the starter is supplied with emergency spares of riding equipment;
- 48.4.13 a properly equipped and staffed ambulance is on the RACE COURSE prior to the running of the first RACE, that it is in the vicinity of the start for each RACE and that it, as far as practicable, follows the runners once the RACE has started;

- 48.4.14 that a properly equipped horse ambulance is at all times available at a RACE MEETING.
- 48.5 The CHIEF EXECUTIVE OF A RACING OPERATOR or ROR shall, in WRITING, appoint the National Racing Bureau to receive on behalf of the CHIEF EXECUTIVE OF THE RACING OPERATOR or ROR the communications and notices referred to in RULES 49, 50, 51, 52, 53 and 55.

#### **48.6 HANDICAPPERS**

- 48.6.1 A handicapper shall in addition to his other duties and responsibilities:-
- 48.6.1.1 subject to RULE 54.1.1, allot weights to all HORSES entered in accordance with the prescribed conditions for all RACES;
- 48.6.1.2 determine the penalty, if any, to be carried by a HORSE in a handicap when it has won a RACE or RACES after the publication of its weight for a RACE, and shall inform the ROR and the clerk of the scales thereof;
- 48.6.1.3 when calculating the weight to be carried by a HORSE, or determining the status of a HORSE, which was either first past the winning post or which was declared a winner, and which, in either case, has subsequently been disqualified, as a result of a PROHIBITED SUBSTANCE, treat such performance as a win. The performance of the HORSE which is promoted to first place as a result of such disqualification shall also be treated as a win.

## ENTRIES

### 49. ENTRIES

- 49.1 All entries, scratchings, and the declaration of HORSES, RIDERS, grooms, blinkers, pacifiers, tongue ties, tongue straps, sheepskin cheek pieces and racing plates shall be made in terms of the RULES and the RACING OPERATOR'S conditions, as published from time to time.
- 49.2 No PERSON shall enter or run a HORSE for or in a RACE or scratch a HORSE from a RACE or declare a RIDER, blinkers, pacifiers and racing plates for a RACE in contravention of the RULES or the conditions of the RACE referred to in RULE 49.1, provided that no penalty shall be imposed on a PERSON if a HORSE entered for a RACE in contravention of RULE 49.1 is withdrawn before the entries close.
- 49.3 Entries shall be made either in WRITING or by telephone. Entries made by telephone shall be confirmed in WRITING unless the ROR dispenses with such notice. Such confirmation shall be received by the ROR concerned by the time of the first or final declarations, whichever is the earlier, failing which the HORSE shall not be qualified to start. The ROR for the purpose of RULES 49.3, 49.4, 52 and 55 includes any PERSON authorised in WRITING by a RACING OPERATOR to accept entries or scratchings on its behalf. Entry fees shall be paid by the time specified in the programme or at scale prior to the RIDER weighing out, if no time is specified.
- 49.4 All entries shall state the name of the HORSE, and any other particulars required by the ROR.
- 49.5 Whenever the name under which a HORSE has been entered or has run at any race meeting in any country is changed, its previous name, as well as its new name, must be given in every entry until the HORSE has run four times under its new name.
- 49.6 [DELETED]
- 49.7 The SB may at any time require the TRAINER of a HORSE which has been entered for a RACE, to satisfy it, and a veterinary surgeon nominated by it, that such HORSE is fit to take part in that RACE. The decision of the SB as to whether or not the HORSE may take part in the RACE shall be final and no appeal shall lie therefrom. Should the SB decide the HORSE is not fit to take part in the RACE it shall, notwithstanding anything to the contrary contained in the RULES, withdraw the HORSE from the RACE. Neither the NATIONAL HORSERACING AUTHORITY, the RACING OPERATOR, nor any of their officials or the veterinary surgeon concerned, shall be liable for any losses or damages which anybody may suffer as a result of such withdrawal.
- 49.8 In every entry of a HORSE which is owned by a partnership, the names of all the partners shall be specified and the names of such partners shall be shown against or below the name of the HORSE in the official RACE CARD of the RACE MEETING concerned.
- 49.9 In every entry of a HORSE which is the property of a JURISTIC PERSON, the name of the JURISTIC PERSON shall be specified as well as the NOMINEE of such JURISTIC PERSON. This information shall be shown against or below the name of the HORSE in the official RACE CARD of the RACE MEETING concerned unless the NOMINEE makes a written request to the CHIEF EXECUTIVE that his name should not appear in the RACE CARD as the NOMINEE of the JURISTIC PERSON in which event only the name of the JURISTIC PERSON shall appear in the RACE CARD, however, on written request, the CHIEF EXECUTIVE shall disclose the name.
- 49.10 The list of entries shall be closed at the advertised time and no entry shall be permitted in any RACE on any terms, after that time, except in the case of unexpected or unforeseen circumstances as determined by the ROR and with the approval of the CHIEF EXECUTIVE when entries may be reopened.
- 49.11 No alteration shall be made to any entry after the time fixed for closing of entries except:-
- 49.11.1 when the name of the HORSE has been changed;
- 49.11.2 when a HORSE has been gelded;
- 49.11.3 when a HORSE has been sold or leased with engagements and the transfer into the name of the new OWNER or lessee has been REGISTERED;

- 49.12 An entry may be withdrawn, or amended, by the PERSON who made the entry before the time of closing of entries.
- 49.13 Should a HORSE be entered for a RACE for which it is not eligible at the time of entry or for which it cannot become eligible, the entry fee shall not be refunded.
- 49.14 The ROR shall omit from a RACE, any HORSE or any entry which does not comply with the requirements of the RULES. Notwithstanding the provisions of this RULE, if the entry of a HORSE does not comply with the requirements of the RULES but such requirements have been or were complied with by the time of final declarations, a HORSE shall be permitted to run in a RACE if the SB, in its sole discretion after consultation with the ROR, so directs.
- 49.15 An entry shall not become void on the death of the OWNER of a HORSE, but if either of the parties to a match dies, the match shall be cancelled.
- 49.16 Notwithstanding anything contained in the RULES, the personal representative (which for the purpose of the RULES means a PERSON in whose favour a valid authority to act had been granted) of a deceased OWNER shall be entitled to deal with the deceased OWNER'S HORSE in such manner as if he had not died, for so long as such COLOURS remain REGISTERED in the name of that OWNER in terms of RULE 8.4. The HORSE shall run under the description of "... (name of TRAINER), personal representative of.... (deceased)" and shall run in the colours previously REGISTERED in the name of the deceased OWNER. In the case of partnerships, the HORSE shall run in the partnership colours or in the colours of any partner still living. All obligations and liabilities in respect of entries made by or on behalf of such OWNER, shall attach to such OWNER'S estate.
- 49.17 Should the number of entries required by the conditions of the RACE be not obtained, the ROR may cancel the RACE.
- 49.18 Should a RACE be abandoned or cancelled, at any time after final declarations, the entry fees shall be returned in respect of those HORSES which remained in the RACE at the time of the decision to abandon or cancel the RACE.
- 49.19 No alteration to the conditions of any advertised RACE, or programme, shall be made after the time of the closing of entries, except that, in the case of unforeseen circumstances, the time, date, venue or distance of the RACE may be changed by the ROR with the prior permission of the Chief Stipendiary Steward of the SB of the RACING DISTRICT concerned, in such event the original declarer may seek the permission of the SB to withdraw a HORSE, provided such request is made before a time declared by the OPERATOR which time will not be later than 10:00 on the day following the announcement of the change of the date of the meeting, RACE or RACES and provided further that such request is fully motivated.  
[Amended 02.05.2017]
- 49.20 Notwithstanding the provisions of RULE 49.19 the ROR may change the stake for any advertised RACE after the time of closing of entries.

## **50. LIMITATION ON ENTRIES AND RUNNING**

- 50.1 No PERSON
- 50.1.1 shall declare or start a HORSE for or in a RACE unless the OWNER is a current holder of COLOURS;  
[Amended 02.05.2017]
- 50.1.2 other than the OWNER or his AUTHORISED AGENT may enter a HORSE for a RACE and no PERSON shall enter a HORSE for a RACE or run a HORSE in a RACE unless it is trained by one of the PERSONS referred to in RULE 10.1;
- 50.1.3 shall enter an unraced HORSE or a HORSE racing for the first time in SOUTHERN AFRICA to run in a RACE unless it has been graded tractable in the starting stalls within 60 DAYS prior to final declarations. Thereafter no PERSON shall enter or start such HORSE for or in a RACE:-  
[Amended 13.12.2013]
- 50.1.3.1 if the HORSE has been suspended for intractability, until the period of suspension has lapsed and it has been re-certified as tractable;
- 50.1.3.2 if the HORSE has been declared intractable, until it has been re-certified as tractable;

- 50.1.3.3 if the HORSE has been suspended for intractability but the period of suspension has been reviewed, until it has been re-certified as tractable.
- 50.2 The OWNER of a HORSE, his AUTHORISED AGENT, the TRAINER or the PERSON referred to in RULE 9.5 shall be present at a RACE MEETING at the time of the RACE for which such HORSE has been entered and in the event that none of them is so present, such HORSE may be withdrawn from the RACE by the SB.
- 50.3 No HORSE shall be eligible to run in any RACE unless:-
- 50.3.1 it has been duly entered therefore in accordance with the RULES and in compliance with the conditions of the RACE;
- 50.3.2 it is trained by one of the PERSONS referred to in RULE 10.1;
- 50.3.3 it has been identified by a STIPENDIARY STEWARD or other LICENSED OFFICIAL. Any HORSE which cannot be identified to the satisfaction of the SB before a RACE may be withdrawn by the SB.
- 50.4 No PERSON shall enter or start a HORSE for any RACE if the operation of neurectomy has been performed on one or more of its legs.
- 50.5 Subject to the proviso contained in RULE 41.1 and save as set out below, no HORSE shall be entered or run in the name of any PERSON unless that PERSON is the OWNER of such HORSE. Notwithstanding any provisions to the contrary in this RULE, a HORSE which is sold with engagements may run in the name of its previous OWNER for such engagements only provided such change of OWNERSHIP has been notified to the SB prior to the running of the RACE concerned and provided further that the seller of such HORSE shall assume and be liable for the performance of all obligations of an OWNER in respect of that HORSE and that such seller is a current holder of COLOURS.
- 50.6 No PERSON shall enter an IMPORTED HORSE which has raced outside SOUTHERN AFRICA, in any RACE unless and until the OWNER has supplied the CHIEF EXECUTIVE with the racing record of the HORSE concerned, issued by the racing authority of the country or countries in which it has raced.
- 50.7 A HORSE may be entered for more than one RACE at a RACE MEETING, if permitted by the RACING OPERATOR'S conditions, but no PERSON shall declare a HORSE to RACE in more than one RACE at a RACE MEETING or for the same HORSE at more than one RACE MEETING on the same day.
- 50.8 No PERSON shall enter or start a HORSE for or in a RACE if such HORSE is or has been
- 50.8.1 at a REGISTERED spelling farm at any time during a period of 14 DAYS prior to a RACE or
- 50.8.2 at an unregistered spelling farm or a stud farm at any time during a period of 30 DAYS prior to a RACE.

## **51. SALES OR LEASES WITH ENGAGEMENTS**

- 51.1 In the absence of any proof to the contrary, every HORSE sold or leased shall be deemed to be sold or leased with its engagements.
- 51.2 Notwithstanding the provisions of RULE 51.1, the SB shall not permit a HORSE to run in its new OWNER'S or lessee's name or COLOURS until such time as the change of OWNERSHIP has been REGISTERED.
- 51.3 The seller or lessor, or the AUTHORISED AGENT of either, of a HORSE sold or leased with its engagements, or any part of them, shall not be entitled to scratch the HORSE from any such engagements.
- 51.4 The purchaser or lessee of a HORSE with engagements shall assume all responsibilities for such engagements from the date of purchase or lease. The new OWNER or lessee shall immediately advise the ROR where the HORSE has engagements, of such acquisition.
- 51.5 A HORSE which has not been scratched by the time of final declarations may not be sold or leased with the engagement for such RACE unless the purchaser or lessee is eligible and agrees to fulfil such engagement.

## 52. SCRATCHINGS

- 52.1 No HORSE shall, save as provided for in the RULES, be scratched or withdrawn from any RACE for which it has been entered unless and until the OWNER, or the holder of his authority to act shall have given notice to the ROR concerned and such scratching shall only be deemed to be effective at the time of receipt of such communication by the ROR.
- 52.2 Scratchings must be advised, in WRITING, or by telephone to the ROR. Scratchings by telephone shall be confirmed in WRITING on the same day. Failure to submit such written confirmation may not affect the validity of the scratching and the decision of the ROR whether to accept such scratching shall be final and binding.
- 52.3 Save where otherwise determined by the ROR in its sole discretion, no HORSE shall be reinstated or permitted to run in a RACE from which it is scratched or from which it is purportedly scratched. In exercising its discretion in determining whether or not to reinstate or permit a HORSE to run in a RACE, the ROR shall take into account whether the RACE CARD has already been printed and whether a scratching may have occurred in circumstances which could amount to a contravention of RULES 72.1.19 or 72.1.27.
- 52.4 The PERSON who entered a HORSE for a RACE shall notify the ROR concerned immediately of the death of a HORSE with engagements.



## DECLARATIONS

### 53. DECLARATIONS

- 53.1 A HORSE which has been entered for a RACE and which has not been scratched at the time laid down for final declarations shall be an entrant.
- 53.2 Except for reserve declarations, no PERSON shall declare the same HORSE at more than one RACE MEETING on the same day or in more than one RACE on the same day.
- 53.3 Save as provided for in RULES 4.2.9, 4.2.12, 4.2.13, 4.2.14 and 49.7, no HORSE may be scratched after the time of final declarations except:-
- 53.3.1 with the permission of the SB;
  - 53.3.2 if it becomes ineligible in terms of the conditions of the RACE;
  - 53.3.3 if the date, venue or the distance of a RACE is altered in terms of RULE 49.19;
  - 53.3.4 if there has been a non-compliance with RULE 39 by the time prescribed for a HORSE to be on the RACE COURSE in terms of RULE 57.1.2, in which event the HORSE may be withdrawn from the RACE by the SB;
  - 53.3.5 if there has been a non-compliance with RULE 38 by the time prescribed for a HORSE to be on a RACE COURSE in terms of RULE 57.1.2, in which event the HORSE may be withdrawn from the RACE by the SB;
  - 53.3.6 if the equipment to be carried by the HORSE during the RACE is found to be defective.
- 53.4 Should the OWNER or the holder of an Authority to Act wish to scratch a HORSE on veterinary grounds after final declarations in terms of RULES 4.2.12, such request shall be made, in writing, to the SB. Approval of such request shall be at the discretion of the SB.
- 53.5 A HORSE which is scratched from a RACE on veterinary grounds shall be automatically suspended from taking part in a RACE for 12 DAYS, calculated inclusively, from the date of the RACE from which it was scratched, provided that the OWNER or TRAINER of the HORSE affected, may instruct a licensed veterinary surgeon to examine such HORSE and in special circumstances, the SB may lift such suspension.
- [Amended 11.07.2016]
- 53.6 Notwithstanding that a HORSE is suspended in terms of the provisions of RULE 53.5, such HORSE may be entered to take part in a RACE to be run after the period of the suspension has expired.
- 53.7 Should the name of a HORSE be deleted in error from the list of final declarations by the ROR concerned, its name shall, provided the error is discovered within 2 hours after the time fixed for final declarations, be reinstated. Should the error not be discovered within this time the HORSE shall be declared a non-runner unless the ROR in its sole discretion otherwise determines.
- 53.8 Should the name of a HORSE be omitted from a RACING OPERATOR'S official RACE CARD in error, such HORSE may be declared a non-runner in the discretion of the ROR.
- 53.9 Neither the NATIONAL HORSERACING AUTHORITY, the RACING OPERATOR concerned, nor their officials or employees shall be responsible for any error referred to in RULES 53.7 or 53.8 and no claim may be instituted against any of them.
- 53.10 Should the OWNER or the holder of an Authority to Act wish to scratch a HORSE after final declarations in terms of RULE 4.2.16 because of the track condition being unsuitable, such request shall be made to the SB who may in its discretion approve such request where the HORSE concerned has a demonstrated history of unsoundness and/or of not acting on that particular type of track condition.

## WEIGHTS

### 54. WEIGHTS, PENALTIES, ALLOWANCES

- 54.1 The weights to be carried by HORSES in a RACE shall be governed by the following:
- 54.1.1 handicap RACES - weights to be allotted according to merit ratings, as determined by the handicapper. The handicapper may eliminate from any handicap, any HORSE which, in his opinion, is below the class of the other HORSES in that RACE;
- 54.1.2 Conditions RACES - weights to be determined by the conditions of the RACE and the lowest weight shall not be less than 50Kg save that in races where the weights are determined by merit ratings, the lowest weight shall not be less than 52Kg;
- 54.1.3 weight-for-age RACES - weights allotted according to the weight-for-age scale as set out in RULE 54.3. If the top weight is less than 60Kg at the time of declaration, the weights shall be raised to a maximum of 60Kg, unless otherwise determined by the ROR'S RACE conditions.

### 54.2 ALTERATIONS IN THE WEIGHTS

There shall be no alteration in the weights after publication except:-

- 54.2.1 where weight penalties apply;
- 54.2.2 if the ROR expressly permits the handicapper to include a weight for a HORSE which was duly entered but which was omitted, provided the correction is made not less than 24 hours prior to final declarations. Where this is done a number shall be drawn for the HORSE and the numbers of all HORSES drawn outside that number shall be adjusted accordingly;
- 54.2.3 if, when the final declarations close, the highest weight in a handicap is less than 60Kg that weight shall be raised to 60Kg and all the other weights shall be raised accordingly, such that any horse with less than 52Kg will have its weight raised to 52Kg.
- 54.2.4 where a handicapper may, with the approval of the CHIEF EXECUTIVE, amend the allotted weight of a HORSE if he is satisfied that the allotted weight was incorrect because of:
- 54.2.4.1 an error or incorrect application of the handicapping guidelines at the time of release of weights; or
- 54.2.4.2 incomplete or inaccurate information on the form, age, sex or identity of any entry; provided that the correction is made not later than 09:00 on the day of the RACE. If such correction is not made within the time, then any HORSE with other than the correct weight shall carry the weight as per the RACE CARD, which shall be deemed to be the correct weight and the provisions of RULE 4.2.9 shall not apply.
- 54.2.5 where a handicapper may before declarations, issue a substitute set of weights for a RACE only when:
- 54.2.5.1 a correctly entered HORSE was not included in the original weights; or
- 54.2.5.2 the original weights are incompatible with the conditions for the RACE, or
- 54.2.5.3 he has received a directive to do so from the CHIEF EXECUTIVE acting in terms of RULE 54.16.5

[Amended 13.12.2013]

- 54.3 The weight-for-age scale is set out in Appendix B.
- 54.4 In weight-for-age RACES open to all HORSES, FILLIES and MARES are allowed a 2.5Kg sex allowance.
- 54.5 In weight-for-age RACES, HORSES conceived north of the equator and born in any country between January 1 and July 31, shall receive a hemispheric allowance as set out in Appendix J.
- 54.6 The conditions of the programme of a RACE MEETING may, when a HORSE has won a RACE or RACES after the publication of its weight for a RACE in that programme, provide for:-
- 54.6.1 the imposition of a penalty of an extra stated weight or weights over and above the weight already allotted to the HORSE for that RACE; or

- 54.6.2 the adjustment by the handicapper of the original weight allotted to the HORSE for that RACE, provided that in the event of no handicapper being available to adjust the weight such winner will be penalised as follows:
- 54.6.2.1 when handicapped to carry 60Kg or under, 3Kg per win
- 54.6.2.2 when handicapped to carry more than 60Kg, 2.5Kg per win.
- 54.7 [DELETED]
- 54.8 [DELETED]
- 54.9 Penalties (weights):-
- 54.9.1 for winning a fixed sum means winning it in one RACE, unless specified to the contrary;
- 54.9.2 are not cumulative unless so declared by the conditions of a RACE;
- 54.9.3 shall only be applicable, after publication of weights:-
- 54.9.3.1 to winners; or
- 54.9.3.2 to a HORSE which was either first past the winning post or which was declared a winner, and which, in either case, has subsequently been disqualified as a result of a PROHIBITED SUBSTANCE being present in the HORSE.
- 54.9.4 shall not be incurred in respect of winning matches.
- 54.10 Where a penalty must be carried by a HORSE, the handicapper shall notify the penalty to the CHIEF EXECUTIVE OF A RACING OPERATOR and the clerk of the scales prior to the RIDER being weighed out for the RACE.
- 54.11 Save for APPRENTICE allowances, allowances of weight may not be claimed or granted after the time fixed for final declaration of HORSES.
- 54.12 In plate RACES, other than those limited to FILLIES and MARES, FILLIES and MARES are allowed a maximum 3.5Kg allowance.
- 54.13 Allowances are cumulative unless otherwise specified.
- 54.14 OWNERS or TRAINERS may claim and are responsible for the claiming of an APPRENTICE allowance in any RACE, except any RACE specified to preclude APPRENTICE allowances, for the RACE MEETING concerned. The APPRENTICE allowance shall be 4Kg until the end of the RACE MEETING in which the APPRENTICE has ridden his 20th winner; thereafter the allowance shall be 2.5Kg until the end of the RACE MEETING in which the APPRENTICE has ridden his 40th winner and thereafter 1.5Kg until the end of the RACE MEETING in which the APPRENTICE rides his 60<sup>th</sup> winner.
- 54.15 The RACE CARD issued by a RACING OPERATOR shall specify in which RACES APPRENTICES' allowances may not be claimed.

#### **54.16 ADJUDICATION OF APPEALS AGAINST MERIT RATING**

- 54.16.1 In the event of a TRAINER and/or OWNER being dissatisfied with the published adjusted merit rating of a HORSE owned or trained by such TRAINER or OWNER, then either of them may lodge a written appeal with the CHIEF EXECUTIVE within 10 DAYS of the date of the published adjusted merit rating.
- 54.16.2 The written appeal shall be motivated and set forth the grounds upon which such appeal is based. A fee, as determined from time to time by the CHIEF EXECUTIVE, shall accompany the written appeal.
- 54.16.3 On receipt of the written appeal, the CHIEF EXECUTIVE shall forthwith forward the written appeal to the handicappers with a request that their response be furnished to him within 24 hours.
- 54.16.4 On receipt of the written response from the handicappers, CHIEF EXECUTIVE shall convene an Appeal Panel of not less than three persons to adjudicate upon the written appeal. The Appeal Panel shall reach a decision within 48 hours of being convened and shall notify the CHIEF EXECUTIVE of their decision. The CHIEF EXECUTIVE shall then act thereon and shall be entitled to issue a directive as provided for in RULE 54.2.5.3. If the Appeal Panel is of the view that the appeal was unwarranted, they may declare the fee forfeited.
- 54.16.5 The CHIEF EXECUTIVE shall be entitled to delegate his powers in terms of RULE 54.16.3 and RULE 54.16.4 to any person so authorised by him.

## DECLARATION OF RIDERS

### 55. DECLARATION OF RIDERS

- 55.1 The names of the RIDERS of the HORSES which are declared for a RACE shall be declared by the TRAINER who has an authority to act or by the OWNER, to the ROR or a duly authorised appointee either by the time of final declarations or, where the weights may be adjusted in terms of RULE 54.1.1, within two hours of final declarations.
- 55.1.1 The TRAINER or OWNER shall not be entitled to declare the name of the RIDER without having obtained the prior agreement of such RIDER to ride the HORSE concerned.
- 55.1.2 Should such declaration not be so made, the ROR may, in its sole discretion, withdraw the HORSE concerned from the RACE.
- 55.2 In the event that the RIDER of a HORSE engaged and declared to ride in terms of RULE 55.1 is unable to ride such HORSE due to medical reasons or due to exceptional circumstances, a change of RIDER may only be authorised by the Chief Stipendiary Steward of the SB in accordance with the guidelines which appear in the Appendices to the RULES.  
[Amended 11.07.2016]
- 55.3 In the event of a RACE MEETING, RACE or RACES being postponed the riding engagement of a RIDER shall remain in force in respect of any date of a RACE MEETING originally scheduled, except in the event that a riding engagement at the postponed RACE MEETING includes a Grade 1 or Grade 2 RACE and the RACE MEETING originally scheduled does not.
- 55.4 A RIDER shall weigh out at the carded weight or at the higher weight confirmed in his engagement with a TRAINER.

## **RESTRICTED AREAS ON A RACE COURSE**

### **56. ACCESS TO RESTRICTED AREAS**

#### **56.1 THE WEIGHING ROOM**

No PERSON or individual other than the RMR and officials of the RACING OPERATOR responsible for a RACE MEETING, in the course of their official duties, STEWARDS and LICENSED OFFICIALS, in the course of their official duties, and the RIDER, TRAINER, and ASSISTANT TRAINER or STABLE EMPLOYEE or PERSON having the care of a HORSE engaged in that particular RACE, shall enter or be admitted to the weighing room. Only RIDERS, officials authorised by the RACING OPERATOR and LICENSED OFFICIALS are permitted to enter the demarcated area in which the scale is situated.

#### **56.2 THE JOCKEYS' QUARTERS**

- 56.2.1 Except as provided in RULE 56.2.3, no one other than JOCKEYS with carded riding engagements at that meeting, APPRENTICES, LICENSED OFFICIALS, the clerk of the scales and the RACE COURSE medical officer in the course of their official duties may be admitted to or shall enter the JOCKEYS' quarters.
- 56.2.2 A JOCKEY with carded riding engagements at a RACE MEETING, except when riding in a RACE, shall remain in the JOCKEYS' quarters or weighing room from the time he reports on-course, in terms of RULE 57.5.1, until he is given permission to leave the RACE COURSE in terms of RULE 57.5.2.
- 56.2.3 A JOCKEY with no carded engagements at a RACE MEETING, but who makes himself available for rides, shall report his presence to the SB, whereafter he shall be confined to the JOCKEYS' quarters and shall be subject to the provisions of RULE 56.2.2.
- 56.2.4 Save with the consent of a STIPENDIARY STEWARD, no RIDER, during the period stated in RULE 56.2.2, shall have contact with anybody outside the JOCKEY'S quarters or weighing room other than the OWNER or AUTHORISED AGENT of the OWNER or the groom of the HORSE he is riding, the RMR on duty and LICENSED OFFICIAL for the RACE MEETING concerned, nor shall he take into the JOCKEY'S quarters or weighing room nor make use of any type of telephone, transmitter or similar device for communication purposes.
- 56.2.5 Notwithstanding the provisions of RULES 56.2.2 to 56.2.4 the SB may authorise a JOCKEY to attend an OBJECTION, INQUIRY PROCEEDINGS, investigation, medical examination or any other official business specified by the SB.
- 56.2.6 Smoking in the JOCKEYS' quarters and weighing room shall not be permitted. Smoking shall only be permitted in designated smoking areas.

#### **56.3 THE SECURITY AREA ON RACE DAYS**

- 56.3.1 The security area comprises the area set apart and demarcated as such and includes any area known as the saddling enclosure and/or the holding area.
- 56.3.2 No PERSON or individual shall enter or be permitted to enter the security area except:-
- 56.3.2.1 the TRAINER and/or his assistant or STABLE EMPLOYEE and the groom of a HORSE engaged in a RACE or the PERSON entitled to saddle the HORSE, which PERSON shall be a TRAINER or an ASSISTANT TRAINER or a STABLE EMPLOYEE acting for the TRAINER of a HORSE with the permission of the SB;
- 56.3.2.2 LICENSED OFFICIALS in the course of their official duties;
- 56.3.2.3 any other PERSON so authorised by a STIPENDIARY STEWARD, and then only on production of such authority.
- 56.3.3 No PERSON or individual shall administer or permit the administration of any therapeutic, veterinary or medical treatment to any HORSE in the security area, save that in an emergency such treatment may be administered by a veterinary surgeon employed by The NATIONAL HORSERACING AUTHORITY or, failing him, by a veterinary surgeon authorised by the SB.

- 56.3.4 No PERSON or individual shall take any therapeutic/veterinary/medical substance or liquid or drug and/or equipment for the administration thereof into the security area, other than as is required by a licensed veterinary surgeon for emergency treatment.
- 56.3.5 A LICENSED OFFICIAL or any PERSON authorised by the CHIEF EXECUTIVE shall have the right to search anybody and anything carried by any such PERSON or individual if they enter or attempt to enter the security area. In addition, such official shall have the right to confiscate any of the prohibited articles referred to in RULE 56.3.4 found in the possession of the PERSON or individual so searched. He shall report such action to the SB and shall hand over any such articles to the SB.
- 56.3.6 Each RACING OPERATOR shall ensure that on each day when it holds a RACE MEETING there shall be prominent signs displayed at each entrance to the security area identifying it as a security area into which only authorised persons may enter and stating that any person entering such area shall be subject to being searched and that action may be taken against any such person found to be in possession of any of the prohibited articles referred to in RULE 56.3.4.

#### **56.4 THE PARADE RING**

- 56.4.1 Save for officials and RACE MEETING REPRESENTATIVES of a RACING OPERATOR responsible for the RACE MEETING, STEWARDS, and LICENSED OFFICIALS and the RIDER, OWNER and TRAINER, ASSISTANT TRAINER, or PERSON having the care of a HORSE engaged in a RACE, no PERSON or individual shall enter or be admitted to the parade ring, except with the permission of the ROR or RMR.
- 56.4.1.1 All participating HORSES shall be in the parade ring at least 15 minutes before the advertised time of starting of the RACE.
- 56.4.1.2 Prior to each RACE all HORSES engaged therein shall be led round the parade ring, unless permission to the contrary is given by the SB.
- 56.4.1.3 A RIDER engaged in a RACE shall proceed to the parade ring immediately after being so instructed by the clerk of the scales.
- 56.4.1.4 All HORSES shall be mounted by their RIDERS prior to leaving the parade ring, except with the permission of the SB.

#### **56.5 THE SPECIMEN COLLECTION AREA**

- 56.5.1 No PERSON or individual shall enter or be permitted to enter the SPECIMEN collection area other than:-
- 56.5.1.1 a SPECIMEN COLLECTOR;
- 56.5.1.2 a licensed veterinary surgeon;
- 56.5.1.3 LICENSED OFFICIALS in the course of their official duties;
- 56.5.1.4 the groom of the HORSE from which a SPECIMEN is to be taken;
- 56.5.1.5 the OWNER or TRAINER (or representative of either) of the HORSE from which a SPECIMEN is to be taken.
- 56.6 In an emergency, a veterinary surgeon may enter the SPECIMEN collection area, the security area or the parade ring if requested by the SB, the OWNER or TRAINER or representative of either, to treat a HORSE in distress, provided that such treatment shall be observed, where possible, by a STIPENDIARY STEWARD. The veterinary surgeon shall report to the SB the diagnosis and the treatment given.

## **ARRIVAL TIMES OF TRAINERS, RIDERS AND HORSES**

### **57. TIMES FOR HORSES, TRAINERS AND RIDERS TO BE ON THE RACE COURSE**

- 57.1 The TRAINER or other PERSON responsible for the care of a HORSE intended to be started in a RACE shall ensure that:-
- 57.1.1 he shall be available on the RACE COURSE and shall have delivered the PASSPORTS for all HORSES trained by him which are intended to be started in RACES, to a STIPENDIARY STEWARD, not later than 60 minutes before the official starting time of the RACE; and
  - 57.1.2 any HORSE which is intended to be started in a RACE arrives at the RACE COURSE and proceeds to the security area so that it is in the security area no later than 60 minutes before the official starting time of the RACE in which it is due to run;
  - 57.1.3 the HORSE shall remain in the security area until it is taken to the parade ring immediately prior to it taking part in a RACE;
  - 57.1.4 except with the permission of the SB a HORSE shall be saddled only in the saddling enclosure and, where provided, only in the numbered saddling box corresponding to its number in the RACE CARD.
- 57.2 If a HORSE is not or cannot be in the security area at a RACE COURSE by the time specified in RULE 57.1, the RMR and the SB shall be notified of such fact forthwith by the OWNER and/or the TRAINER or other PERSON having the care of the HORSE concerned.
- 57.3 Should any HORSE not be in the security area by the time specified, it may be withdrawn from the RACE by the SB.
- 57.4 Except with the permission of a STIPENDIARY STEWARD, no HORSE shall be taken from the RACE COURSE until 15 minutes after the RACE in which it was engaged and no TRAINER or other PERSON responsible for the care of a HORSE shall leave a RACE COURSE before such time has elapsed, without the permission of a STIPENDIARY STEWARD.
- 57.5 RIDERS**
- 57.5.1 A RIDER having an engagement at a RACE MEETING shall report to the clerk of the scales at least 60 minutes before the official starting time of the first RACE in which he has an engagement.
  - 57.5.2 Except with the permission of a STIPENDIARY STEWARD, no RIDER shall leave the RACE COURSE until 15 minutes after the last RACE in which he is scheduled to ride.

## **EQUIPMENT**

### **58. RACING EQUIPMENT**

- 58.1 STIPENDIARY STEWARDS may, in their discretion, inspect any saddlery and general equipment which is to be carried by a HORSE in a RACE.
- 58.2 No PERSON shall use or attempt to use defective or unauthorised equipment in any RACE. The PERSON in charge of an APPRENTICE in respect of a particular RACE shall ensure that such APPRENTICE'S equipment is not defective.
- 58.3 The SB may, when any HORSE is saddled, shod, or otherwise equipped in contravention of the RULES, or equipped in a way which may be harmful to any HORSE in a RACE or with equipment which may be used for the purpose of adversely affecting the running of any such HORSE:-
- 58.3.1 order the equipment concerned to be replaced to its satisfaction and confiscate the replaced equipment; or
- 58.3.2 order the equipment concerned to be removed; or
- 58.3.3 withdraw the HORSE from the RACE.
- 58.4 When, after the arrival of the HORSES at the starting post for a RACE, a RIDER reports to the starter, as broken or defective, any article of his equipment which can be replaced without affecting his weight, the starter may replace the article from spares of such equipment supplied by the RACING OPERATOR concerned. The starter shall report any action taken under this RULE to a STIPENDIARY STEWARD and shall hand the broken or defective article to such STEWARD.
- 58.5 Spurs may not be used in a RACE.

### **58.6 HOODS, BLINKERS, PACIFIERS, NOSEBANDS, TONGUE STRAPS**

- 58.6.1 When hoods, pacifiers or blinkers are used, they may not be of the nature of blinders and shall be worn under the bridle, be securely fastened, and permit the HORSE to have an unobstructed view to the front.
- 58.6.2 When a HORSE is to race wearing cheek pieces, blinkers, pacifiers, a tongue tie or tongue strap this shall be declared to the ROR by the time laid down for final declarations and the HORSE shall run so equipped unless permission to the contrary is granted by the SB.
- 58.6.3 If a sheepskin noseband is used it shall not impair the vision of the HORSE and shall be approved by a STIPENDIARY STEWARD.
- 58.6.4 The use of a tongue strap or a tongue tie is permitted provided its use is approved by a STIPENDIARY STEWARD or a licensed veterinary surgeon.

### **58.7 MARTINGALES, REINS AND BITS**

- 58.7.1 Except for those with martingales, the bridles of all HORSES taking part in a RACE must be fitted with rings. Bridles with buckles or hooked reins must be fitted with stoppers.
- 58.7.2. Only rubber covered reins of a type approved by the CHIEF EXECUTIVE may be used and the rubber covering shall extend to not less than 450mm from the bit. The use of leather or rubber covered leather reins during racing is prohibited.
- 58.7.3 The use of cheek bits is prohibited.
- 58.7.4 The use of standing martingales is prohibited.

### **58.8 RACING PLATES**

- 58.8.1 The TRAINER of a HORSE shall be responsible for ensuring compliance with this RULE.
- 58.8.2 HORSES shall only RACE:
- 58.8.2.1 unshod;
- 58.8.2.2 shod on all four hooves;
- 58.8.2.3 shod on both fore hooves;
- 58.8.2.4 shod on both hind hooves.



58.8.3 Should the shoes of any HORSE:-

- 58.8.3.1 presented to take part in a RACE require variation or removal, such decision shall be taken by a STIPENDIARY STEWARD, in consultation with a licensed veterinary surgeon and the TRAINER of the HORSE; or
- 58.8.3.2 be damaged or lost after it has left the parade ring and before the RACE is started, the licensed veterinary surgeon may take such action as he deems necessary and shall report any action so taken to the SB.
- 58.8.4 Any action taken in terms of RULE 58.8.3.1 or 58.8.3.2 shall be notified immediately to the RMR who shall notify the public prior to the running of a RACE.
- 58.8.5 The following types of racing plates are prohibited:
- 58.8.5.1 shoes including wedges and/or bars which exceed a total mass of 850g per set of four;
- 58.8.5.2 shoes where all the edges of the fullering are not on the same level or if they have only one fullering edge;
- 58.8.5.3 re-enforced shoes where the re-enforcement is not securely fixed or protrudes in any way above the ground bearing surface of the shoe;
- 58.8.5.4 shoes which have nail heads projecting more than 2mm above the ground bearing surface of the shoe;
- 58.8.5.5 shoes with projections other than those which protrude medially, laterally and/or posteriorly at the heel up to a maximum of 2mm;
- 58.8.5.6 shoes which have in the opinion of the SB been modified, altered or manufactured in such a way as to gain an unfair advantage.
- 58.8.6 The following special shoes are permissible:
- 58.8.6.1 shoes with caulkins in the shape of a wedge. The vertical section of the rear of the shoe, including the wedge, shall be no greater than 15mm high, sloping to the ground bearing surface of the shoe. The length of the slope must be a minimum of 30mm from the rear edge of the shoe to the flush binding. No sharp edges are permissible;
- 58.8.6.2 bar shoes with a single flat straight or round bar, provided the ground bearing surface of the bar is flush with the ground bearing surface of the shoe and such bar is made of the same material as the shoe;  
[Amended 29.05.2015]
- 58.8.6.3 any other shoes prescribed by a veterinary surgeon or farrier will be considered as special surgical shoes. Such shoes must be presented to the SB for examination and weighing and the approval by the NHA's veterinary surgeon before they are fitted to the HORSE. Thereafter the HORSE shall be required to be galloped on grass over a distance to be determined by the veterinary surgeon, at least 48 hours before the RACE. Such shoes shall be worn in all subsequent RACES unless permission to the contrary is given by the SB in consultation with a veterinary surgeon. Such special shoes may not increase the total weight of shoes permitted by more than 20%. No shoes with any dangerous protrusions will be permitted;  
[Amended 07.06.2013]
- 58.8.6.4 any other shoes prescribed by a veterinary surgeon, provided they do not contravene any of the provisions of the RULES.

## 58.9 SKULL CAPS

- 58.9.1 Every PERSON when riding a HORSE, shall wear a serviceable skull cap of a type approved by the CHIEF EXECUTIVE.
- 58.9.2 Any individual riding a HORSE shall wear a serviceable skull cap of a type approved by the CHIEF EXECUTIVE. The PERSON in charge of such HORSE shall ensure compliance with this RULE.  
[Amended 13.12.2013]
- 58.9.3 Any PERSON or individual when mounted on a HORSE shall ensure that the chin strap of the skull cap is securely and firmly fastened.
- 58.9.4 All handlers of HORSES at the start of a RACE shall wear a serviceable skull cap of a type approved by the CHIEF EXECUTIVE.

## **58.10 CROPS**

- 58.10.1 Only crops of the type approved by the CHIEF EXECUTIVE shall be used by a RIDER in work riding and in all RACES.
- 58.10.2 No RIDER shall misuse a crop or use a crop in an unnecessary or excessive manner or use a crop on any part of a HORSE'S head.
- 58.10.3 Unless otherwise approved by the CHIEF EXECUTIVE, crops carried in work riding and in all RACES shall conform to the following specifications:-
- 58.10.3.1 the maximum length allowed for a crop is 68 centimetres;
- 58.10.3.2 the minimum diameter for a crop is 1 centimetre;
- 58.10.3.3 the overall weight of a crop may not exceed 160 grams;
- 58.10.3.4 the contact area of the shaft ("paddle") must be smooth, with no protrusion or raised surface, and covered by shock absorbing material throughout its circumference;
- 58.10.3.5 there must be no binding within 17 centimetres of the end of the paddle/shaft.

## **58.11 BODY PROTECTORS**

Every RIDER shall, in all RACES, wear a body protector of a type approved by the CHIEF EXECUTIVE.

- 58.12 Any individual riding a HORSE at work for the purpose of galloping on a RACE COURSE or training track shall wear a body protector of a type approved by the CHIEF EXECUTIVE. The PERSON in charge of such HORSE shall ensure compliance with this RULE.

## **58.13 EYE PROTECTION**

Every RIDER shall, in all RACES, wear eye protection.

- 58.14 Every RIDER shall, in all RACES, wear riding boots of a type approved by the CHIEF EXECUTIVE.

[Amended 01.12.2015]

- 58.15 Every RIDER shall, in all RACES, wear white breeches of a type approved by the CHIEF EXECUTIVE, unless written permission has been granted by the CHIEF EXECUTIVE to wear breeches of a different colour or type.

[Amended 01.12.2015]

## WEIGHING OUT OF RIDERS

### 59. WEIGHING OUT OF RIDERS

- 59.1 The clerk of the scales, before weighing out any RIDER, shall:-
- 59.1.1 satisfy himself that the RIDER:-
- 59.1.1.1 is permitted to ride in terms of the RULES;
- 59.1.1.2 is in possession of a serviceable skull cap of a type approved by the CHIEF EXECUTIVE; and
- 59.1.1.3 has a clean MEDICAL RECORD BOOK or has been declared fit to ride by the RACE COURSE medical officer.
- 59.1.2 ensure that any weight additional to that of a RIDER, his body protector, his saddle, dry towel and dry sponge shall only be carried in a weight bag under the saddle. Such additional weight shall be made of metal. There shall be a duty on the RIDER to comply with this RULE;
- 59.1.3 ensure that the RIDER is in possession of a clean saddle cloth provided by the RACING OPERATOR bearing the number allotted in the official RACE CARD to the HORSE he is riding.
- 59.2 The RIDER of each HORSE shall be weighed by the clerk of the scales at the appointed place at least 20 minutes before the official starting time of a RACE and the clerk of the scales shall ensure that such RIDER is carrying the correct weight for that HORSE in that RACE.
- 59.3 With the exception of the saddle cloth, skull cap, goggles, blinkers, pacifiers, tongue tie, tongue strap, crop, neck strap, bridle including pricker and noseband, rings, muzzle, sectional timing device and anything worn on the HORSE'S legs or hooves, everything carried or worn by the RIDER and by the HORSE in a RACE shall be included in the RIDER'S weight and shall be put onto the scales by the RIDER when weighing out and when weighing in, and recorded by the clerk of the scales.
- [Amended 02.05.2017]
- 59.4 Should a RIDER, when being weighed out, exceed the weight allocated to the HORSE for a RACE, after the deduction of the APPRENTICE allowance where applicable, by more than 0.5Kg, the amount of such excess shall either be removed and the RIDER re-weighed, or such overweight shall be declared to the clerk of the scales at the time of weighing out and shall be exhibited as overweight. Such overweight shall also be declared to the SB who shall deal with the matter as provided for in RULE 59.9. Fractions of 0.5Kg of overweight shall be disregarded both in weighing out and in weighing in and shall not be deemed to be overweight or declared as such.
- 59.5 No HORSE shall carry more than 0.5Kg over the weight allocated to it unless:
- 59.5.1 such overweight has been declared at the time of final declarations and carried by the HORSE in the RACE concerned; or
- 59.5.2 the SB, acting in terms of RULE 59.9, grants permission for a HORSE to carry more than the weight allocated to it.
- 59.6 The clerk of the scales shall, immediately after the RIDERS have weighed out, advise the RMR of details of any change of JOCKEYS, scratchings, overweights and allowances and any change of colours.
- 59.7 No RIDER after having been weighed out shall leave the weighing room or JOCKEY'S quarters until he is instructed by the clerk of the scales to proceed to the parade ring.
- 59.8 RIDERS' weights will, by virtue of their obligation to wear body protectors, be deemed to be 1.0Kg less than the weight which is measured on the scale.

[Amended 1.07.2014]

- 59.9 If it is reported to the SB that a RIDER has weighed out in excess of the weight allocated to the HORSE for a RACE, then the SB shall, if the overweight is more than 0.5Kg, be required, in its sole discretion, to give the necessary permission for the HORSE to run in the RACE and such overweight shall be exhibited as overweight. If the necessary permission is not granted, then that RIDER shall not be permitted to RIDE in the RACE and the TRAINER shall be afforded an opportunity to substitute a RIDER who does not exceed the weight allocated to the particular HORSE. Failure to substitute a suitable RIDER shall result in the HORSE not being permitted to run in the RACE and the HORSE shall be scratched.

## EXHIBITING OF INFORMATION

### 60. EXHIBITING OF INFORMATION

- 60.1 Immediately after the RIDERS have weighed out, the information referred to in RULE 45.7.2 shall be announced and be exhibited on the information/changes board.
- 60.2 The information referred to in RULE 45.7.2 shall continue to be exhibited until the RACE to which it refers has been started.
- 60.3 No alterations or additions shall be made to the exhibited information, excepting the notification of the withdrawal of a HORSE or the name of a substitute RIDER authorised in terms of RULE 55.2.
- 60.4 A substitution of a RIDER shall be announced as soon as possible.
- 60.5 A substitute RIDER shall ride at least at the same weight as the weight at which the original RIDER weighed out provided that an APPRENTICE may claim any allowance permitted.
- 60.6 The name of the substituted RIDER and the weight at which he is riding, if such weight is different from that of the original RIDER, shall be exhibited and/or announced immediately.

## **STARTING**

### **61. STARTING**

#### **61.1 CERTIFICATION OF TRACTABILITY IN STARTING STALLS**

- 61.1.1 The TRAINER or, in his absence, his ASSISTANT TRAINER or STABLE EMPLOYEE shall be present when a HORSE under his care is presented for certification of tractability.
- 61.1.2 When a HORSE is presented for certification it shall not have been exercised that day and neither shall it be under medication which could affect its behaviour.
- 61.1.3 When a HORSE is presented for certification of tractability, it shall be graded tractable or intractable by the appointed LICENSED OFFICIAL. For the purposes of this RULE an intractable HORSE is one which cannot be ridden into the stalls without substantial aid or assistance. The decision of the LICENSED OFFICIAL grading the HORSE shall be final and binding in this regard. No PERSON shall run or attempt to run a HORSE in a RACE, equipped in a way in which it has not been passed tractable.
- 61.1.4 A HORSE shall be given every reasonable opportunity to prove its tractability. If it cannot be certified tractable, the TRAINER shall be instructed to school it further and to present it for grading not less than 7 DAYS later.
- 61.1.5 Should a TRAINER wish to race a HORSE in blinkers or pacifiers after it has been certified tractable without blinkers or pacifiers, it shall be his responsibility to ensure that the HORSE is tractable through the starting stalls and has been worked, equipped in blinkers or pacifiers. Should a HORSE prove to be intractable with blinkers or pacifiers, its starting stall certificate shall be withdrawn and the HORSE not allowed to race equipped in this manner until passed by a STIPENDIARY STEWARD or Starter. Further, the TRAINER may be fined a sum up to R10000. The SB may grant permission for a HORSE to race without blinkers or pacifiers in a specified RACE.

#### **61.2 DRAW FOR POSITIONS AT THE START**

The order of positions at the start shall be determined by lot at such time and place and in such manner as may be determined by the ROR.

#### **61.3 PROCEDURE PRIOR TO ARRIVAL AT THE START**

- 61.3.1 HORSES shall not be sent from the parade ring to the start more than 15 minutes before the advertised time of the RACE, except that with the prior permission of the SB, this time may be extended by not more than five minutes.
- 61.3.2 The RIDER of a HORSE shall not unduly delay the arrival of his HORSE at the start.
- 61.3.3 No HORSE shall be led from the parade ring to the start unless permission to the contrary has been granted by the SB.
- 61.3.4 Every HORSE shall be ridden at a canter in front of the stand before going to the start, and when being so ridden must, unless otherwise directed by the SB, proceed along that part of the RACE COURSE designated by the ROR or the SB to be utilised by the HORSES for the purpose of proceeding to the start.
- 61.3.5 Should the SB be satisfied that after reasonable endeavour, a RIDER is unable to canter his HORSE past the stand, it may exempt him from doing so. The report of the circumstances of this exemption shall be included in the report of the SB on the RACE MEETING.
- 61.3.6 No RIDER, after cantering or attempting to canter his HORSE past the stand, shall dismount before his arrival at the start, save that, in exceptional circumstances, the RIDER may dismount to lead or assist in leading the HORSE to the start. Such action shall be reported to the SB immediately after the RACE.
- 61.3.7 The RIDER of a HORSE shall have his feet in the stirrups when riding his HORSE in front of the stand before going to the start, unless the RIDER has obtained the permission of the SB, not to do so. Should a RIDER remove his feet from the stirrups due to the fractious or difficult behaviour of a HORSE the RIDER must report such fact to the STIPENDIARY STEWARDS immediately on his return from the RACE.

#### **61.4 PROCEDURE AT THE START**

- 61.4.1 No one except STEWARDS, LICENSED OFFICIALS, starting staff and the RIDERS in a RACE shall be present at, or, as far as practicable, in the vicinity of the start, without the permission of the SB. Where such permission is given, no such PERSON or individual shall be in possession of a whip, stick or substitute for the same nor shall such PERSON or individual impede and/or interfere in any way with the starting of the RACE.
- 61.4.2 Nobody other than the starter shall be present on the starter's stand during the start of a RACE.
- 61.4.3 The starter shall call out the names of the RIDERS and the order of the draw as near to the advertised time of the RACE as possible.
- 61.4.4 The starter shall define the size of the pre-loading area relative to the size of the field by employing markers for that purpose, and a RIDER shall ensure that he and his HORSE remain within the area defined by the markers.

#### **61.5 GENERAL**

- 61.5.1 Save where otherwise provided in the RULES, all starts shall be effected by means of starting stalls of a type approved by the CHIEF EXECUTIVE.
- 61.5.2 Should the starting stalls become defective and cannot be replaced, then, notwithstanding the provisions of RULE 61.6.1.3, the HORSES shall be loaded into the starting stalls with all the front gates open and the starter shall effect the start by means of a flag. This shall be announced as soon as possible.
- 61.5.3 The start shall be effected by the starter or his authorised substitute, who shall give all orders necessary for securing a fair start and shall be in sole charge of the start and of the starting staff.
- 61.5.4 The start of a RACE shall not be delayed for any reason except as provided for in RULE 61.5.5.
- 61.5.5 The starter shall ensure that HORSES are not kept at the start after the time advertised for the start except:-
- 61.5.5.1 for the purpose of replacing defective equipment;
  - 61.5.5.2 to repair a defective stall or to replace a defective bank of starting stalls;
  - 61.5.5.3 to enable a suitable RIDER appointed in terms of RULE 55.2 to arrive at the start;
  - 61.5.5.4 to allow the RACE COURSE to be cleared of any obstructions;
  - 61.5.5.5 for the veterinary examination of a HORSE;
  - 61.5.5.6 with the permission of the RMR, or ROR or the SB, to provide for any other exigencies which may arise.
- 61.5.6 On arrival at the start the girths and surcingles of all HORSES shall be checked by their RIDERS. The starting staff shall assist a RIDER when requested.
- 61.5.7 Should a HORSE, after having arrived at the starting post and for any reason whatsoever, break away from the starting post and run a part or all of the distance of the RACE, the licensed veterinary surgeon shall, in his sole discretion, decide whether or not the HORSE may take part in the RACE.
- 61.5.8 The starter shall be provided with a red flag and a siren by the RACING OPERATOR concerned.
- 61.5.9 In the event that the starter wishes to recall the RIDERS he shall activate the siren to indicate to the RIDERS that he has declared a "no start".

#### **61.5.10 FAULTY STARTING STALLS OR INTERFERENCE BY A HANDLER**

- 61.5.10.1 Should the starter consider that through any faulty action of the starting gates or from any other cause, a fair start has not been effected, he may declare a "no start". Should the starter not declare a "no start", the SB may, after a hearing, declare any HORSE, which was impeded at the start by a front gate not opening, a non-runner provided that a horse which is ultimately declared first, second, third or fourth in a race by the judge shall not be declared a non-runner.

- 61.5.10.2 In the event of the actions of a handler preventing a HORSE from starting in a RACE and/or resulting in a HORSE being impeded and thereby losing a significant distance when the stalls are opened, and no false start is declared, such HORSE may be deemed by the SB not to have started and the SB may declare it to have been withdrawn, provided that a horse which is ultimately declared first, second, third or fourth in a race by the judge shall not be declared a non-runner.
- 61.5.11 The decision of the starter concerning the start of a RACE and whether a "no start" shall be declared, shall be reported to the SB.
- 61.5.12 In the event that the starter wishes to recall the RIDERS he shall activate the siren to indicate to the RIDERS that a "no start" has been declared.
- 61.5.13 Should the starter declare a "no start" and the RACE cannot be re-started forthwith, the RMR shall after consultation with the SB either:
- 61.5.13.1 declare the RACE a "no RACE" and abandon it; or
- 61.5.13.2 order the RACE to be re-run at such time during the same RACE MEETING as it may appoint.
- 61.5.14 Where a RACE is to be re-run in terms of RULE 61.5.13.2, a HORSE which has run over part or the whole of the distance may be withdrawn from the re-run by the SB, on the recommendation of the licensed veterinary surgeon, or by the OWNER or his AUTHORISED AGENT, where the approval of the SB has been obtained.
- 61.5.15 Immediately on his return from each start the starter shall report to the SB any HORSES badly or slowly away, any cause of delay in starting at the advertised time, the total time taken to load the field, the time at which the RACE was actually started and any misdemeanour of any RIDER.
- 61.5.16 No RIDER shall take up a position at the start of a RACE other than that allotted, take any undue advantage at the start, wilfully delay the start, display impertinence towards, or refuse to obey the starter, or generally misbehave at the start.
- 61.5.17 Any RIDER committing a misdemeanour at the start may be fined not more than R1000 by the starter provided that any fine shall be confirmed by the SB, and provided further that should the starter consider a fine of R1000 insufficient, he shall request that an INQUIRY be opened.

## **61.6 STARTS FROM STARTING STALLS**

- 61.6.1 Save as otherwise provided in the RULES:-
- 61.6.1.1 no HORSE shall be started from a stall other than that allotted by the draw;
- 61.6.1.2 no HORSE shall be started from outside the starting stalls;
- 61.6.1.3 no HORSE shall enter the starting stalls with the front gates of the starting stalls open except as provided for in RULE 61.5.2.
- 61.6.2 [DELETED]
- 61.6.3 On an order from the starter:-
- 61.6.3.1 RIDERS shall face their mounts towards the starting stalls and shall make every endeavour to prevent their mounts from backing away from the stalls;
- 61.6.3.2 RIDERS shall ride their HORSES into their correct stalls and the starting staff shall assist them accordingly.
- 61.6.4 The starter may, in his discretion, authorise the starting staff to use an aid of a type which has been approved by the CHIEF EXECUTIVE to assist a HORSE to enter the stalls for a particular RACE. Such action shall be reported to the SB.
- 61.6.5 The starter shall, as far as possible, load the HORSES according to the pre-prepared grading schedule but this may be varied at the direction of the starter in the interests of speedy and efficient loading.
- 61.6.6 Should a HORSE become fractious whilst being loaded or whilst in the stalls, the starter shall take whatever action he deems necessary, and he shall report the matter to the SB.



- 61.6.7 When loading is completed and the assistant starter is satisfied that all the back gates are securely shut, he shall, from his position at the rear of the stalls, indicate accordingly to the starter. Thereafter the starter, having satisfied himself that there are no handlers in front of the stalls and that all hoods have been removed, shall instruct any handlers in the stalls to raise their hands and shall start the RACE. No handler shall assist a HORSE to leave the stalls.
- 61.6.8 The starter shall make every effort to ensure that the start of the RACE be effected not more than two minutes after the carded off time. Where this is not possible the circumstances shall be reported to the SB.
- 61.6.9 Should any HORSE unduly delay the start, or if it is or may be a danger to other HORSES, its RIDER, other RIDERS or handlers, the starter shall order the withdrawal of the HORSE.
- 61.6.10 Should a HORSE be the cause of undue delay at the start or refuse to enter the stalls or be intractable in the stalls, the SB may take such other steps as deemed necessary, including fining the TRAINER of the HORSE not less than R1000 and suspending the HORSE for intractability for a such period as deemed necessary.
- 61.6.11 The only HORSES which shall be deemed to have started will be those in the stalls when the starter releases the gates; provided that the SB after a hearing, may in its sole discretion and within the time period specified for the lodging of notification of an OBJECTION, declare any HORSE to be a non-starter.
- 61.6.12 Should one or more gates of the starting stalls be faulty and incapable of repair:-
- 61.6.12.1 where there are sufficient available stalls, the HORSE allocated to the faulty stall and any other HORSES shall, where necessary, be moved to the next available stall so as to retain their relative drawn positions;
- 61.6.12.2 where there are insufficient available starting stalls in the faulty bank, a reserve bank shall be brought in as a replacement;
- 61.6.12.3 DELETED  
(15.12.2015)

## RUNNING

### 62. RUNNING

- 62.1 Every HORSE shall be run and shall be allowed to run to the best of its ability and on its merits.
- 62.2 The RIDER of a HORSE shall:-
- 62.2.1 take all reasonable and permissible measures throughout a RACE to ensure that his HORSE is given a full opportunity to win or to obtain the best possible placing;
  - 62.2.2 ride his HORSE in a competent and professional manner;
  - 62.2.3 ride his HORSE out to the end of a RACE to the satisfaction of the STIPENDIARY STEWARDS;  
[Amended 24.10.2016]
  - 62.2.4 not ride a HORSE in a RACE in a careless, negligent or reckless manner;
  - 62.2.5 take all reasonable precautions to prevent his HORSE from crossing another HORSE in any part of a RACE, thereby interfering with that or any other HORSE;
  - 62.2.6 ensure that his HORSE does not interfere with or jostle another HORSE or RIDER;
  - 62.2.7 ensure that he does not cause interference, bunching, intimidation and/or constitute a source of interference or danger;
  - 62.2.8 The RIDER of a HORSE shall ensure that, when riding in a RACE over a straight course, he keeps to a straight course parallel to the running rail and relative to the drawn position for his HORSE until a point not less than 200 metres from the start, as indicated by a marker or, if possible, by markers on both sides of the race course, save that it shall not be an offence if the RIDER crosses behind the field and in doing so does not cause interference;
  - 62.2.9 take all reasonable measures to ensure that he rides to the instructions given to him by the PERSON authorised to give such instructions;
  - 62.2.10 not make any celebratory gesture before his HORSE has crossed the finish line.

### 62.3 INCONSISTENT RUNNING

- 62.3.1 The TRAINER of a HORSE shall ensure that such HORSE does not run in an inconsistent manner (also referred to as "reversal of form" or "in and out running"). Where inconsistent running has or may have occurred, an investigation into such matter may be held in terms of the RULES.
- 62.3.2 When, after an investigation in terms of RULE 62.3.1, a HORSE is found to be an inconsistent runner, it may be suspended in terms of RULE 93.
- 62.4 If a HORSE in any RACE leaves the course during the running of such RACE, it shall be disqualified from that RACE.
- 62.5 Should a RACE be run by all HORSES at wrong weights, over a wrong distance, on a wrong course, from a start in front of the starting post or before the appointed time, the SB may allow the result of the RACE to stand, or they may abandon it or they may order it to be re-run at such time during the same RACE MEETING as they may appoint, provided that an OWNER or his AUTHORISED AGENT may withdraw a HORSE from the re-run.
- 62.6 Should the judge or his assistant or his duly authorised substitute not be in the judge's box at the time the HORSES pass the winning post and it is not possible to determine the result of the RACE from the photo-finish FILM or photograph, the SB shall either abandon the RACE or order it to be re-run at such time during the same RACE MEETING as they may appoint, provided that an OWNER or his AUTHORISED AGENT may withdraw a HORSE from the re-run.
- 62.7 A complaint that a RIDER has failed to ride to the instructions given to him may be made only by the OWNER of the HORSE or by his AUTHORISED AGENT. The complaint shall be submitted in WRITING to the SB and must be accompanied by a deposit of R500. After INQUIRY, the INQUIRY BOARD may declare the deposit forfeit and may fine the complainant, if it is considered that the complaint is unwarranted.

62.8 A TRAINER shall ensure that adequate riding instructions are given to the RIDER of any HORSE in his care. No OWNER or TRAINER shall give any instruction to the RIDER of any HORSE which could or would prevent the HORSE from winning a RACE or of obtaining the best possible placing.

63 [DELETED]

**64. DEAD HEATS**

64.1 A dead heat for first place shall not be run off. The advertised stake money for the relevant places shall be divided equally between the OWNERS of the HORSES involved in the dead heat, and such HORSES shall be liable, as winners, for the full amount of any weight penalty in any future RACE that each would have incurred had it been the sole winner.

64.2 When there is a dead heat for second or any lower place in the RACE, the advertised place money for the relevant places shall be divided equally between the OWNERS of the HORSES concerned.

64.3 In the event of a dead heat for a match, no result shall be declared.

## JUDGING AND PHOTO-FINISH

### 65. JUDGING AND PHOTO-FINISH FILMS AND PHOTOGRAPHS

- 65.1 A judge or his assistant or his authorized substitute shall be in the judge's box at the time of the start and shall remain in the box until the HORSES have passed the winning post, the result has been declared and the ALL CLEAR given.
- 65.2 Notwithstanding anything to the contrary in the RULES, during the running of the RACE and until the judge has given his decision, no PERSON or individual other than the judge and/or his assistant and/or his authorised substitute shall be permitted to enter the judge's box, nor, save for the SB, shall any PERSON or individual have any contact with the judge and/or his assistant and/or his authorised substitute.
- 65.3 No PERSON or individual other than the photo-finish camera operator and/or his authorised assistant shall be permitted to enter the photo-finish operating room until the judge has put the numbers of the winner and placed HORSES in the frame. When a photo-finish picture has been called for by the judge, the door or any other opening in the room shall remain closed until the judge has declared the result of the RACE and has exhibited the numbers in the frame.
- 65.4 As soon as possible after the RACE, the judge shall name the first 6 HORSES past the finishing post or such further number as the SB may instruct him to do, and his placings shall be final unless an OBJECTION to the winner, or any placed HORSE, is made and upheld, provided that this RULE shall not prevent a judge from correcting a mistake, where such correction is made before expiry of the time allowed for the notification of intention to object under RULE 68.2.
- 65.5 Except where a HORSE'S nose is not visible, the judge shall base his decision exclusively on the HORSE'S nose and if there is a discernible difference he shall not give a dead heat.
- 65.6 A judge shall satisfy himself as to the correctness of the placings from the photograph. If there is no photograph available due to a failure of the photo-finish camera or if, in the sole opinion of the judge, the images on the photograph are indistinct, then the judge may have regard to the race film to satisfy himself as to the correctness of the placings. If there is no race film available, the judge shall, to the best of his ability determine the placings as his personally observed them. The judge's decision shall be final and binding.
- 65.7 The judge shall, after each RACE, record the time taken, the result of the RACE and the distances between the placed HORSES.
- 65.8 Should it be proved after the ALL CLEAR has been announced that there was an error in the placings declared by the judge, the ALL CLEAR result shall stand for betting purposes. However, the error shall be corrected in the records for statistical purposes. Where such correction affects stake money such money shall be returned to the RACING OPERATOR for re-distribution.

[Amended 02.05.2017]

## WEIGHING IN OF RIDERS

### 66. WEIGHING IN

- 66.1 Every RIDER who participated in a RACE shall, immediately after pulling up, ride his HORSE to the place of weighing in and without coming into contact with any other PERSON or individual or thing (excluding his own equipment), except by accident, he shall present himself to be weighed by the clerk of the scales; provided that if a RIDER be prevented from riding to the place of weighing in by reason of accident or illness by which he or his HORSE is disabled, he may walk or be carried to the scales under the supervision of a STIPENDIARY STEWARD where possible.
- 66.2 Should a RIDER, in the opinion of the SB, be incapacitated from weighing in, his HORSE shall not be disqualified on that account, provided that, in the opinion of the SB, the HORSE carried the correct weight.
- 66.3 The clerk of the scales shall:
- 66.3.1 in all cases weigh in the RIDERS of all HORSES who participated in the RACE and shall report to a STIPENDIARY STEWARD any RIDER not presenting himself to be weighed in or any irregularity with regard to weights carried;
- 66.3.2 check the weights of the RIDERS of all HORSES against their weighed out weights and refuse to pass as correct, the weight of any RIDER showing a difference of more than 0.5Kg under or 1Kg over the weighed out weight, unless the SB is satisfied that such excess of weight has been caused by exceptional and accidental circumstances or the SB is satisfied that the reason for the excess weight is due to replacement of equipment in terms of the RULES;
- 66.3.3 after the result of the RACE has been declared by the judge or the RIDERS of the winner and the placed HORSES have been weighed in, whichever is the later, and provided no OBJECTION that may affect the payment of bets by the Totalisator Agency Board has been lodged, advise the Chief Stipendiary Steward of the SB, or failing him, a member of the SB, that the ALL CLEAR must be announced.
- 66.4 Subject to the provision of RULES 59.4 and 66.3.2 no RIDER shall, when weighing in, be more than 0.5Kg below the weight, or more than 1Kg above the weight, at which the RIDER declared out. In the event of a RIDER weighing in underweight, the clerk of the scales shall immediately lodge an OBJECTION and in the event of a RIDER weighing in overweight, the clerk of the scales shall report such RIDER to the SB.  
[Amended 02.05.2017]
- 66.5 Any RIDER who does not present himself to be weighed in shall, on being found guilty of such conduct by an INQUIRY BOARD, be liable to be suspended from riding in any RACE for a period of not less than 90 DAYS provided that where the HORSE ridden by the RIDER in question did not run a place in the RACE, the INQUIRY BOARD shall have the discretion to suspend, for a period of not less than one year, no more than 60 DAYS of the mandatory 90 DAY suspension period.

## **OBJECTIONS**

### **67. OBJECTIONS**

- 67.1 Save where otherwise provided in the RULES, an OBJECTION shall be heard and decided by an OBJECTION BOARD constituted and appointed in terms of the RULES, as soon as is practicably possible after the lodging of the OBJECTION.
- 67.2 Subject to RULE 67.3, an OBJECTION BOARD:-
- 67.2.1 may be constituted and appointed by the NATIONAL BOARD or any LICENSED OFFICIAL so authorised by it, in the manner determined by it from time to time; and
- 67.2.2 shall, where the NATIONAL BOARD does not constitute and appoint an OBJECTION BOARD in terms of RULE 67.2.1, be constituted and appointed by the SB subject to the provisions of RULE 67.3. In such event the SB shall appoint the STIPENDIARY STEWARDS who are to be members of the OBJECTION BOARD.
- 67.3 An OBJECTION BOARD, where constituted and appointed in terms of RULE 67.2.2, shall consist of 3 STIPENDIARY STEWARDS, provided that:-
- 67.3.1 if there are less than 3 STIPENDIARY STEWARDS available, the SB may co-opt as many PERSONS as are necessary to make the numbers up to 3.
- 67.4 The OBJECTION BOARD shall appoint one of its members to be chairman.
- 67.5 The chairman of an OBJECTION BOARD shall not have a casting vote in addition to his deliberative vote.

### **67.6 APPEAL FROM OBJECTION BOARD**

There shall be no appeal against the decision of an OBJECTION BOARD, whether in respect of the OBJECTION itself, or in respect of a decision to declare the OBJECTION fee forfeit or to impose a fine for lodging an unwarranted OBJECTION.

### **67.7 LODGEMENT OF OBJECTION**

- 67.7.1 An OBJECTION shall be made in WRITING and signed by the PERSON lodging it, within the time limits laid down in RULE 68.2. Except when lodged by a LICENSED OFFICIAL, such confirmation shall be accompanied by the prescribed fee, which may be refunded at the discretion of the OBJECTION BOARD.
- 67.7.2 An OBJECTION may only be lodged by the following PERSONS:
- 67.7.2.1 LICENSED OFFICIALS;
- 67.7.2.2 the OWNER and/or TRAINER, or their AUTHORISED AGENT, of a HORSE which participated in the RACE concerned;
- 67.7.2.3 the RIDER of a HORSE in the RACE concerned.

#### **67.7.3 FEE FORFEITED**

Should the OBJECTION BOARD consider an OBJECTION to have been unwarranted, it shall declare the OBJECTION fee forfeit and, in addition, it may impose a fine not exceeding R3000 on the PERSON lodging the OBJECTION.

#### **67.7.4 WITHDRAWAL OF OBJECTION**

An OBJECTION may be withdrawn by the PERSON lodging it provided that, subject to the provisions of RULE 68.2, an OBJECTION may not be withdrawn without the permission of the OBJECTION BOARD, which may further act in accordance with RULE 67.7.3 before permitting such OBJECTION to be withdrawn.

#### **67.7.5 DISCRETION**

An OBJECTION BOARD may adopt such procedures and interview any PERSON as it may determine in connection with the conduct and hearing of an OBJECTION.

**67.7.6 DISQUALIFICATION**

Save as provided in RULE 72.3, no HORSE shall be disqualified from or relegated in any RACE in which it has started unless an OBJECTION has been lodged within the time limits laid down in the RULES and the OBJECTION has been upheld by an OBJECTION BOARD.

**67.7.7 STAKE MONEY**

Any stake money or prize or other monies may be withheld pending the determination of an OBJECTION.

**67.7.8 PROCEDURE FOR STAKE MONEY**

- 67.7.8.1 Where the stake money or prize money has been paid over prior to the lodging of an OBJECTION and an OBJECTION is subsequently lodged and upheld, such stake money or prize, together with the prescribed fees and percentages paid to the TRAINER and RIDER of such HORSE shall be returned to the RACING OPERATOR concerned within 5 DAYS after the decision on the OBJECTION, and shall be redistributed to the appropriate PERSONS.
- 67.7.8.2 Should any or all of the monies referred to in RULE 67.7.8.1 not be returned to the RACING OPERATOR as provided for therein, the RACING OPERATOR shall make up the shortfall and shall distribute the equivalent monies to the PERSONS ultimately declared to be entitled to such monies or prize and no PERSON or individual shall have any claim or remedy against the NATIONAL HORSERACING AUTHORITY in this regard. The RACING OPERATOR shall notify the CHIEF EXECUTIVE of the name of any PERSON in default and such name shall be placed on the DEFAULTERS' LIST.

**67.8 HEARING OF OBJECTION**

At the hearing of an OBJECTION:-

- 67.8.1 the PERSON lodging the OBJECTION shall be present unless otherwise determined by the OBJECTION BOARD;
- 67.8.2 the OWNER of the HORSE against which the OBJECTION has been lodged and/or his AUTHORISED AGENT may be present;
- 67.8.3 any PERSON who is ordered to attend by the OBJECTION BOARD shall be present. The PERSON so ordered shall comply with such order and shall remain in attendance until excused.
- 67.8.4 anybody may, with the permission of the OBJECTION BOARD, be present.
- The OBJECTION may be proceeded with notwithstanding the absence of any PERSON required to attend the OBJECTION.
- 67.9 The provisions of RULE 84.7 shall apply mutatis mutandis in relation to OBJECTIONS.

**68. TIME LIMITS WITHIN WHICH OBJECTIONS MUST BE LODGED AND GROUNDS FOR LODGING OBJECTIONS****68.1 OBJECTION TO BE NOTIFIED BEFORE A RACE**

An OBJECTION on the following grounds shall be lodged before the RACE concerned:-

- 68.1.1 that the RACE is to be run over a distance which is different from that designated in the advertised conditions of the RACE;
- 68.1.2 that the RACE is to be run by all HORSES at the wrong weights.

## **68.2 OBJECTIONS TO BE NOTIFIED IMMEDIATELY**

Notification of intention to object on any of the grounds referred to in this RULE shall be given verbally to the Clerk of the Scales and/or the Chief Stipendiary Steward of the SB prior to the ALL CLEAR being announced in terms of RULE 66.3.3. The notification of an OBJECTION must be confirmed in WRITING and the prescribed fee paid, or the OBJECTION withdrawn within a further 3 minutes from the expiry of the time referred to in this RULE. There will be no penalty if the notification of intention to object is withdrawn within the stipulated time. In the event that any OBJECTION referred to in this RULE is not confirmed, such OBJECTION shall lapse. The following constitute grounds of OBJECTION in terms of this RULE:

- 68.2.1 that the RACE was run over the wrong distance;
- 68.2.2 that the RACE was run over the wrong course;
- 68.2.3 that the start was in front of the starting post;
- 68.2.4 that the RACE was started before the appointed time;
- 68.2.5 that the judge or his authorised substitute was not in his box at the time the HORSES passed the winning post and it is not possible to determine the result of the RACE from a FILM or photograph of the finish of the RACE;
- 68.2.6 bumping, boring, crossing, jostling or other interference, intimidation or any other action on the part of the HORSE or its RIDER during the running of the RACE;
- 68.2.7 that RULE 58.8, except RULE 58.8.5.1, has been contravened;
- 68.2.8 that the RIDER of a HORSE carried a crop of a type not permitted by the RULES;
- 68.2.9 that the RIDER of a HORSE carried a substitute for a crop;
- 68.2.10 that a decision by the clerk of the scales was incorrect;
- 68.2.11 that the RIDER of a HORSE when weighing in was more than 0,5Kg below the weight at which he was declared out;
- 68.2.12 that the RIDER failed to weigh in, except as provided for in RULE 66.2;
- 68.2.13 that an electric, electronic, galvanic or mechanical apparatus, or equipment prohibited in terms of the RULES, was used, directly or indirectly, on or in relation to a HORSE in the RACE;
- 68.2.14 that a HORSE left the course during the running of a RACE;
- 68.2.15 that the HORSE ran in a RACE for which it was not entered, provided that nothing shall derogate from the right to object on this ground in terms of RULE 68.3.
- 68.2.16 that a part of the RIDER has touched the ground during the running of a race.

[Amended 24.10.2016]

## **68.3 OBJECTIONS TO BE NOTIFIED WITHIN 10 DAYS**

An OBJECTION under any of the undermentioned grounds may be lodged up to 12:00 on the 10th DAY after the RACE, provided that should any PERSON be aware of any of these circumstances prior to the running of a RACE, he shall report such circumstances to the SB:

- 68.3.1 that the OWNER or part-OWNER or TRAINER or RIDER was a disqualified PERSON or was not in receipt of the requisite PRIVILEGE;
- 68.3.2 that the HORSE was not qualified in terms of the conditions of the RACE;
- 68.3.3 that the HORSE was suspended;
- 68.3.4 that the HORSE ran in a RACE for which it was not entered;
- 68.3.5 that the entry contained a fraudulent or reckless misstatement or omission;
- 68.3.6 that a contravention of any RULE relating to the REGISTRATION of OWNERSHIPS, partnerships or leases had occurred;
- 68.3.7 that the HORSE carried less than the correct weight in terms of the advertised conditions of the RACE save as provided for in RULE 54.2.4.



**69. DECISIONS ON OBJECTIONS**

- 69.1 Where an OBJECTION lodged in terms of RULE 68.1 is upheld, the OBJECTION BOARD shall take such action as it deems fit.
- 69.2 Where an OBJECTION lodged in terms of RULES 68.2.1 to 68.2.5 is upheld, the matter shall be dealt with in terms of RULE 62.5 or RULE 62.6.
- 69.3 When an OBJECTION is lodged in terms of RULE 68.2.6. the OBJECTION shall not be upheld unless the OBJECTION BOARD is satisfied that:-
- 69.3.1 a placed HORSE was interfered with by another placed HORSE and/or its RIDER during a RACE and the HORSE which was interfered with would, but for the interference, have finished ahead of the HORSE which caused the interference, in which event, the OBJECTION BOARD shall place the HORSE which caused the interference behind the HORSE which was interfered with or it may disqualify the HORSE which caused the interference;
- 69.3.2 any HORSE in the RACE was interfered with by any other HORSE and/or its RIDER and as a result of which the chances of the HORSE interfered with were jeopardised, the OBJECTION BOARD may, if it believes that the nature of the interference warrants such action, disqualify the HORSE which caused the interference.
- 69.4 For the purposes of RULE 69.3, a placed HORSE shall mean any of the HORSES placed in the first five to finish the RACE by the judge.
- 69.5 When an OBJECTION is lodged in terms of RULES 68.2.7, 68.2.8 or 68.2.9, the OBJECTION shall not be upheld unless, in the opinion of the OBJECTION BOARD, the infringement complained of gained an advantage for the HORSE concerned and as a consequence, affected the result of the RACE. Should the OBJECTION be upheld, the HORSE concerned shall be disqualified and the remainder of the HORSES shall be placed relative to the original placings declared by the judge.
- 69.6 When an OBJECTION lodged in terms of RULES 68.2.10, 68.2.13 to 68.2.16 or 68.3 is upheld, the HORSE concerned shall be disqualified from the RACE and the remainder of the HORSES shall be placed relative to the original placings declared by the judge.
- 69.7 When an OBJECTION lodged in terms of RULES 68.2.11 or 68.2.12 is upheld, the HORSE concerned shall be disqualified.

## **REPORTING OF CIRCUMSTANCES**

### **70. REPORTING OF CERTAIN CIRCUMSTANCES**

- 70.1 The OWNER or TRAINER or PERSON in charge of a HORSE or the RIDER shall report to the relevant licensed veterinary surgeon and to the SB, or failing it to the RMR, as soon as practicable before or immediately after a RACE:-
- 70.1.1 anything which may affect the running of their HORSE in that RACE;
- 70.1.2 anything which might have affected the running of their HORSE in that RACE, in which event the TRAINER shall, where appropriate, detain the HORSE in the unsaddling area until the veterinary surgeon has examined it;
- 70.1.3 anything which might have any bearing on the past or the future running of the HORSE.
- 70.2 In the event of a report being made in terms of RULE 70.1.1 or RULE 70.1.3, the HORSE concerned shall be kept available for examination at its stables or in the security area of a RACE COURSE.

### **70.3 INJURY TO, DESTRUCTION OF AND DEATH OF A HORSE**

- 70.3.1 Should any HORSE:-
- 70.3.1.1 while on RACE COURSE PROPERTY for the purpose of taking part in a RACE or public gallop; or
- 70.3.1.2 while running in or after having run in a RACE or a public gallop;  
sustain an injury which, in the opinion of the licensed veterinary surgeon, having regard to the possibility of saving the HORSE for breeding purposes, necessitates the destruction of the HORSE, such HORSE may be destroyed without reference to the OWNER, TRAINER or PERSON in charge of the HORSE.
- 70.3.2 The veterinary surgeon shall in the event of the destruction of a HORSE inform the SB and the OWNER, in WRITING, of the reason why it was necessary to destroy the HORSE.
- 70.4 If any HORSE while on the property used by a RACING OPERATOR for the purpose of taking part in, or after having run in a RACE or public gallop requires any type of emergency treatment, for any reason whatsoever, the licensed veterinary surgeon may in his discretion administer such treatment as he may deem fit, without reference to the OWNER, TRAINER or PERSON in charge of the HORSE. The veterinary surgeon shall report the details and circumstances of such treatment, in WRITING, to the SB and to the OWNER of the HORSE.
- 70.5 In the event of the death of a HORSE during a RACE day, whether before the RACE MEETING, during the running of a RACE or at any other time whilst the said HORSE is on the RACING OPERATOR'S property for the specified purpose of taking part in the RACE MEETING or whilst in transit to or from the RACE MEETING, the licensed veterinary surgeon shall where possible determine the reason for its death. He may take SPECIMENS for ANALYSIS and, where necessary, he shall arrange for a post mortem to be conducted and he shall submit a report thereon to the RMR and the SB.

## **71. OFFENCES**

### **71.1 CONTRAVENTION OF RULES**

Any PERSON who fails to comply with, or contravenes any provision of the CONSTITUTION or the RULES shall be guilty of an offence.

### **71.2 PENALTIES**

A PERSON who has been found guilty of committing an offence by an INQUIRY BOARD shall be liable to such penalty as may be prescribed by the RULE or CLAUSE concerned or if no such penalty is prescribed, then such PERSON shall be liable to such penalty or combination of penalties as the INQUIRY BOARD may impose in terms of the CONSTITUTION or the RULES; provided that no penalty imposed in these circumstances shall be unreasonable taking into account the objects of the NATIONAL HORSERACING AUTHORITY, and any other factors which the INQUIRY BOARD may consider relevant.

### 71.3 ATTEMPTS

Any PERSON who attempts to commit any offence in terms of the CONSTITUTION or the RULES shall be guilty of an offence and shall be liable, on conviction, to the same penalties as are competent for a contravention of the CONSTITUTION or the RULE itself.

### 71.4 ACCOMPLICES

Any PERSON who assists any other PERSON or individual to commit an offence or is a party to or incites or allows the commission of an offence, whether directly or indirectly and whether before or after its commission, shall be guilty of an offence and shall be liable, on conviction, to the same penalties as are competent for a contravention of the CONSTITUTION or the RULE itself.

## 72. SPECIFIC OFFENCES (PROHIBITED PRACTICES)

### 72.1 CONTRAVENTIONS

Without in any way derogating from the provisions of the RULES, no PERSON shall:-

- 72.1.1 for any corrupt, dishonest or unlawful purpose in connection with horse racing or breeding, give, offer, or promise, whether directly or indirectly, any inducement, reward or bribe of whatever nature, to anybody whomsoever;
- 72.1.2 accept any inducement, reward or bribe referred to in 72.1.1;
- 72.1.3 without a proper or acceptable reason:-
  - 72.1.3.1 withdraw, induce or encourage the withdrawal of, or be induced to withdraw a HORSE from a RACE;
  - 72.1.3.2 fail to ensure that any HORSE which has been declared for a RACE, is in the security area 60 minutes before the official starting time of the RACE in which it is due to run.
- 72.1.4 enter or start, or procure to be entered for or started in any RACE, a HORSE which he is aware is ineligible for that RACE;
- 72.1.5 be in any manner involved, directly or indirectly, in the running of a HORSE in a RACE for which it has not been entered;
- 72.1.6 enter or start a HORSE for or in a RACE when he is aware he is not entitled to do so in terms of the RULES;
- 72.1.7 subject to the provisions of RULE 50.5, enter or cause any HORSE to be entered in a RACE or cause a HORSE to be run in a RACE, when such HORSE is not owned or leased by the PERSON or PERSONS in whose name it is so entered to run or runs;
- 72.1.8 subject to the provisions of RULE 50.5, accept payment of any training fee and/or charges, in whole or in part, in respect of any HORSE entered for, or run in a RACE from any PERSON other than the PERSON in whose name the HORSE has been entered to run, or the SPOUSE of such PERSON, or his agent;
- 72.1.9 if he is aware that any HORSE is not qualified or eligible to run in a RACE, omit to notify that fact to the ROR, RMR or a STIPENDIARY STEWARD before the RACE;
- 72.1.10 tamper with any HORSE, abuse or ill-treat any HORSE or permit the HORSE to be ridden by a rider making use of spurs;
- 72.1.11 interfere with, threaten or intimidate an OWNER, TRAINER or RIDER of any HORSE or an employee in any racing stable in connection with horse racing;
- 72.1.12 improperly obtain information about a trial, or about any HORSE in training from any OWNER, TRAINER, RIDER or anybody else employed in a racing or training stable or in the services of the OWNER or TRAINER of such HORSE, and no PERSON or individual shall improperly make such information available;
- 72.1.13 try, exercise or work together, HORSES trained by different TRAINERS, provided that it shall not be an offence:
  - 72.1.13.1 to allow HORSES to take part in barrier trials, fitness trials or training starts from starting stalls operated by an official and supervised by a STIPENDIARY STEWARD and a licensed veterinary surgeon and in which the HORSES do not run for more than 1000 metres from the starting stalls before being pulled up;

- 72.1.13.2 to allow HORSES which are stabled in an official quarantine station, as approved by the Directorate of Animal Health of the Republic of South Africa to exercise or work together.
- 72.1.14 use or be party to the use of directly or indirectly, or be in possession of any electric, electronic, mechanical or galvanic apparatus or equipment, directly or indirectly, on or in relation to any HORSE, which may adversely impact or affect the welfare of the HORSE;  
[Amended 02.05.2017]
- 72.1.15 fail to REGISTER any matter which is required to be REGISTERED in terms of the RULES or submit any false or misleading information when registering any matter which is required to be REGISTERED in terms of the RULES;
- 72.1.16 interfere with, tamper with or intimidate anybody (including any witness) or anything (where applicable) involved in or concerned with any INQUIRY, investigation, OBJECTION, appeal or review, held or to be held in terms of the CONSTITUTION or the RULES;
- 72.1.17 mislead the STEWARDS or the members of any board, appointed in terms of the CONSTITUTION or the RULES;
- 72.1.18 abuse, swear at, mislead, intimidate, threaten or interfere with any PERSON including any LICENSED OFFICIAL involved with the administration or the control of racing;
- 72.1.19 commit, or incite or conspire with anybody to commit any corrupt, fraudulent, dishonest or prohibited practice in relation to racing or breeding or the buying and/or selling of HORSES in any country;
- 72.1.20 allow anybody who is warned off or is a DEFAULTER to be present at or on his property, whether owned or leased, save where such presence occurs in the course of a PERSON'S or individual's trade or profession or due to family relationships unconnected with horse racing. Where a penalty or a suspension imposed on any PERSON so provides, the provisions of this RULE shall apply for the period specified;
- 72.1.21 have any dealings, directly or indirectly, with anybody who is warned off, except in the course of his trade or profession or due to family relationships unconnected with horse racing;
- 72.1.22 auto transfuse blood from a HORSE by drawing a quantity of blood from such HORSE and then transfusing it back to the same HORSE at any time;
- 72.1.23 administer any substance topically, orally, by injection, by inhalation, by drenching, by infusion or any other method other than normal feed and water by mouth, to a HORSE at any time prior to the RACE on the day of the RACE MEETING at which the HORSE is due to run except where such substances have been authorised by the CHIEF EXECUTIVE in the RACING CALENDAR as published from time to time;  
[Amended 02.05.2017]
- 72.1.24 be a member of any racing club in SOUTHERN AFRICA which is not recognised or licensed by the NATIONAL BOARD or participate as an owner, trainer, rider or official in any race meeting which is not licensed, recognised or authorised by the NATIONAL BOARD;
- 72.1.25 misbehave himself or conduct himself in an improper manner on any RACE COURSE PROPERTY, at any time;
- 72.1.26 behave or conduct himself in such a manner which has or might have the effect of discrediting horse racing or which does or might bring into disrepute the good name of the NATIONAL HORSERACING AUTHORITY, a RACING OPERATOR, any training establishment, the ACADEMY, the STEWARDS or members of any committee of the NATIONAL HORSERACING AUTHORITY or any INQUIRY BOARD, APPEAL BOARD, INQUIRY REVIEW BOARD, the LICENSING BOARD, any OBJECTION BOARD or any RACING OPERATOR or any official of the NATIONAL HORSERACING AUTHORITY or RACING OPERATOR;
- 72.1.27 without lawful reason be a party to or incite any other PERSON or individual to perform any act, or by omission create a circumstance which does or might lead to the abandonment, postponement or interruption of any RACE or RACEMEETING;
- 72.1.28 commit any negligent or fraudulent act with regard to weights or weighing;
- 72.1.29 place a bet or bets on a HORSE with the intention of altering the totalisator pool so as to create a favourite, which in the absence of such a bet or bets, would not be a favourite;

- 72.1.30 contravene, in the province concerned, any of the provisions of the provincial legislation relating to horse racing and betting;
- 72.1.31 be on any premises occupied by an unlicensed bookmaker or totalisator operator or any party operating as a bookmaker or laying bets;
- 72.1.32 place a bet directly or indirectly on horse racing save with a bookmaker licensed by the Provincial Gambling Board concerned or a Totalisator Agency licensed by the Provincial Gambling Board concerned;
- 72.1.33 fail to attend or remain at any INQUIRY, INQUIRY PROCEEDINGS, appeal, review, investigation or OBJECTION when required to do so in terms of the RULES;
- 72.1.34 in any manner, prevent a HORSE from winning a RACE or being placed in a RACE or from running in accordance with RULE 62.1;
- 72.1.35 do anything or fail to do anything which may have the effect of preventing a HORSE from winning a RACE or obtaining the best possible placing in a RACE or from running in accordance with RULE 62.1;
- 72.1.36 do anything or fail 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 a RACE or to other PERSONS or individuals present at a RACE COURSE;
- 72.1.37 tamper or interfere with a SPECIMEN or SAMPLE;
- 72.1.38 place a bet in contravention of RULE 19.4 or RULE 21.2;
- 72.1.39 [DELETED]
- 72.1.40 fail or refuse to comply with any reasonable order, direction or requirement of any LICENSED OFFICIAL.
- 72.1.41 without a proper or acceptable reason
  - 72.1.41.1 treat any HORSE of which he is not either the OWNER or the TRAINER at the time of treatment;
  - 72.1.41.2 perform any procedure on a HORSE which in terms of the Veterinary and Para Veterinary Professions Act 19 of 1982, may only be performed by a registered veterinary surgeon.
- 72.1.42 at any time, misbehave himself or conduct himself in an improper, disrespectful or abusive manner at the hearing of any INQUIRY, APPEAL or any other hearing which may be provided for in terms of these RULES.
- 72.1.43 at any time publish, communicate or utter words or statements or post on any social media platform or channel any material, content or comment or conduct himself in a manner which could reasonably be construed to be either obscene, offensive, defamatory, racist, threatening, harassing, discriminating, sexist or abusive to any other person or entity involved in the racing industry or bring the good name of any person or entity in the industry or the NHA into disrepute.  
[Amended 24.10.2016]
- 72.1.44 at any time assault, abuse, exploit, swear at, or intimidate any PERSON or individual in his employ at his training establishment.
- 72.1.45 present a HORSE to race where the HORSE in question is not the HORSE identified in the passport and/or is not the HORSE carded for the RACE in question.  
[Amended 01.12.2015]
- 72.1.46 race a HORSE within 7 days, calculated inclusively from the date of treatment, after the administration of any intra-articular corticosteroid treatment;  
[Amended 02.05.2017]

## **72.2 CRIMINAL CONVICTION**

- 72.2.1 Any PERSON convicted of any criminal offence in relation to racing in SOUTHERN AFRICA or any other country shall be deemed to have committed an offence in terms of the RULES and, after a hearing, shall be liable to such penalties as the INQUIRY BOARD hearing the matter, in its discretion, may impose.
- 72.2.2 In any INQUIRY PROCEEDINGS, a certified copy of the judgment of the court convicting such PERSON shall be proof of such conviction.
- 72.2.3 The PRIVILEGES of a PERSON serving a prison sentence anywhere in the world shall be deemed to be suspended for the duration of such sentence.

### **72.3 DISQUALIFICATION**

- 72.3.1 A HORSE may be disqualified from the RACE concerned if such HORSE is found to be involved in or the subject of an offence in terms of RULE 72 or that it participated in such RACE in circumstances amounting to a contravention of RULE 72. The provisions of RULE 67.7.8 shall apply mutatis mutandis in the event of such disqualification.
- 72.3.2 A HORSE shall be disqualified from the RACE concerned if it is found that it participated in such RACE in circumstances, amounting to a contravention of RULE 73.1 or RULE 73.2. The provisions of RULE 67.7.8 shall apply mutatis mutandis in the event of such disqualification.

### **72.4 BETTING EXCHANGES**

- 72.4.1 An OWNER, TRAINER, STABLE EMPLOYEE or their respective SPOUSES shall not, directly or indirectly, place a bet with a Betting Exchange in respect of a HORSE owned, trained or cared for by such OWNER, TRAINER and/or STABLE EMPLOYEE other than that such HORSE will win the RACE in which it is to participate.
- 72.4.2 It shall be an offence for any PERSON to act in contravention of RULE 72.4.1. PROHIBITED SUBSTANCES.

### **73. PROHIBITED SUBSTANCES**

- 73.1 Any PERSON who administers a PROHIBITED SUBSTANCE to a HORSE, or is party to, or assists, or allows or incites any individual to administer a PROHIBITED SUBSTANCE to a HORSE, at any time which results in or would have resulted in a PROHIBITED SUBSTANCE being present in a HORSE:
- 73.1.1 when it is presented on a RACE COURSE to run, or runs in a RACE; or
- 73.1.2 at any time within a period of 48 hours preceding the day of the RACE in which it is or was due to run; or
- 73.1.3 at any time on the day of a RACE on which it is or was due to run, prior to the running of such RACE;
- 73.1.4 at any time on the day when it is presented for the purpose of determining whether a suspension should be lifted or for the purpose of a gallop to determine its fitness;
- shall be guilty of an offence.

### **73.2 OBLIGATIONS AND LIABILITY OF OWNERS AND/OR TRAINERS**

The TRAINER and/or OWNER of a HORSE shall be guilty of an offence if a SPECIMEN taken from that HORSE:

- 73.2.1 at any time within a period of 48 hours preceding the day of a RACE in which it is or was due to run contains a PROHIBITED SUBSTANCE unless the drug, which caused the finding of a PROHIBITED SUBSTANCE, was administered by a registered veterinary surgeon and the administration has been entered in the veterinary treatment register; or
- 73.2.2 at any time on the day of a RACE on which it is or was due to run, prior to the running of such RACE contains a PROHIBITED SUBSTANCE; or
- 73.2.3 when it is on a RACE COURSE for the purpose of participating in a RACE contains a PROHIBITED SUBSTANCE; or
- 73.2.4 when it is on a RACE COURSE after having participated in a RACE contains a PROHIBITED SUBSTANCE; or
- 73.2.5 within 24 hours of leaving a RACE COURSE after it has participated in a RACE, except where the HORSE is stabled on that RACE COURSE, in which case the 24 hour period shall be calculated from the time of the arrival of the HORSE at that stable contains a PROHIBITED SUBSTANCE; or
- 73.2.6 at any time on the day when it is presented for the purpose of determining whether a suspension should be lifted contains a PROHIBITED SUBSTANCE;

- 73.2.7 at any time contains a PROHIBITED SUBSTANCE the administration of which has not been accurately recorded as a TREATMENT RECORD in a Veterinary Treatment Register;
- 73.2.8 at any time contains any medicine, drug or related substance as provided for in RULE 10.5.16.3.
- 73.3 Subject to the provisions of RULE 76.15, the TRAINER and/or OWNER of a HORSE shall be guilty of an offence if a SPECIMEN taken from that HORSE at any time contains any medicine, drug or related substance as provided for in RULE 10.5.16.3.

#### **73.4 DEFINITION OF PROHIBITED SUBSTANCES**

A PROHIBITED SUBSTANCE is any one or any combination of the following substances or any of the metabolites of such substance or combination of substances or any isomer of a substance or any isomer of a metabolite or a pro-drug of the substance.

- 73.4.1 Substances capable at any time of causing an action or effect, or both an action and effect within one or more of the following mammalian body system:
- 73.4.1.1 the nervous system;
- 73.4.1.2 the cardiovascular system;
- 73.4.1.3 the respiratory system;
- 73.4.1.4 the digestive system;
- 73.4.1.5 the urinary system;
- 73.4.1.6 the musculoskeletal system;
- 73.4.1.7 the immune system except for licensed vaccines against infectious agents;
- 73.4.1.8 the endocrine system;
- 73.4.1.9 the blood system; and/or
- 73.4.1.10 the reproductive system.
- 73.4.2 Natural or herbal substances or remedies and/or drugs which have any of the following properties:
- 73.4.2.1 antipyretic, analgesic and anti-inflammatory properties;
- 73.4.2.2 the property of affecting blood coagulation;
- 73.4.2.3 cytotoxic properties.
- 73.4.3 Any substance naturally produced by a HORSE which is administered or intended for the administration to a HORSE.
- 73.4.4 Any endogenous or other substance the concentration of which equals or exceeds the threshold/concentration determined by the International Federation of Horseracing Authorities and incorporated in the International Agreement on Breeding and Racing as published in the RACING CALENDAR from time to time.
1. 73.4.5 Any masking agent of a PROHIBITED SUBSTANCE.
  2. 73.4.6 Any scientific indicator of administration of a PROHIBITED SUBSTANCE.
- 73.4.7 Any FORBIDDEN SUBSTANCE.
- 73.5 without derogating from the provisions of Rule 73.4, certain substances shall be exempted from being PROHIBITED SUBSTANCES, a list of which shall be published from time to time in the RACING CALENDAR.  
[Amended 24.10.2016]

#### **74 FORBIDDEN SUBSTANCES**

- 74.1 Notwithstanding anything to the contrary contained in the RULES, any PERSON shall be guilty of an offence if a FORBIDDEN SUBSTANCE is administered to a HORSE or if a SPECIMEN taken from a HORSE at any time contains a FORBIDDEN SUBSTANCE, or if the concentration thereof exceeds the threshold determined by the International Federation of Horseracing Authorities and incorporated in the International Agreement on Breeding and Racing, as published from time to time in the RACING CALENDAR.

## 74.2 DEFINITION OF FORBIDDEN SUBSTANCES

A FORBIDDEN SUBSTANCE is any substance, metabolite of a substance, isomer of a substance or metabolite, or a pro-drug of the substance the administration of which is not allowed at any time, a list of which will be published from time to time in the RACING CALENDAR.

- 74.3. Any horse known to have been administered a FORBIDDEN SUBSTANCE, or if a specimen taken from that horse contains a FORBIDDEN SUBSTANCE or exceeds the threshold for this substance, shall be banned from racing for a period of 180 DAYS. However in the event that the FORBIDDEN SUBSTANCE is an anabolic steroid, the period will be 365 days.

## 75. TAKING AND ANALYSIS OF SPECIMENS

### 75.1 TIME OF TAKING

A SPECIMEN COLLECTOR may, at any time, take a SPECIMEN from a HORSE.

### 75.2 TAKING OF SPECIMENS

At any time a SPECIMEN is taken, a SPECIMEN COLLECTOR shall take one or two SPECIMENS. In the event of the SPECIMEN COLLECTOR taking one SPECIMEN he shall divide the SPECIMEN in two parts.

### 75.3 INTERFERENCE/REFUSAL

- 75.3.1 No PERSON or individual shall interfere with the exercise of the powers of a SPECIMEN COLLECTOR.
- 75.3.2 If, at any time after final declaration of a HORSE, the taking of a SPECIMEN from that HORSE is refused by the TRAINER and/or the PERSON in control of such HORSE, then that HORSE shall be scratched from the RACE in question.

### 75.4 PRESENCE OF OWNERS AND TRAINERS

- 75.4.1 The OWNER and/or TRAINER of a HORSE from which a SPECIMEN is to be taken, or a representative of either or both of them, may observe the taking, sealing and marking of a SPECIMEN provided this does not result in any undue delays and provided further that such PERSON shall not interfere with the SPECIMEN COLLECTOR.
- 75.4.2 Any PERSON referred to in RULE 75.4.1, who is present at the time a SPECIMEN is taken from a HORSE, may protest orally against any procedures adopted by the SPECIMEN COLLECTOR at the time of taking, sealing and marking of the SPECIMEN and may thereafter lodge a written confirmation of his protest, setting out fully the grounds therefor, with a STIPENDIARY STEWARD within 2 DAYS of the date on which the SPECIMEN was taken.

### 75.5 ANALYSIS BY LABORATORY

- 75.5.1 One part of the SPECIMEN or one of the two SPECIMENS taken ("the initial SPECIMEN") shall be ANALYSED by a LABORATORY. The other part of the SPECIMEN or the other of the two SPECIMENS taken ("the reference SPECIMEN") shall be retained by the CHIEF EXECUTIVE pending the result of the ANALYSIS of the initial SPECIMEN.
- 75.5.2 Upon receipt by the CHIEF EXECUTIVE of a certificate from a LABORATORY, relating to the initial SPECIMEN, where the SPECIMEN is not one of blood, stating that the ANALYSIS of such SPECIMEN disclosed in that SPECIMEN a PROHIBITED SUBSTANCE other than Carbon Dioxide, and identifying it, the CHIEF EXECUTIVE shall, in WRITING:-
- 75.5.2.1 notify the OWNER and/or the TRAINER that the CHIEF EXECUTIVE has received such certificate and that the reference SPECIMEN may, if so required by the OWNER and/or the TRAINER, be sent to a LABORATORY for confirmatory ANALYSIS; and



- 75.5.2.2 designate, in terms of RULE 75.8, the laboratories to which the reference SPECIMEN may be sent, if so required by the OWNER and/or TRAINER; and
- 75.5.2.3 inform the OWNER and/or the TRAINER of the HORSE that they may:-
- 75.5.2.3.1 either choose one of the laboratories so designated as the LABORATORY to perform the confirmatory ANALYSIS of the reference SPECIMEN (when both the OWNER and the TRAINER of the HORSE are so notified, they shall agree upon the nomination of the designated LABORATORY); or
- 75.5.2.3.2 admit that the SPECIMEN concerned contained the PROHIBITED SUBSTANCE specified in the certificate relating to the ANALYSIS of the initial SPECIMEN.
- 75.5.3 Upon receipt by the CHIEF EXECUTIVE of a certificate from a LABORATORY, relating to the initial SPECIMEN, stating that the ANALYSIS of such SPECIMEN disclosed in that SPECIMEN a PROHIBITED SUBSTANCE and identifying it as Carbon Dioxide:
- 75.5.3.1 the CHIEF EXECUTIVE shall notify the OWNER and/or the TRAINER, in WRITING, that the CHIEF EXECUTIVE has received such certificate and that the reference SPECIMEN has been sent to a LABORATORY for confirmatory ANALYSIS;
- 75.5.3.2 the provisions of RULES 75.6, 75.7, 75.8.3, 75.9, 75.10, 75.12 and 75.13 shall not be applicable.
- 75.5.4 Upon receipt by the CHIEF EXECUTIVE of a certificate from a LABORATORY, relating to the initial SPECIMEN, where the SPECIMEN concerned is one of blood, stating that the ANALYSIS of such SPECIMEN disclosed in that SPECIMEN a PROHIBITED SUBSTANCE and identifying it:
- 75.5.4.1 the CHIEF EXECUTIVE shall immediately instruct the LABORATORY that the reference SPECIMEN must, under the supervision of a senior staff member of the LABORATORY and witnessed by two other staff members of the NATIONAL HORSERACING AUTHORITY, be opened, centrifuged, and resealed;
- 75.5.4.2 thereafter the CHIEF EXECUTIVE shall notify the OWNER and/or the TRAINER, in WRITING, that the CHIEF EXECUTIVE has received such certificate, that he has instructed the reference SPECIMEN to be opened, centrifuged, and resealed and that the resealed reference SPECIMEN may, if so required by the OWNER and/or the TRAINER, be sent to a LABORATORY for confirmatory ANALYSIS;
- 75.5.4.3 the provisions of RULES 75.5.2.2 and 75.5.2.3 shall mutatis mutandis apply;
- 75.5.4.4 the persons who supervised and witnessed the opening, centrifuging and resealing of the reference SPECIMEN shall file confirmatory affidavits to that effect.

## **75.6 CONFIRMATORY ANALYSIS**

Within 7 DAYS from receipt of the notification by the CHIEF EXECUTIVE, referred to in RULE 75.5, the OWNER and/or TRAINER of the HORSE shall:-

- 75.6.1 either notify the CHIEF EXECUTIVE, in WRITING, of the LABORATORY chosen by him or them, as the case may be, from the laboratories designated in terms of RULE 75.5.2.2, to which the reference SPECIMEN shall be sent for confirmatory ANALYSIS; or
- 75.6.2 confirm, in WRITING, by signing the prescribed form, that he accepts the accuracy of the certificate relating to the ANALYSIS of the initial SPECIMEN and acknowledges the correctness of all details reflected therein relating to the PROHIBITED SUBSTANCE detected in the initial SPECIMEN.

## **75.7 APPOINTMENT OF CONFIRMATORY LABORATORY**

If the OWNER and/or TRAINER, within the time allowed:-

- 75.7.1 fail or refuse to nominate a LABORATORY; or
- 75.7.2 where both OWNER and TRAINER have been notified under RULE 75.5.2, fail or refuse to agree upon the nomination of a single LABORATORY; or
- 75.7.3 if one or both of them fail or refuse to sign, the prescribed form, referred to in Rule 75.6.2 above ;

then the CHIEF EXECUTIVE may, in his discretion, decide to send the reference SPECIMEN for confirmatory ANALYSIS and, should he so decide, he shall nominate the LABORATORY to which the reference SPECIMEN shall be sent for confirmatory ANALYSIS and advise the OWNER and/or TRAINER accordingly.

## **75.8 NOMINATION OF LABORATORY**

- 75.8.1 Subject to 75.8.2, the laboratories to which the reference SPECIMEN may be despatched for ANALYSIS shall be designated by the CHIEF EXECUTIVE from those laboratories nominated by the NATIONAL BOARD the names of which shall have been published in the RACING CALENDAR.
- 75.8.2 Should a LABORATORY nominated by the NATIONAL BOARD under RULE 75.8.1 have informed the CHIEF EXECUTIVE that it is, for any reason, unwilling to carry out a confirmatory ANALYSIS for the presence of the PROHIBITED SUBSTANCE allegedly present in the initial SPECIMEN, then the CHIEF EXECUTIVE shall not designate, for the purposes of RULE 75.5.2.2, such LABORATORY as a LABORATORY to which the reference SPECIMEN may be dispatched for ANALYSIS.
- 75.8.3 Should a LABORATORY chosen by the OWNER and/or TRAINER of a HORSE in terms of RULE 75.6 decline to carry out a confirmatory ANALYSIS when requested to do so, the CHIEF EXECUTIVE shall nominate alternative laboratories to carry out the confirmatory ANALYSIS and in such event the terms and provisions of RULES 75.5 to 75.7 shall apply mutatis mutandis.

## **75.9 ADDITIONAL NOMINATIONS**

Should a nominated LABORATORY be unable, for whatever reason, to perform an ANALYSIS of the reference SPECIMEN concerned, the OWNER and/or TRAINER of the HORSE or the CHIEF EXECUTIVE shall mutatis mutandis nominate another LABORATORY approved by the NATIONAL HORSERACING AUTHORITY.

## **75.10 DISPATCH OF SPECIMEN**

Should the CHIEF EXECUTIVE decide, in terms of RULE 75.7, to send the reference SPECIMEN for confirmatory analysis then, the reference SPECIMEN concerned shall be dispatched, as soon as practicable, to the LABORATORY nominated under RULES 75.6, 75.7 and 75.8.

## **75.11 PROHIBITED SUBSTANCE FOUND**

The reference LABORATORY shall be informed by the CHIEF EXECUTIVE of any PROHIBITED SUBSTANCE referred to in the certificate relating to the ANALYSIS of the initial SPECIMEN and shall be requested to ANALYSE the reference SPECIMEN and to verify the presence or otherwise of such substance in the reference SPECIMEN.

- 75.12 In the event of a reference SPECIMEN being sent to a LABORATORY for confirmatory ANALYSIS in terms of RULE 75.6.1 or RULE 75.7, then the OWNER and/or the TRAINER who requested that the reference SPECIMEN be ANALYSED, shall, should the reference SPECIMEN verify the presence of the PROHIBITED SUBSTANCE in the SPECIMEN, be liable to reimburse the NATIONAL HORSERACING AUTHORITY the actual cost incurred by the NATIONAL HORSERACING AUTHORITY to obtain the confirmatory ANALYSIS.
- 75.13 The TRAINER and/or OWNER, referred to in RULE 75.12, shall immediately on request from the CHIEF EXECUTIVE deposit with the NATIONAL HORSERACING AUTHORITY, prior to the reference SPECIMEN being dispatched for confirmatory ANALYSIS, as a deposit a sum of money, determined by the CHIEF EXECUTIVE, on account of the actual costs for which the TRAINER and/or OWNER may become liable in terms of RULE 75.12. In the event of the confirmatory ANALYSIS not verifying the presence of the PROHIBITED SUBSTANCE, the deposit shall immediately be refunded to the TRAINER and/or OWNER concerned.

- 75.14 Upon receipt of a certificate from the reference LABORATORY confirming the presence of the particular PROHIBITED SUBSTANCE or upon receipt of the signed form prescribed in terms of RULE 75.6.2 the OWNER and TRAINER concerned shall immediately refund the stakes received in respect of the HORSE involved for the RACE in question, to the RACING OPERATOR from which the stakes were received. The RACING OPERATOR shall retain the stakes in trust in an interest bearing account with a recognised South African Bank until it has been notified by the NATIONAL HORSERACING AUTHORITY that the matter has been finalised whereupon it shall pay the stakes, together with interest, to the TRAINER and OWNER of the HORSE to which the stakes have finally been allocated.

## **76. PRESUMPTIONS AND DEFENCES**

- 76.1 The facts recorded in a certificate issued by a reference LABORATORY under the hand of an ANALYST dealing with the receipt, packing, marking and sealing or a reference SPECIMEN or a reference SAMPLE shall be presumed correct, unless the contrary is proved.
- 76.2 Should a certificate by the reference LABORATORY under the hand of an ANALYST issued pursuant to a request under RULE 75.11 or RULE 78.9. confirm the presence or the particular PROHIBITED SUBSTANCE or particular BANNED SUBSTANCE, as the case may be, then it shall be presumed, unless the contrary is proved, that the SPECIMEN contained the PROHIBITED SUBSTANCE or the SAMPLE contained the BANNED SUBSTANCE, as the case may be.
- 76.3 If in any certificate produced at INQUIRY PROCEEDINGS, it is stated that, immediately prior to the ANALYSIS of a SPECIMEN or SAMPLE, the seal of the bottle was intact it shall be presumed, unless the contrary is proved, that the SPECIMEN or SAMPLE had not been tampered with in any manner whatsoever.
- 76.4 It shall be presumed, unless the contrary is proved, that any certificate issued in terms of RULES 75.5, 76.1, 76.2 or 78.6 has been signed by the PERSON or individual under whose hand it purports to have been given and in the capacity referred in the certificate.
- 76.5 At INQUIRY PROCEEDINGS, the facts recorded in the SPECIMEN COLLECTOR'S REGISTER or Sampling Control Form shall be presumed correct, unless the contrary is proved.
- 76.6 It shall be a defence against a charge in terms of RULE 73.2.4 and/or RULE 73.2.5 if the PERSON concerned is able to prove that the presence of the PROHIBITED SUBSTANCE was caused by the administration of a substance after the RACE when the HORSE had already been released by the STIPENDIARY STEWARDS and the administration of the substance had been recorded in the treatment register.
- 76.7 If an OWNER of a HORSE is charged with a contravention of any of the sub-rules to RULE 73.2 or Rules 73.4.1, it shall be a defence for such OWNER to prove that he was unaware of any contravention of such RULE.
- 76.8 If a TRAINER of a HORSE is charged with a contravention of any of the sub-rules to RULE 73.2, it shall not be a defence for such TRAINER to prove that:-
- 76.8.1 he was unaware of any contravention of such RULES; and/or
- 76.8.2 the presence of the PROHIBITED SUBSTANCE in the SPECIMEN was caused by the administration of a substance administered to the HORSE by or on the advice of a veterinary surgeon or any other PERSON or individual.
- 76.9 If a TRAINER has admitted, in WRITING, by signing the prescribed form, that the SPECIMEN concerned contained the PROHIBITED SUBSTANCE specified in the certificate relating to the ANALYSIS of the initial SPECIMEN, then it shall be deemed conclusively proved in any proceedings against the TRAINER that that SPECIMEN contained the specified PROHIBITED SUBSTANCE.
- 76.10 If an OWNER has admitted, in WRITING, by signing the prescribed form, that the SPECIMEN concerned contained the PROHIBITED SUBSTANCE specified in the certificate relating to the ANALYSIS of the initial SPECIMEN, then it shall be deemed conclusively proved in any proceedings against the OWNER that that SPECIMEN contained the specified PROHIBITED SUBSTANCE.

- 76.11 It shall be presumed, unless contrary is proved, that where a tongue strap or tongue tie was fitted by a licensed veterinary surgeon, such tongue strap or tongue tie did not contain a PROHIBITED SUBSTANCE.
- 76.12 If a RIDER has admitted, in writing, by signing the prescribed form, that the SAMPLE concerned contained the BANNED SUBSTANCE specified in the certificate relating to the ANALYSIS of the initial SAMPLE, then it shall be deemed conclusively proved in any proceedings against the RIDER that the SAMPLE contained the specified BANNED SUBSTANCE.
- 76.13 If a RIDER has admitted, in writing, by signing the prescribed form, that the breathalyser test correctly reflected that the alcohol content in the RIDER'S blood was at or exceeded the threshold of the legal limit from time to time enforced in South Africa for driving a vehicle as specified in the certificate referred to in RULE 75.5.2 then it shall be deemed conclusively proved in any proceedings against the RIDER that the SAMPLE contained the specified BANNED SUBSTANCE.
- 76.14 If a TRAINER is charged with a contravention of RULE 10.5.16, it shall not be a defence for such TRAINER to allege that:-
- 76.14.1 he was unaware of any contravention of such RULE and/or;
- 76.14.2 his possession of, or the presence on the premises where he trains, and/or spells and/or breeds HORSES, of a medicine, drug or related substance as provided for in RULE 10.5.16 was not intentional, negligent and/or without his knowledge;
- 76.14.3 at the time of his possession of any medicine, drug or related substance, the provisions of the MED ACT and/or STOCK ACT and/or ZIM ACT or any of the schedules promulgated in terms thereof, had been repealed.
- 76.15 If a TRAINER, ASSISTANT TRAINER or STABLE EMPLOYEE is charged with a contravention of RULE 10.5.16.3 or if a TRAINER or OWNER is charged with a contravention of RULE 73.3, it shall be a defence for the PERSON charged to prove that the Medicines Control Council granted him authorisation to either sell and/or use an unregistered medicine for a specific purpose and period in terms of section 21 of the MED ACT.

## **77. BANNED SUBSTANCES (RIDERS)**

- 77.1 Without in any way detracting from the provisions of the RULES, it shall be an offence for any RIDER:-
- 77.1.1 to present himself on a RACE COURSE to take part in any RACE if at any time on the day of the RACE any sample of blood, breath or urine contains a BANNED SUBSTANCE;
- 77.1.2 to neglect, refuse or fail to present himself, after being required to do so by the CHIEF EXECUTIVE or a STIPENDIARY STEWARD, for the taking of a sample of his blood, breath or urine from him by or under the supervision of the RACE COURSE medical officer, a registered medical nurse or authorised LICENSED OFFICIAL, or having so presented himself, to refuse or fail to permit such a sample to be so taken.
- 77.2 A BANNED SUBSTANCE is any one or any combination of the following substances or any of the metabolites of such substance or combination of substances or any isomer of a substance or any isomer of a metabolite:
- 77.2.1 Alcohol - at or above a threshold of:- The concentration of alcohol in a blood specimen should not be more than 0.05 grams per 100 millilitres and the concentration of alcohol in a specimen of breath should not be more than 0.024 milligrams per 100 millilitres.
- 77.2.2 Cannabinoids - a concentration in urine of 11-nor-delta 9 tetrahydrocannabinol-9-carboxylic acid (carboxy-THC) greater than 50 nanograms per millilitre;
- 77.2.3 Amphetamines excluding ephedrine, methylephedrine, pseudoephedrine and phenylpropanolamine
- 77.2.4 Barbiturates;
- 77.2.5 Lysergic Acid Diethylamide (LSD);
- 77.2.6 Dissociative Anaesthetics including Phencyclidine (PCP);
- 77.2.7 Cocaine;

- 77.2.8 Opiates, Opioids and related substances including codeine save only that in the case of codeine, its presence in a specimen of urine at a concentration of less than 2000 nanograms per millilitre shall not constitute an offence;
  - 77.2.9 Benzodiazepines.
  - 77.2.10 Benzodiazepine-like substances
  - 77.2.11 Diuretics including Furosemide (Lasix)
  - 77.2.12 Gamma hydroxybutyric acid (GHB)
- 77.3 Any RIDER under a course of medical treatment prescribed or administered by a medical practitioner for recognised medical purposes shall, prior to the commencement of a RACE MEETING in which he is riding, make full disclosure to the STIPENDIARY STEWARDS of such prescription or administration. The same duty of disclosure shall apply where any medication is obtained from any pharmacy and used as "self-prescribed" medication.
- 77.4 If a RIDER fails to make such full disclosure, the fact that any medication is prescribed or administered by a medical practitioner shall not be a defence to a charge in terms of RULE 77.1.1.

## **78. TAKING AND ANALYSIS OF SAMPLES**

- 78.1 A STIPENDIARY STEWARD or the CHIEF EXECUTIVE may, at any time, select any RIDER/S to permit a SAMPLE to be taken from the RIDER/S by the RACE COURSE medical officer, a registered medical nurse or authorised LICENSED OFFICIAL
- 78.2 If a RIDER, before his first RIDE and/or at any other time during the RACE MEETING, is selected to submit to a breathalyser test, fails such test then:
- 78.2.1 The RIDER may admit, in writing by signing the prescribed form, that the breathalyser test is correct and that the alcohol in his breath, as evidenced by the breathalyser test, is on or above the threshold of the legal limit enforced in South Africa for driving ("a positive reading"); or
  - 78.2.2 Should the RIDER not so admit, then the RIDER shall submit to a second breathalyser test during which a different device is used. If the second test indicates that the alcohol in his breath, as evidenced by the breathalyser test, is below the threshold of the legal limit enforced in South Africa for driving ("a negative reading"), the RIDER shall be permitted to ride
  - 78.2.3 If he admits the positive reading of the first test, or failing such admission, the second test, during which a different device is used, also produces a positive reading, the RIDER shall not be permitted to ride for the remainder of the RACE MEETING.
- 78.3 A RIDER
- 78.3.1 who refuses or fails to take a breathalyser test, either the first test or if required, the second test, or to deliver a SAMPLE as provided for in RULE 78.1 shall not be permitted to ride for the remainder of the RACE MEETING.
  - 78.3.2 whose initial SAMPLE upon ANALYSIS is found to contain any of the BANNED SUBSTANCES may be suspended from riding by the CHIEF EXECUTIVE, in his discretion, pending the determination of an INQUIRY instituted or to be instituted in terms of the RULES.
- 78.4 If any SAMPLE of fluid is taken from a RIDER, it shall be divided into two parts. The SAMPLE shall be split and then be sealed and marked, as the initial SAMPLE and the reference SAMPLE respectively; and the RIDER shall be entitled to remain present to observe the splitting, sealing and marking of the SAMPLE.
- 78.5 The initial SAMPLE shall be analysed by a LABORATORY. The reference SAMPLE shall be retained by the CHIEF EXECUTIVE pending the result of the ANALYSIS of the initial SAMPLE.
- 78.6 The CHIEF EXECUTIVE shall, in writing, upon receipt:
- 78.6.1 of a certificate from a LABORATORY, relating to the initial SAMPLE, stating that the ANALYSIS of such SAMPLE disclosed in that SAMPLE a BANNED SUBSTANCE and identifying it;

notify the RIDER that the CHIEF EXECUTIVE has received such certificate and that the reference SAMPLE may, if so required by the RIDER, be sent to a LABORATORY for confirmatory ANALYSIS;

advise the RIDER that he may admit that the SAMPLE contained the BANNED SUBSTANCE specified in the certificate relating to the ANALYSIS of the initial SAMPLE.

- 78.7 Within 7 DAYS from receipt of the notification by the CHIEF EXECUTIVE, referred to in RULE 78.6.2, the RIDER shall:
- 78.7.1 either notify the CHIEF EXECUTIVE, in writing, that he requires the reference SAMPLE to be sent for confirmatory analysis in which event the CHIEF EXECUTIVE shall send the reference SAMPLE to a LABORATORY designated by the CHIEF EXECUTIVE; or
- 78.7.2 admit, in writing by signing the prescribed form, that the SAMPLE contained the BANNED SUBSTANCE specified in the certificate relating to the ANALYSIS of the initial SAMPLE.

### **78.7.3 APPOINTMENT OF CONFIRMATORY LABORATORY**

If the RIDER, within the time allowed:-

- 78.7.3.1 fails or refuses to nominate a LABORATORY; or  
fails or refuses to admit, in WRITING, by signing the prescribed form, that the SAMPLE concerned contained the specified BANNED SUBSTANCE;
- 78.7.3.2 then the CHIEF EXECUTIVE may, in his discretion, decide to send the reference SAMPLE for confirmatory analysis and, should he so decide, he shall nominate the LABORATORY to which the reference SAMPLE shall be sent for confirmatory ANALYSIS and advise the RIDER accordingly.
- 78.8 Should confirmatory ANALYSIS be required, then the reference SAMPLE shall be dispatched, as soon as possible, to the nominated LABORATORY.
- 78.9 The reference LABORATORY shall be informed by the CHIEF EXECUTIVE of any BANNED SUBSTANCE referred to in the certificate relating to the ANALYSIS of the initial SAMPLE and shall be requested to ANALYSE the reference SAMPLE and to verify the presence or otherwise of such substance in the reference SAMPLE.
- 78.10 If a RIDER refuses or fails to permit a sample of his breath or urine to be obtained from him by or under the supervision of the RACE COURSE medical officer, a registered medical nurse or authorised LICENSED OFFICIAL if and whenever the RIDER is required by the CHIEF EXECUTIVE or a STIPENDIARY STEWARD to permit such a sample to be so obtained, the RIDER shall not be permitted to ride for the remainder of the RACE MEETING.
- 78.11 In the event of a reference SAMPLE being sent to a LABORATORY for confirmatory ANALYSIS in terms of RULE 78.7.1 or RULE 78.7.3, then the RIDER shall, should the reference SAMPLE verify the presence of the BANNED SUBSTANCE in the SAMPLE, be liable to reimburse the NATIONAL HORSERACING AUTHORITY the actual cost incurred by the NATIONAL HORSERACING AUTHORITY to obtain the confirmatory ANALYSIS.
- 78.12 The RIDER, referred to in RULE 78.1, shall immediately on request from the CHIEF EXECUTIVE deposit with the NATIONAL HORSERACING AUTHORITY, prior to the reference SAMPLE being dispatched for confirmatory ANALYSIS, as a deposit a sum of money, determined by the CHIEF EXECUTIVE, on account of the actual costs for which the RIDER may become liable in terms of RULE 78.11. In the event of the confirmatory ANALYSIS not verifying the presence of the BANNED SUBSTANCE, the deposit shall immediately be refunded to the RIDER concerned.

## **INQUIRIES**

### **79. INQUIRY PROCEEDINGS**

- 79.1 All inquiries, investigations and adjudications into and upon breaches or contraventions of the CONSTITUTION or the RULES by any PERSON or individual, shall be conducted, undertaken and made by an INQUIRY BOARD constituted and appointed in terms of the CONSTITUTION.
- 79.2 An INQUIRY BOARD may order any PERSON to attend INQUIRY PROCEEDINGS. Any PERSON so ordered shall comply with such order and shall remain in attendance until excused.
- 79.3 In addition to any other penalties which may be imposed in terms of the RULES for failing to attend or remain in attendance at INQUIRY PROCEEDINGS, the INQUIRY may be proceeded with in the absence of a PERSON required to attend.

### **80. RECORDS**

- 80.1 INQUIRY PROCEEDINGS, OBJECTION BOARD, INQUIRY REVIEW BOARD and APPEAL BOARD proceedings shall be recorded either manually or by means of recording equipment.
- 80.2 In the event of the record or part of the record of any INQUIRY PROCEEDINGS, investigation, OBJECTION, review or appeal becoming unavailable by reason of theft, destruction, loss or any other cause, the NATIONAL BOARD may either direct that the matter be heard de novo or from such stage where the portion of the record is not available, or give such instructions for the reconstruction of the record as it deems fit. In the former event members of the prior board or boards may sit again and need not recuse themselves and copies or duplicates of documents or exhibits previously used will be admissible. The record so completed shall be the official record of the matter.

### **81. POWERS OF AN INQUIRY BOARD**

#### **81.1 SCOPE**

An INQUIRY BOARD shall have the power to inquire into, investigate, and adjudicate upon any alleged breach or contravention of the CONSTITUTION or any of the RULES, provided that an alleged breach or contravention of RULE 73 shall be inquired into and adjudicated upon by an INQUIRY BOARD as provided for in RULE 82.3.

#### **81.2 PENALTIES**

An INQUIRY BOARD shall, in cases of a breach or contravention of the CONSTITUTION or any of the RULES, have the power to impose on a PERSON, any one or more of the following penalties:

- 81.2.1 a reprimand;
- 81.2.2 a caution;
- 81.2.3 a warning;
- 81.2.4 a fine;
- 81.2.5 a suspension from acting or riding for any period specified by it;
- 81.2.6 a suspension from attending RACE MEETINGS and/or operating under any PRIVILEGE or other REGISTRATION for any period specified by it;
- 81.2.7 a disqualification;
- 81.2.8 a warning off;
- 81.2.9 the cancellation or withdrawal of any PRIVILEGE or other REGISTRATION;
- 81.2.10 provided that, subject to the provisions of RULES 86 and 96.3, no penalty, except
- 81.2.10.1 that of a suspension from acting or riding for the remainder of a day;

81.2.10.2 a fine imposed in terms of RULE 96.1; or

81.2.10.3 a suspension imposed in terms of RULE 96.2;

shall be effective until it has been confirmed by the INQUIRY REVIEW BOARD, with or without variation, or until any appeal against such penalty has been finally determined by the APPEAL BOARD.

81.2.11 Notwithstanding the provisions of RULE 81.2.10, should an INQUIRY BOARD impose a suspension from acting and riding for a period specified by it, the PERSON or RIDER concerned, as the case may be, shall be entitled to indicate that he does not intend to appeal the finding whereupon the INQUIRY BOARD, in its sole discretion, shall be entitled to make a ruling that the suspension shall be effective immediately, unless the RIDER has carded rides in which event the suspension shall only be effective from the day following the RIDER's last engagement as published in the RACE CARD covering engagements. Should such a ruling be made, the penalty shall not be subject to confirmation by the INQUIRY REVIEW BOARD.

[Amended 01.12.2015]

### 81.3 MISCELLANEOUS

An INQUIRY BOARD shall have the power to:-

81.3.1 suspend any HORSE for any period;

81.3.2 disqualify any HORSE from a RACE;

81.3.3 make any recommendation to the NATIONAL BOARD which it deems fit;

81.3.4 cancel or withdraw any PRIVILEGE or REGISTRATION.

### 82. COMPOSITION OF INQUIRY BOARDS

82.1 The quorum for an INQUIRY BOARD shall be one, and an INQUIRY BOARD:-

82.1.1 shall consist of such members as are appointed in terms of the CONSTITUTION; and

82.1.2 may consist of one or more STIPENDIARY STEWARDS who were members of the SB which officiated at the RACE MEETING at which any alleged breaches or contraventions of the CONSTITUTION or RULES took place; and

82.1.3 may consist of one or more STIPENDIARY STEWARDS who investigated or were a witness to any alleged breaches or contraventions of the CONSTITUTION or RULES which are the subject of that INQUIRY;

82.1.4 shall, when it comprises more than one PERSON, appoint one of its number to act as chairman, who shall have a casting vote in addition to his deliberative vote;

82.1.5 shall have the power, in its sole discretion, to co-opt at the commencement of any INQUIRY or at any other time, any person or persons (including any person who is not a member, PRIVILEGE holder or OFFICIAL) to sit on such INQUIRY BOARD where it considers that such person or persons will be able to assist in the INQUIRY. Any member who has absented himself from any part of the hearing of an INQUIRY shall not take any further part in that INQUIRY.

82.2 The absence of a member of an INQUIRY BOARD on any occasion during the hearing of an INQUIRY shall not affect the validity of such INQUIRY PROCEEDINGS. Any member who has absented himself from any part of the hearing of an INQUIRY shall not take any further part in that INQUIRY.

82.3 Notwithstanding anything to the contrary contained in these RULES, if the alleged breach or contravention concerns RULE 73 and/or RULE 74, a Prohibited Substance INQUIRY BOARD shall be convened to inquire into, investigate, and adjudicate upon such alleged breach or contravention.

[Amended 02.05.2017]



- 82.3.1 The Prohibited Substance INQUIRY BOARD shall consist of three members, at least one of which shall be legally qualified, who shall act as the Chairperson. One of the remaining members shall be a qualified veterinary surgeon.
- 82.3.2 All PERSONS, including the NATIONAL HORSERACING AUTHORITY, shall have an automatic right to have legal representation, by a practising attorney or advocate or both, at the INQUIRY.
- 82.3.3 There shall be no appeal against any penalty, decision or finding of the Prohibited Substance INQUIRY BOARD.  
[Amended 01.12.2015]

### **83. PROCEDURES FOR INQUIRIES**

- 83.1 Save where otherwise provided in the RULES, an INQUIRY BOARD shall adopt such procedures and formalities as it in its sole discretion, may from time to time determine.
- 83.2 An INQUIRY BOARD shall not be obliged to provide any PERSON with any proof of its authority in relation to any INQUIRY.
- 83.3 [DELETED]
- 83.4 Notwithstanding anything to the contrary in the RULES, an INQUIRY BOARD may, after a hearing, in its sole discretion, postpone or adjourn any INQUIRY PROCEEDINGS for such periods as they deem fit.

### **84. ATTENDANCE, REPRESENTATION AND EVIDENCE AT INQUIRY PROCEEDINGS**

- 84.1 Any PERSON required to attend INQUIRY PROCEEDINGS shall be advised of the venue, date and time the INQUIRY PROCEEDINGS will be held.

#### **84.2 ASSISTANCE AT INQUIRY PROCEEDINGS**

- 84.2.1 Subject to RULE 82.3.2 and RULE 84.2.2, no PERSON shall have legal representation or other assistance (other than that of a translator when necessary) at INQUIRY PROCEEDINGS unless the INQUIRY BOARD, having regard to, inter alia, the complexity of the evidence and the legal issues likely to be involved, the serious nature of the matter enquired into and the penalty which may be imposed, in its sole discretion determines otherwise, in which event the provisions of RULE 84.2.2 will mutatis mutandis apply. In the case of an APPRENTICE, the TRAINER to whom he is allocated or the PERSON acting for that TRAINER or the WELFARE OFFICER, or an ACADEMY riding master or hostel superintendent shall be present during INQUIRY PROCEEDINGS and shall be allowed to assist the APPRENTICE and to examine and cross-examine witnesses. In the case of a groom appearing as a complainant at an INQUIRY, the INQUIRY BOARD shall allow the groom such assistance as the INQUIRY BOARD in its sole discretion determines.
- 84.2.2 Any PERSON appearing before an INQUIRY BOARD constituted and appointed by the NATIONAL BOARD in terms of CLAUSES 18.3.1 and 18.3.2 shall be entitled to legal representation by only a practising attorney or advocate or both. The NATIONAL HORSERACING AUTHORITY shall similarly be entitled to such legal representation.

- 84.3 No PERSON shall be entitled to call as a witness at INQUIRY PROCEEDINGS, any PERSON or individual to give evidence as an expert upon any matter upon which the evidence of expert witnesses may be received unless he has, not less than 14 DAYS before the commencement of the INQUIRY PROCEEDINGS, or the adjourned hearing, as the case may be, delivered to the Chief Stipendiary Steward of the SB of the RACING DISTRICT in which the INQUIRY is to be held for transmission to the chairman of the INQUIRY BOARD, a written summary of such expert's evidence and the reasons for his opinion. The provisions of this RULE may be waived by the INQUIRY BOARD, in its discretion. The provisions of this RULE shall furthermore not apply to STEWARDS, officials and employees of the NATIONAL HORSERACING AUTHORITY or RACING OPERATORS in their capacity as such.
- 84.4 A copy of the expert's summary shall be sent to those PERSONS or individuals involved in the INQUIRY PROCEEDINGS as the chairman of the INQUIRY BOARD may determine.
- 84.5 During any postponement or adjournment of INQUIRY PROCEEDINGS, a PERSON appearing before an INQUIRY BOARD shall be granted reasonable access during office hours to such portion of the typed record as is available at the time. The PERSON concerned may, on payment of the prescribed fees and charges, be supplied with a copy of so much of the record as is typed and available at the time.
- 84.6 The INQUIRY BOARD may direct that all or portion of the actual costs and expenses incurred by the NATIONAL HORSERACING AUTHORITY in connection with INQUIRY PROCEEDINGS shall be paid by such PERSON or PERSONS as it may deem fit and the amount determined shall be final and binding on the PERSON or PERSONS concerned.
- 84.7 Any FILM, video-tape or other mechanical recording of any RACE shall in an INQUIRY or appeal, itself constitute evidence of the running of the RACE and the riding of the JOCKEYS involved in that RACE, without any supporting evidence or corroboration whatsoever from any PERSON or individual. Similarly, at any INQUIRY or appeal, the evidence of any PERSON reading the FILM, video or other mechanical recording of the RACE shall constitute admissible evidence at such INQUIRY or appeal.

## APPEALS

### 85. APPEALS

- 85.1 Subject to RULE 85.2, an appeal shall lie to an APPEAL BOARD and to no other body or PERSON, against:-
- 85.1.1 any finding, penalty or decision made by an INQUIRY BOARD; and
- 85.1.2 any decision of the LICENSING BOARD.
- 85.2 There shall be no appeal against:-
- 85.2.1 any decision or finding of the NATIONAL BOARD;
- 85.2.2 any penalty, decision or finding of a Prohibited Substance INQUIRY BOARD constituted in terms of Clause 18.3.3 as provided for in RULE 82.3;
- 85.2.3 any penalty, decision or finding of any APPEAL BOARD;
- 85.2.4 any penalty, decision or finding of any PERSON or body where an admission of guilt fine and/or suspension has been accepted in terms of RULE 96;
- 85.2.5 the suspension of a PERSON from acting or riding for the remainder of a day;
- 85.2.6 a decision or finding on or arising out of any OBJECTION or a decision to declare an OBJECTION fee forfeit or to impose a fine for lodging an unwarranted OBJECTION;
- 85.2.7 a decision or finding arising out of any investigation into inconsistent running or a reversal of form of any HORSE including a decision to suspend such HORSE in terms of RULE 62.3.2;
- 85.2.8 a decision or finding by any of the STEWARDS concerning the fitness of a HORSE to run in a RACE;
- 85.2.9 a decision or finding by the ROR on a handicapping complaint;
- 85.2.10 a decision to suspend a HORSE for intractability or unruliness;
- 85.2.11 a decision of the starter to impose a fine;
- 85.2.12 any decision by the INQUIRY REVIEW BOARD in reviewing any matter or case;
- 85.2.13 any decision or finding regarding a complaint lodged in terms of RULES 6.9 or 6.10;
- 85.2.14 any decision in terms of RULE 91.3 regarding the date from which a suspension is or shall be effective;
- 85.2.15 any decision in terms of RULE 49.7 that a HORSE is not fit to take part in a RACE.
- 85.3 All APPEAL BOARDS shall be constituted and appointed as set out in the CONSTITUTION and all decisions, penalties, rulings, determinations or findings of an APPEAL BOARD shall be final and binding on the PERSON or PERSONS concerned.
- 85.4 Should the number of members of an APPEAL BOARD fall below the quorum stipulated in the CONSTITUTION then the proceedings before that board shall be a nullity and another APPEAL BOARD may be constituted to hear the appeal de novo.
- 85.5 An APPEAL BOARD, on hearing an appeal, shall have the powers:
- 85.5.1 to allow the appeal;
- 85.5.2 to dismiss the appeal;
- 85.5.3 to substitute any finding or decision as it deems fit or substitute such penalty as it deems fit, including any increased penalty;
- 85.5.4 to make such order as in its opinion the circumstances may require including an order to remit the matter for the hearing of further evidence or an order for the hearing of an INQUIRY de novo;
- 85.5.5 to hear further evidence or receive any documents on such terms and conditions as it in its discretion may decide;
- 85.5.6 to substitute an alternative charge for the existing charge with the consent of the appellant and adjudicate on such alternative charge provided that any penalty imposed shall not be greater than the penalty previously imposed;

- 85.5.7 at any time to order a PERSON to pay all or a portion of the actual costs and other expenses reasonably incurred by the NATIONAL HORSERACING AUTHORITY in connection with an appeal or any postponement thereof, in addition to any other penalty, if it is of the opinion that such order is warranted and to determine the amount of such costs and other expenses;
- 85.5.8 to order that the prescribed fee, or any portion thereof, be forfeited or be refunded as it may determine having regard to the outcome of the appeal;
- 85.5.9 subject to RULE 1.4, to interpret the meaning, effect and intent of any of the RULES;
- 85.5.10 to make such rulings as it in its sole discretion shall determine.
- 85.6 Any PERSON who wishes to appeal pursuant to the provisions of RULE 85.1 ("the appellant") shall give notice in WRITING of his intention to appeal ("Notice of Intention to Appeal") within 7 DAYS from the date on which the finding, penalty or decision to be appealed against has been communicated to him. The Notice of Intention to Appeal shall be addressed to the CHIEF EXECUTIVE and shall be delivered within the prescribed time limit to the CHIEF EXECUTIVE.
- 85.7 Every Notice of Intention to Appeal shall be accompanied by the prescribed fee.
- 85.8 Any party to an appeal may, within the 7 DAY period for the lodging of a Notice of Intention to Appeal provided for in RULE 85.6, apply to Chief Stipendiary Steward of the SB of the RACING DISTRICT in which the INQUIRY was held for a copy of the record of the INQUIRY PROCEEDINGS to which the appeal relates and shall be furnished with a copy thereof as soon as it is available, after payment of the prescribed fee. All relevant documents, FILMS, photographs, tape recordings, video recordings and cinematographic evidence (if any) which form part of the record of any proceedings in respect of which Notice of Intention to Appeal has been lodged, shall be made available for inspection by the appellant and his legal representative or any other PERSON assisting him in the preparation of his appeal on a date and at a time and venue determined by the Chief Stipendiary Steward of the SB of the RACING DISTRICT in which the INQUIRY was held.
- 85.9 An appellant shall lodge, in WRITING, a Notice of Appeal ("Notice of Appeal") within 14 DAYS, from the date on which he is notified that the transcript of the INQUIRY PROCEEDINGS is available. The Notice of Appeal shall set out the penalty, decision or finding appealed against and the grounds of such appeal.
- The Notice of Appeal shall be lodged with the CHIEF EXECUTIVE. On good cause shown, the period for lodging a Notice of Appeal may be extended by the CHIEF EXECUTIVE, on receipt of a written application from the appellant, which application shall be lodged within the time period allowed for the lodging of the Notice of Appeal.
- 85.10 Should a Notice of Intention to Appeal or Notice 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 CHIEF EXECUTIVE may, on written application to him, in his sole discretion and on such terms and conditions as he may determine, condone the late lodging and reinstate any appeal which has lapsed.
- 85.11 Where an appeal has been lodged, the INQUIRY BOARD, may within 14 DAYS after being provided with a copy of the appellant's Notice of Appeal, lodge a written reply with the CHIEF EXECUTIVE. A copy of such reply by the INQUIRY BOARD, if any, shall be furnished to the appellant. Upon receipt of a reply or on the expiration of 14 DAYS whichever is the later, the CHIEF EXECUTIVE shall arrange for the appointment of an APPEAL BOARD in terms of CLAUSE 17.2.
- 85.12 Save where otherwise provided in the RULES, an APPEAL BOARD, when hearing an appeal, shall adopt such procedures as it, in its sole discretion, may determine.
- 85.13 An APPEAL BOARD shall determine the date and time for the hearing of any appeal and shall notify all interested parties accordingly. The appeal hearing will take place at the offices of the NHA in Johannesburg, unless there are exceptional circumstances which demand that the hearing take place elsewhere.

- 85.14 The appellant shall have the right to appear before an APPEAL BOARD to argue his appeal and may be represented by a practising attorney and/or practising advocate. Similarly, the INQUIRY BOARD or its representative shall have the right to appear before an APPEAL BOARD and may be represented by a practising attorney and/or practising advocate. Should any appellant or the INQUIRY BOARD not appear at the hearing of an appeal, such appeal may be proceeded with in his absence.
- 85.15 The appellant and the INQUIRY BOARD (and their respective legal representatives) shall be bound by and confined to the record of the INQUIRY PROCEEDINGS and shall not be entitled to introduce new evidence save with the permission of the APPEAL BOARD, which may determine such matter in its sole discretion and on such terms and conditions as it may deem fit.
- 85.16 An APPEAL BOARD may order the appellant and any other PERSON to appear before it when the appeal is considered. Should any appellant or any other PERSON not appear at an appeal at the time ordered, the appeal may be proceeded with in his absence and the APPEAL BOARD may impose such penalty as it deems fit for such failure to so appear, including the cancellation of any PRIVILEGE.
- 85.17 An APPEAL BOARD may require any PERSON to attend the hearing of an appeal to read the FILM of any RACE.
- 85.18 No Notice of Appeal may be withdrawn without the consent of the CHIEF EXECUTIVE.
- 85.18.1 Such consent will only be given on reasonable and justifiable reasons being advanced why the Notice of Appeal is sought to be withdrawn.  
[Amended 01.12.2015]
- 85.19 The operation of the finding, penalty or decision of the INQUIRY BOARD concerned shall be suspended:-
- 85.19.1 during the 7 DAY period referred to in RULE 85.6; and/or
- 85.19.2 when a Notice of Intention to Appeal has been lodged, pending the final determination of such appeal by an APPEAL BOARD, or the lapsing of the appeal or the withdrawal thereof. The provisions of this RULE shall not derogate from the powers of the NATIONAL BOARD in terms of RULE 91.2.
- 85.20 Where an appeal lapses or where an appeal is withdrawn, no penalty except that of a suspension from acting or riding for the remainder of the day shall be effective until the INQUIRY REVIEW BOARD has confirmed it (with or without variation).
- 85.21 Where a PERSON intends to be legally represented at an appeal, he shall give notice thereof to the CHIEF EXECUTIVE at the time he lodges his Notice of Appeal. Where an INQUIRY BOARD intends to be legally represented at an appeal, it shall give notice thereof to the CHIEF EXECUTIVE within the time for the lodging of a written reply to the Notice of Appeal in terms of RULE 85.11.
- 85.22 The APPEAL BOARD shall not be obliged to provide any PERSON with any proof of their authority to act in relation to any appeal.
- 85.23 Notwithstanding anything to the contrary in the RULES, the APPEAL BOARD may, in its sole discretion postpone or adjourn any appeal for such periods as it deems fit.
- 85.24 Prior to any appeal being set down for hearing, the CHIEF EXECUTIVE may, after a hearing, in his sole discretion, direct any PERSON or PERSONS to provide security for costs and expenses which may be incurred by the NATIONAL HORSERACING AUTHORITY in connection with such appeal and/or to provide security for the payment of any fine imposed by an INQUIRY BOARD. The amount determined and the form of, and the time within which such security is to be provided shall be final and binding on the PERSON or PERSONS concerned. The failure of any PERSON to comply with the CHIEF EXECUTIVE'S direction under this RULE shall result in the appeal lapsing.
- 85.25 The provisions of RULES 85.3 to 85.24 shall apply, mutatis mutandis, to appeals from any decisions of a LICENSING BOARD.

## **REVIEWS**

### **86. REVIEWS**

- 86.1 The INQUIRY REVIEW BOARD shall review:-
- 86.1.1 every finding, decision or penalty which is imposed by an INQUIRY BOARD constituted and appointed in terms of CLAUSE 18.3.3 and where, although entitled to do so, the PERSON affected has elected not to lodge an appeal, except:
- 86.1.1.1 a suspension from acting or riding for the remainder of a day;
- 86.1.1.2 a fine imposed in terms of RULE 96.1;
- 86.1.1.3 a suspension imposed in terms of RULE 96.2;
- 86.1.1.4 any penalty, decision or finding of any INQUIRY BOARD constituted and appointed in terms of CLAUSE 18.3.3 where the PERSON concerned has been legally represented at the INQUIRY PROCEEDINGS as provided for in RULE 84.2.1;  
save where an appeal to an APPEAL BOARD may be or has been lodged and such appeal has not subsequently lapsed.
- 86.1.2 every forfeiture or penalty which is imposed by an OBJECTION BOARD under RULE 67.7.3.
- 86.2 The INQUIRY REVIEW BOARD, when acting in terms of RULE 86.1, may confirm, vary or set aside any finding, decision or penalty provided that no finding, decision or penalty may be varied in a manner which has the effect of increasing the penalty or prejudicing the PERSON concerned. However should the INQUIRY REVIEW BOARD find that there has been a gross irregularity or illegality in such proceedings or that the finding, decision or penalty of an INQUIRY BOARD was clearly wrong, it shall have the power to set aside the decision of such INQUIRY BOARD and remit the matter for a hearing de novo.
- 86.3 Notwithstanding anything to the contrary contained in these RULES, the NATIONAL BOARD may review any matter in accordance with its powers in terms of CLAUSE 16.2.9.

### **87. INQUIRY REVIEW BOARDS**

- 87.1 All INQUIRY REVIEW BOARDS shall be constituted and appointed as set out in the CONSTITUTION and all decisions, penalties, rulings, determinations or findings of an INQUIRY REVIEW BOARD shall be final and binding on the PERSON or PERSONS concerned.
- 87.2 Should the number of members of an INQUIRY REVIEW BOARD fall below the quorum stipulated in the CONSTITUTION then the proceedings before that board shall be a nullity and another INQUIRY REVIEW BOARD may be constituted to consider the review de novo.
- 87.3 Save where otherwise provided in the CONSTITUTION or RULES, an INQUIRY REVIEW BOARD, when reviewing a matter, shall adopt such procedures as it, in its sole discretion, may determine.

### **88. COSTS AND INDEMNITY**

- 88.1 The NATIONAL HORSERACING AUTHORITY shall not be liable for any expenses incurred by any PERSON arising out of and/or relating to an INQUIRY, appeal, OBJECTION or review.
- 88.2 Every applicant who applies for a RIDER'S licence shall be deemed to accept all the conditions or restrictions imposed by or under these RULES and shall not be entitled to take any legal action against the NATIONAL HORSERACING AUTHORITY arising out of or in connection with or as a consequence of a sample of his blood, breath or urine, having been obtained from him by or under the supervision of the RACE COURSE medical officer, a registered medical nurse or authorised LICENSED OFFICIAL.

**89. WARNINGS-OFF**

- 89.1 In the event of a PERSON or individual being warned off by any SPECIFIED RACING AUTHORITY, any PRIVILEGE held by him, as also the REGISTRATION of any lease or partnership in his name, shall be automatically cancelled.
- 89.2 Anybody who is warned-off shall not be permitted:-
- 89.2.1 to attend a RACE MEETING;
  - 89.2.2 at any time or in any circumstances or for any reason whatsoever, to enter or remain on RACE COURSES, training tracks, stables, exercise yards, stands, offices, car parks, or any other property including any residences or living quarters owned, leased or otherwise occupied or used by the NATIONAL HORSERACING AUTHORITY or a RACING OPERATOR or a TRAINER, or JOCKEY, or on any part of such property occupied or used by any other PERSON. This RULE shall not prevent such warned off PERSON from entering or remaining on any such property which constitutes a residence normally occupied by a SPOUSE or relative of such warned off PERSON or individual;
  - 89.2.3 to enter a HORSE for a RACE whether acting as an agent or otherwise;
  - 89.2.4 to own or part own or be the lessor of or have any interest, directly or indirectly, in a HORSE used for racing or breeding purposes except that, where a PERSON is the lessor of a HORSE, existing leases in respect of such a HORSE shall not be cancelled;
  - 89.2.5 to have, directly or indirectly, under his care, training, management or supervision, a HORSE used for racing or breeding purposes;
  - 89.2.6 to enter or remain in any premises used for betting purposes by any licensed bookmaker or totalisator agency board or any premises used by any RACING OPERATOR as off-course totalisator offices.

## DISQUALIFICATION OF PERSONS, PROHIBITIONS AND DURATION

### 90. DISQUALIFICATION

- 90.1 In the event of any PERSON being disqualified, any PRIVILEGE held by him and the REGISTRATION of any leases or partnerships in his name shall be automatically cancelled.
- 90.2 Anybody who has been disqualified shall not be permitted:-
- 90.2.1 to enter a HORSE for a RACE whether acting as an agent or otherwise;
- 90.2.2 to own or part own or be the lessor of, or have any interest, directly or indirectly, in a HORSE used for racing or breeding purposes except that, where a PERSON is the lessor of a HORSE, existing leases in respect of such a HORSE shall not be cancelled;
- 90.2.3 to have directly or indirectly under his care, training, management or supervision, any HORSE used for racing purposes.
- 90.3 Any disqualification imposed on any PERSON in terms of the RULES shall endure indefinitely or for such other period as may be determined by the INQUIRY BOARD or APPEAL BOARD imposing the disqualification, as the case may be.



## **SUSPENSION OF PERSONS**

### **91. SUSPENSION OF PERSONS**

91.1 Any PERSON who:

- 91.1.1 has been suspended in terms of the RULES shall be prohibited from participating in horse racing to the extent determined by the INQUIRY BOARD imposing the suspension and for such period as may be prescribed in the suspension order; or
- 91.1.2 has been suspended by any SPECIFIED RACING AUTHORITY, shall be prohibited from participating in horse racing in SOUTHERN AFRICA to the extent determined by the racing authority imposing the suspension and for such period as may be prescribed in the suspension order.

### **91.2 INTERIM SUSPENSION**

Pending the determination of any INQUIRY or of any appeal arising from any INQUIRY in terms of the RULES, the NATIONAL BOARD may impose such interim suspension or suspensions on any PERSON or in respect of any HORSE as they in their sole discretion deem fit.

### **91.3 EFFECTIVE DATE OF SUSPENSIONS**

Save for a suspension from acting or riding for the remainder of a day, subject to the proviso contained in RULE 81.2, a suspension of a PERSON shall be effective from the day following the day on which the PERSON concerned is advised of the suspension, save in the case of a RIDER, who is suspended in terms of RULE 91.1.1 and RULE 96.2.

91.4 A suspension in terms of:

- 91.4.1 RULE 91.1.1 shall commence on the day following the RIDER'S last engagement as published in the RACE CARD covering that engagement and no later;
- 91.4.2 RULE 96.2 shall commence immediately on the day on which the RIDER concerned is advised of the suspension, unless the RIDER has carded rides in which event the suspension shall only be effective from the day following the RIDER'S last engagement as published in the RACE CARD covering engagements;

[Amended 01.12.2015]

91.5 Should a RACE MEETING for which a RIDER has been engaged, be postponed for whatever reason and that postponement falls within the time period during which a RIDER is suspended, the RIDER will be required to ride in that postponed RACE MEETING.

## **DISQUALIFICATION OF HORSES**

### **92. DISQUALIFICATION OF HORSES**

When a HORSE is disqualified in terms of the RULES, the provisions of RULE 67.7.8 regarding monies and prizes shall apply, mutatis mutandis.

### **93. SUSPENSION OF HORSES**

#### **93.1 PROHIBITION**

Any HORSE may be suspended by the STEWARDS or an INQUIRY BOARD on such terms and for such period as they may determine, provided that a HORSE shall not be suspended because of disease, infirmity, unsoundness or unfitness except on the report of a veterinary surgeon. Any such suspension shall be immediately effective, notwithstanding the provisions of RULE 81.2. Without in any way limiting the terms of any suspension order which may be imposed on any HORSE, a suspension order may, in the discretion of the STEWARDS or any INQUIRY BOARD, include a suspension from:-

- 93.1.1 being run in a RACE;
- 93.1.2 being trained on RACE COURSE PROPERTY;
- 93.1.3 being trained with other HORSES qualified to run under the RULES;
- 93.1.4 being trained at any public training area.

#### **93.2 GROUNDS AND CIRCUMSTANCES**

A HORSE may, in addition to any other circumstances prescribed in the RULES, be suspended if:-

- 93.2.1 it has participated in any way at any unauthorised race meeting;
- 93.2.2 it has been the subject of an INQUIRY or involved in an offence in terms of the RULES;
- 93.2.3 it is trained, managed or supervised, directly or indirectly, by anybody who has been warned off, disqualified or whose name appears on the DEFAULTERS' LIST. Such suspension shall endure until the OWNER of the HORSE has made alternative arrangements for the training of the HORSE to the satisfaction of the Chief Stipendiary Steward of the SB of the RACING DISTRICT in which the HORSE is trained, managed or supervised;
- 93.2.4 it is intractable or unruly on a RACE COURSE prior to or at the start of a RACE or if it refuses to load on transport for purposes of being transported to a RACE MEETING;
- 93.2.5 the STEWARDS are of the opinion that it is a source of danger or interference to other HORSES or to PERSONS or individuals taking part in any RACE or to PERSONS or individuals present at the RACE MEETING;
- 93.2.6 it is found to be an inconsistent runner, unfit, unsound, infirm or suffering from any disease.

#### **93.3 EFFECT OF SUSPENSION ON ENTRIES**

A suspension imposed on a HORSE from running in any RACE for any period, shall, save where expressly provided to the contrary, not preclude such HORSE from being entered for a RACE to be run after the period of the suspension.

**94. REMISSION****94.1 REQUEST FOR REMISSION**

Notwithstanding the provision of any other RULE, anybody who has been warned off or disqualified or any PERSON who has been suspended may in WRITING request the NATIONAL BOARD to remit, in whole or in part, such warning off, disqualification or suspension. The NATIONAL BOARD may consider any such application and may, in its sole discretion, decide thereon. In the event that a request is refused, no further request shall be considered by the NATIONAL BOARD until expiry of a period determined by the NATIONAL BOARD.

**94.2 APPLICATION FOR PRIVILEGES**

Notwithstanding anything to the contrary in the RULES, nobody who has been warned-off or disqualified and no PERSON who has been suspended may apply for any PRIVILEGE while such warning-off, disqualification or suspension remains operative.

**94.3 HORSES**

94.3.1 The OWNER of a HORSE which has been suspended may, in WRITING, request the CHIEF EXECUTIVE to remit, in whole or in part, such suspension; provided that no such request shall be considered until 90 DAYS after the imposition of the suspension concerned, or such shorter period as the CHIEF EXECUTIVE in his sole discretion may determine.

94.3.2 The OWNER may, in WRITING request the NATIONAL BOARD to review such decision.

## FINES

### 95. FINES AND FORFEITED DEPOSITS

- 95.1 All fines imposed in terms of the RULES shall be paid to any office of the NATIONAL HORSERACING AUTHORITY.
- 95.2 Should any fine remain unpaid 30 DAYS after being confirmed by the INQUIRY REVIEW BOARD or after being imposed where confirmation by the INQUIRY REVIEW BOARD is not required, the Chief Stipendiary Steward of the SB for the RACING DISTRICT concerned shall report that fact to the CHIEF EXECUTIVE.
- 95.3 Any PERSON reported in terms of RULE 95.2 for non-payment of a fine shall be liable to have his name placed on the DEFAULTERS' LIST.
- 95.4 DELETED [11.07.2016]

### 96. ADMISSION OF GUILT

- 96.1 In respect of a written admission of guilt of a contravention of any of the undermentioned RULES, the SB or any INQUIRY BOARD may impose a fine not exceeding R15000:-  
 8.3.1, 9.2, 9.4.1, 10.5.2, 10.5.4, 10.5.5, 10.5.6.1, 10.5.6.2, 10.5.6.3, 10.5.8, 10.5.9, 10.5.10, 10.5.11, 10.5.12, 10.5.16.1, 10.5.17.3, 11.2.2.1, 11.2.2.2, 11.2.2.3, 11.2.6, 11.3, 17.1, 17.4, 19.8, 21.6, 21.7, 21.13, 25.3, 25.12, 26.1, 34.1, 38, 39, 41.1, 41.8, 41.9, 49.1, 49.2, 49.4, 49.5, , 50.1.1, 50.1.2, 50.1.3, 50.2, 50.3.1, 50.3.3, 50.5, 50.7, 52.2, 52.4, 53.2, 53.4, 53.6, 53.10, 54.14, 55.1, 55.4, 56.1, 56.2, 56.3.2, 56.3.4, 56.4, 57.1, 57.2, 57.4, 57.5.1, 57.5.2, 58.2, 58.6.1, 58.6.2, 58.6.3, 58.6.4, 58.6.5, 58.7.1, 58.7.2, 58.7.3, 58.7.4, 58.8.2.1, 58.8.2.2, 58.8.4, 58.8.5.1, 58.8.5.2, 58.8.5.3, 58.8.5.4, 58.9.1, 58.9.2, 58.9.3, 58.9.4, 58.10.1, 58.10.2, 58.10.3, 58.11, 59.1, 59.2, 59.3, 59.5, 59.7, 61.1.1, 61.1.2, 61.1.5, 61.3.2, 61.3.3, 61.3.4, 61.3.6, 61.5.17, 62.1, 62.2.1, 62.2.2, 62.2.3, 62.2.4, 62.2.5, 62.2.6, 62.2.7, 62.2.8, 62.2.9, 62.2.10, 66.1, 70.1, 70.2, 72.1.40.  
 [Amended 24.10.2016]
- 96.2 In respect of a written admission of guilt for a contravention of RULES 58.10.2, 62.1 or 62.2 or any of its sub-RULES, the SB or any INQUIRY BOARD may impose a suspension on a RIDER from either riding in, or from attending and riding in RACE MEETINGS for not longer than 14 DAYS.
- 96.3 No PERSON who makes a written admission of guilt in terms of RULE 96.1 or 96.2 which is accepted by the SB or an INQUIRY BOARD, may appeal against any fine or suspension which may be imposed.
- 96.4 A fine imposed in terms of RULE 96.1 shall be effective as from the date on which it is imposed.

## DEFAULTERS

### 97. THE DEFAULTERS' LIST

- 97.1 The CHIEF EXECUTIVE shall keep and maintain the DEFAULTERS' LIST which list shall record the names of PERSONS who have been declared as DEFAULTERS and the date from which such declaration took effect.
- 97.2 Any PERSON notifying the CHIEF EXECUTIVE of an arrear or default as defined in RULE 97.4 shall:
- 97.2.1 substantiate the arrear or default to the satisfaction of the CHIEF EXECUTIVE, and
- 97.2.2 in the case of any arrear or default in terms of RULE 97.4.3 tender the prescribed fee together with the copy of the judgment.
- 97.3 The CHIEF EXECUTIVE shall give notice to any PERSON who is alleged to be a DEFAULTER and shall request him to make representations, in WRITING within 10 DAYS, as to why he should not be declared a DEFAULTER. After consideration of such representations, if any, the CHIEF EXECUTIVE shall have the power to and shall determine in his discretion:-
- 97.3.1 whether or not any unpaid sums notified to him constitute or do not constitute arrears and defaults;
- 97.3.2 whether or not any arrears or defaults warrant that he declare the person he determines is responsible for such arrears or defaults to be a DEFAULTER; and if so
- 97.3.3 the date with effect from which the name of the PERSON, whom he has declared to be a DEFAULTER, shall be placed on the DEFAULTERS' LIST.
- 97.4 Arrears and defaults shall mean any monies, supported by documentary evidence and reported to the CHIEF EXECUTIVE and accepted by him as unpaid by anybody in respect of:-
- 97.4.1 any monies due to the NATIONAL HORSERACING AUTHORITY;
- 97.4.2 any monies due to a RACING OPERATOR or associated body;
- 97.4.3 judgments in respect of racing related debts;

### 97.5 DISABILITIES ATTACHING TO THE INCLUSION OF A NAME ON THE DEFAULTERS' LIST

- 97.5.1 A RACING OPERATOR whose name is on the DEFAULTERS' LIST shall not hold any RACE MEETING.
- 97.5.2 A PERSON whose name is entered on the DEFAULTERS' LIST or a like list maintained by any SPECIFIED RACING AUTHORITY shall not:-
- 97.5.2.1 be present at any RACE MEETING;
- 97.5.2.2 be present at any racing or training stable, training track or RACE COURSE where HORSES are trained for a RACE;
- 97.5.2.3 enter any HORSE for any RACE whether acting as an agent or otherwise;
- 97.5.2.4 own or part own or have any interest, directly or indirectly, in any HORSE which is entered for or runs in any RACE except that if he is the lessor of a HORSE, the lease shall not be cancelled;
- 97.5.2.5 have, directly or indirectly, under his care, training, management or supervision, any HORSE used for the purpose of racing;
- 97.5.2.6 be granted any PRIVILEGE or REGISTRATION under the RULES;
- 97.5.2.7 be present in any premises used for betting purposes by any licensed bookmaker or Totalisator Operator ;
- 97.5.2.8 be allowed to request a remission in terms of RULE 94.1

The provisions of RULE 97.5.2.2 shall not prevent anybody whose name is on the DEFAULTERS' LIST from entering or remaining on such property for purposes of his trade or profession (provided that such trade or profession is not one which would require a PRIVILEGE, licence or REGISTRATION) or from entering or remaining on any such property which constitutes a residence normally occupied by a SPOUSE or relative of such individual or PERSON.

- 97.6 In the event of the name of any PERSON being entered on the DEFAULTERS' LIST or a like list maintained by any SPECIFIED RACING AUTHORITY, any PRIVILEGE held by him and also the REGISTRATION of any lease (if he is the lessee) or partnership in his name, shall be automatically cancelled.
- 97.7 Should the CHIEF EXECUTIVE, in his sole discretion, deem that an arrear and default, as provided for in RULE 97.4. does not warrant placing the person's name on the DEFAULTERS' LIST but that a lesser sanction should be imposed, he may request the National Racing Bureau to block the nomination, acceptance or declaration of any HORSE owned and/or trained by the person concerned, or in the case of a JOCKEY, the participation in RACES, until the monies due have been paid in full.

## **97.8 DELETIONS**

- 97.8.1 An application for the deletion of a DEFAULTER'S name from the DEFAULTERS' LIST shall be made in WRITING to the CHIEF EXECUTIVE and shall include satisfactory proof that the arrears or default has been settled in full.
- 97.8.2 The name of an individual or PERSON or of a RACING OPERATOR shall not be deleted from the DEFAULTERS' LIST until the arrears or defaults have been settled in full.
- 97.8.3 A deletion from the DEFAULTERS' LIST shall be effected by the CHIEF EXECUTIVE, in his sole discretion, upon compliance with RULE 97.8.1. A DEFAULTER whose name is removed from the DEFAULTERS' LIST may re-apply for any PRIVILEGE or REGISTRATION which has been cancelled after a period of at least 180 DAYS has elapsed from the date on which the default has been settled. The NATIONAL BOARD may, on good cause shown, in its sole discretion, reduce the 180 DAY period after which a DEFAULTER may re-apply for any PRIVILEGE or REGISTRATION which has been cancelled.

## THE TRAINERS' AND RIDERS' BENEVOLENT FUND

### 98. THE TRAINERS' AND RIDERS' BENEVOLENT FUND

- 98.1 The NATIONAL HORSERACING AUTHORITY shall establish a separate account in its books named "The National Horseracing Authority of Southern Africa Trainers' and Riders' Benevolent Account" ("the Account").
- 98.2 The Account shall be managed by the CHIEF EXECUTIVE and he shall determine where money not immediately required by the Account, shall be invested.
- 98.3 The Account may be used for the benefit of TRAINERS and RIDERS and their widows, orphans or dependants who are in impoverished circumstances because of the sickness of or accident or misfortune to any TRAINER or RIDER.
- 98.4 The NATIONAL BOARD may in its entire discretion provide further amounts for the Account from The NATIONAL HORSERACING AUTHORITY'S general income.
- 98.5 Applications for payment from the Account shall be made in writing in the prescribed form. Applicants shall supply all information required by the CHIEF EXECUTIVE.
- 98.6 The CHIEF EXECUTIVE shall determine who shall receive any benefit and the amount to be paid to any beneficiary. No one shall, as a matter of right, be entitled to any payment from the Account, and the moneys in the Account shall at all times remain vested in and be the sole and exclusive property of the NATIONAL HORSERACING AUTHORITY.
- 98.7 No PERSON or individual who is and remains warned off, disqualified or suspended, or whose name is on the DEFAULTERS' LIST, or who has not been licensed again after having been warned off, disqualified or suspended or posted to the DEFAULTERS' LIST, shall be entitled to any payment from the Account.

## **FEES AND CHARGES**

### **99. FEES AND CHARGES GENERAL**

- 99.1 Fees and charges, as determined from time to time by the NATIONAL BOARD, and not otherwise specified in the RULES shall be published in the RACING CALENDAR. Fees and charges so published constitute due notice of all changes and no further notice shall be required.
- 99.2 Any amounts, payable in terms of the RULES by PERSONS resident in Zimbabwe will be those set out in the RULES, using a conversion rate determined by the NATIONAL BOARD and published in the RACING CALENDAR from time to time.
- 99.3 All monies payable by PERSONS resident in Zimbabwe may be paid to the local office of the NATIONAL HORSERACING AUTHORITY in Zimbabwe.

### **100. RACING OPERATORS**

- 100.1 Every RACING OPERATOR shall pay to the NATIONAL HORSERACING AUTHORITY an amount equal to its share of the annual costs of the NHA as set out in the NHA's budget as approved by the NATIONAL BOARD. The amount so payable by the RACING OPERATOR shall be payable in twelve monthly instalments and shall be paid by no later than the 26<sup>th</sup> day of every month.
- 100.2 Should a RACING OPERATOR object to the quantum of the annual costs to be paid to the NHA, it may make representation to the NATIONAL BOARD, which shall consider the objection and shall make a ruling thereon.
- 100.3 Should the RACING OPERATOR be dissatisfied with such ruling, the matter will be referred to an independent accountant, of not less than 20 years standing, for a final and binding decision on the matter. The independent accountant will be nominated by the NHA's auditors and he shall adopt such procedure and formalities for the determination of the matter as he in his sole discretion may decide.

### **101. TRAINERS/RIDERS**

A RACING OPERATOR shall facilitate to pay, on behalf of an OWNER of a HORSE, a minimum of 7% of the stakes won by that, HORSE to the TRAINER of the HORSE, and a minimum of 7% of the stakes won by that HORSE to the RIDER of the HORSE, which amounts shall be deducted from the stake money payable by the RACING OPERATOR.



## REPEAL AND CONTINUATION

### 102. REPEAL AND CONTINUATION

- 102.1 Subject to RULES 10.2.2 and 102.3, the rules which were in force on the date of promulgation of these RULES are repealed.
- 102.2 Any authority constituted or person appointed or power conferred or anything done in pursuance of any powers conferred by or by virtue of any prior rule shall be deemed to have been constituted, appointed, conferred or done in pursuance of powers conferred by or by virtue of the corresponding provisions of these RULES.
- 102.3 Any OBJECTION, INQUIRY, review, appeal or other proceeding commenced prior to the adoption of these RULES which may not have been concluded before the adoption of these RULES or which, having been so concluded is thereafter re-opened shall be continued in all respects as if these RULES had not been adopted. To that extent, the rules which were in force on the date of the adopting of these RULES shall continue to be of full force and effect.
- 102.4 The provisions of RULES 102.2 and 102.3 shall apply mutatis mutandis to any future amendments of the RULES.

**APPENDICES  
TO  
THE  
RULES**

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## Appendix A

## Amendments to the Rules

1.1.24(1)	22 Dec 2014	Part 1	114	22	101-104
1.1.53	22 Dec 2014	Part 1	114	22	101-104
1.1.61(a)	22 Dec 2014	Part 1	114	22	101-104
5.2	22 Dec 2014	Part 1	114	22	101-104
10.5.16.5	22 Dec 2014	Part 1	114	22	101-104
12	22 Dec 2014	Part 1	114	22	101-104
27	22 Dec 2014	Part 1	114	22	101-104
54.16	22 Dec 2014	Part 1	114	22	101-104
72	22 Dec 2014	Part 1	114	22	101-104
73.4	22 Dec 2014	Part 1	114	22	101-104
74	22 Dec 2014	Part 1	114	22	101-104
78	22 Dec 2014	Part 1	114	22	101-104
81.1	22 Dec 2014	Part 1	114	22	101-104
82.3	22 Dec 2014	Part 1	114	22	101-104
84.2.1	22 Dec 2014	Part 1	114	22	101-104
85.2.2	22 Dec 2014	Part 1	114	22	101-104
97	22 Dec 2014	Part 1	114	22	101-104
17.6	29 May 2015	Part 1	114	45	31
58.8.6.2	29 May 2015	Part 1	114	45	72
Appendix J	29 May 2015	Part 1	114	45	135
73.4.4.	30 July 2015	Part 1	115	11	85
74	10 Nov 2015	Part 1	115	17	85
23.1	01 Dec 2015	Part 1	115	18	30
Appendix H	01 Dec 2015	Part 1	115	18	121
27.1	01 Dec 2015	Part 1	115	18	32
53.5	01 Dec 2015	Part 1	115	18	56
56.4.1.1	01 Dec 2015	Part 1	115	18	61
58.14	01 Dec 2015	Part 1	115	18	65
58.15	01 Dec 2015	Part 1	115	18	65
61.6.12.3 Deleted	01 Dec 2015	Part 1	115	18	71
72.1.45	01 Dec 2015	Part 1	115	18	83
81.2.11	01 Dec 2015	Part 1	115	18	94
85.18.1	01 Dec 2015	Part 1	115	18	99
82.3.3	01 Dec 2015	Part 1	115	18	99
91.4.2	01 Dec 2015	Part 1	115	18	103
41.10	01.03.2016	Part 1	115	38	44
41.10.1	01.03.2016	Part 1	115	38	44
41.10.2	01.03.2016	Part 1	115	38	44
41.10.3	01.03.2016	Part 1	115	38	45
41.10.4	01.03.2016	Part 1	115	38	45

<b>Appendix A</b>					
<b>Amendments to the Rules</b>					
Rule No.	Effective Rule Date	Calendar	Volume No	Issue No	Page No
41.10.5	01.03.2016	Part 1	115	38	45
41.11	01.03.2016	Part 1	115	38	45
41.12	01.03.2016	Part 1	115	38	45
Appendix J	13.05.2016	Part 1	115	42	125
Appendix K	13.05.2016	Part 1	115	42	125
1.1.85	11.07.2016	Part 1	115	50	261
10.5.14	11.07.2016	Part 1	115	50	261
10.5.17	11.07.2016	Part 1	115	50	261
10.5.18	11.07.2016	Part 1	115	50	261
19.4	11.07.2016	Part 1	115	50	261
19.5	11.07.2016	Part 1	115	50	261
21.2	11.07.2016	Part 1	115	50	261
21.3	11.07.2016	Part 1	115	50	261
21.13	11.07.2016	Part 1	115	50	261
55.2	11.07.2016	Part 1	115	50	261
53.5	11.07.2016	Part 1	115	50	261
95.4	11.07.2016	Part 1	115	50	261
8.	24.10.2016	Part 1	116	14	16
10.5.17.3	24.10.2016	Part 1	116	14	24
19.9	24.10.2016	Part 1	116	14	28
21.11	24.10.2016	Part 1	116	14	30
38.1	24.10.2016	Part 1	116	14	41
39.6.2	24.10.2016	Part 1	116	14	42
62.2.3	24.10.2016	Part 1	116	14	73
68.2.16	24.10.2016	Part 1	116	14	79
72.1.43	24.10.2016	Part 1	116	14	84
73.4.1	24.10.2016	Part 1	116	14	86
73.5	24.10.2016	Part 1	116	14	86
96.1	24.10.2016	Part 1	116	14	107
Appendix J	24.10.2016	Part 1	116	14	125
Appendix M	24.10.2016	Part 1	116	14	131
Appendix N	24.10.2016	Part 1	116	14	132
10.5.16.4	02.05.2017	Part 1	116	38	23 & 24
10.5.16.5	02.05.2017	Part 1	116	38	24
	02.05.2017	Part 1	116	38	45
41.3.1 Deleted	02.05.2017	Part 1	116	38	45
41.3.2 Deleted	02.05.2017	Part 1	116	38	45
49.19	02.05.2017	Part 1	116	38	54
50.1.1	02.05.2017	Part 1	116	38	54
59.3	02.05.2017	Part 1	116	38	67
65.8	02.05.2017	Part 1	116	38	76
66.4	02.05.2017	Part 1	116	38	77
72.1.14	02.05.2017	Part 1	116	38	84
72.1.23	02.05.2017	Part 1	116	38	84



### THE WEIGHT FOR AGE SCALE

(Expressed as the number of kilos that it is deemed the average horse in each age group falls short of maturity at different dates and distances  
 (Born 1 August) - Fillies & Mares receive 2.5kg when racing with Males

Dist/m	Age	August	September	October	November	December	January	February	March	April	May	June	July
=<1200	2									10.5	9.5	8.5	7.5
	3	7.0	6.5	5.5	5.0	4.0	3.5	3.0	2.5	2.0	1.5	1.0	0.5
	4												
1201 TO 1400	2									12.0	11.0	10.0	9.0
	3	8.5	8.0	7.0	6.0	5.0	4.5	3.5	3.0	2.5	2.0	1.5	1.0
	4	0.5	0.5	0.5									
1401 TO 1600	2									12.5	11.5	10.5	9.5
	3	9.0	8.5	8.0	7.0	6.0	5.0	4.0	3.0	2.5	2.0	1.5	1.0
	4	0.5	0.5	0.5									
1601 TO 2000	2									13.5	12.5	11.5	10.5
	3	10.0	9.5	9.0	8.0	7.0	6.0	5.0	4.5	3.5	2.5	2.0	1.5
	4	1.0	1.0	1.0	0.5	0.5	0.5						
2001 TO 2400	2												
	3	10.5	10.0	9.5	8.5	8.0	7.0	6.0	5.0	4.5	3.5	3.0	2.0
	4	1.5	1.5	1.5	1.0	1.0	1.0	0.5	0.5	0.5			
2401 TO 3600	2												
	3	11.5	11.0	10.5	9.5	9.0	8.0	7.0	6.0	5.5	4.5	4.0	3.5
	4	2.0	2.0	2.0	1.5	1.5	1.5	1.0	1.0	1.0	0.5	0.5	0.5

**Appendix C****SPECIFIED RACING AUTHORITIES**

For the purposes of RULE 91.1.2 the racing authorities of the following countries are SPECIFIED RACING AUTHORITIES. Any PERSON who has been suspended by such Authority shall be prohibited from participating in horse racing in South Africa to the extent determined by the racing authority imposing the suspension and for such period as may be prescribed in the suspension order:

Argentina	Australia	Austria
Bahrain	Belgium	Brazil
Bulgaria	Canada	Cyprus
Czechoslovakia	Denmark	Dubai
France	Germany	Great Britain
Greece	Hong Kong	Hungary
India	Ireland	Israel
Italy	Jamaica	Lebanon
Macau	Malaysia	Mauritius
Mexico	Morocco	Netherlands
New Zealand	Norway	Pakistan
Poland	Romania	Senegal
Singapore	South Africa	Spain
Sweden	Switzerland	Tunisia
Turkey	United States of America	Uruguay
Venezuela	Yugoslavia	



**Appendix D****GUIDELINES FOR THE REPLACEMENT OF RIDERS**

The guidelines are to be read in conjunction with RULE 55.2 and are as follows:

1. Any JOCKEY (including a non-claiming APPRENTICE) may replace any JOCKEY.
2. Should there be no JOCKEY available an APPRENTICE will be allowed but a 1,5Kg claiming APPRENTICE will be allowed in preference to a 2,5Kg and 4,0Kg claiming APPRENTICE. APPRENTICES claiming 4,0Kg who have not completed their qualifying rides will not be allowed as a replacement for a JOCKEY.
3. Any APPRENTICE may replace any APPRENTICE except that a non-claiming APPRENTICE may not replace an APPRENTICE who has not completed his qualifying rides and vice versa.
4. If there is no APPRENTICE available then a JOCKEY may replace the APPRENTICE except in the case of 4,0Kg claiming APPRENTICE who is still doing qualifying rides.
5. The SB shall have the right to veto any change of RIDER after 08:30 on a raceday should they have a suspicion that there might be any malpractice involved. The decision of the SB, in this instance, shall be final.

### GUIDELINES ON THE USE OF THE CROP

The following guidelines are published in order to advise all RIDERS of the proper manner in which the crop should be used.

The NATIONAL BOARD of the NATIONAL HORSERACING AUTHORITY will not allow abuse of the HORSE and consider its welfare to be of utmost importance. The crop should be used for encouragement, guidance and correction. RIDERS are advised to regard the following as appropriate ways of using the crop but the list is not exhaustive:

1. Showing the HORSE the crop and giving it time to respond before hitting it.
2. Having used the crop, giving the HORSE an opportunity to respond.
3. Keeping both hands on the reins when using the crop down the shoulder in the backhand position.
4. Using the crop in rhythm with the HORSE'S stride and close to its side.
5. Showing the crop to keep the HORSE running straight.
6. Using the crop in the backhand position for a reminder.

The following are examples of crop use which may be regarded as unnecessary and/or excessive in terms of RULE 58.10.2:

- a) Hitting a HORSE to the extent of causing injury.
- b) Hitting a HORSE with the crop arm above shoulder height.
- c) Hitting a HORSE more than three times on consecutive strides.
- d) Hitting a HORSE with excessive force.
- e) Hitting a HORSE without giving it time to respond.
- f) Hitting a HORSE which is showing no response.
- g) Hitting a HORSE which is out of contention for a place.
- h) Hitting a HORSE which is clearly winning.
- i) Hitting a HORSE which is past the winning post.
- j) Hitting a HORSE whilst the jockey is dismounted.
- k) Hitting a HORSE out of its stride pattern.
- l) Hitting a HORSE on the flank.
- m) Hitting a HORSE with excessive frequency.
- n) Hitting a HORSE on any part of its head.

When considering cases of excessive frequency the STIPENDIARY STEWARDS will consider factors such as:

- whether the number of hits was reasonable and necessary over the distance they were given, taking into account the HORSE'S experience;
- whether the HORSE was continuing to respond and
- the degree of force that was used, the more times a HORSE has been hit the stricter will be the view taken over the degree of force which is reasonable.

It must be noted that the use of the crop may be considered to be proper or improper in circumstances which have not been listed above.

**Appendix F****GUIDELINES ON OVERWEIGHT**

In terms of RULE 59.5 no HORSE shall carry more than 0.5Kg over the weight allocated to it ("the allocated weight") unless such overweight has been declared at the time of final declarations and carried by the HORSE in the race concerned; or the SB, acting in terms of RULE 59.9 grants permission for a HORSE to carry more than the weight allocated to it ("the declared weight").

The following guidelines are published in order to advise all RIDERS and TRAINERS of the manner in which overweight and the declaration thereof will be dealt with:

1. JOCKEYS who are in excess of 0.5Kg over the declared weight shall be fined a minimum of R1000;
2. If the declared JOCKEY is within the limit of 0.5Kg over the allocated weight he will be allowed to ride unless the TRAINER wants a replacement RIDER who can draw the declared weight;
3. By implication where the engaged JOCKEY cannot make the limit of 0.5Kg over the allocated weight and there is no replacement RIDER available below that limit the HORSE will be scratched;
4. Similarly an APPRENTICE who cannot claim within 0.5Kg of his allowance shall be fined a minimum of R1000 as this is the equivalent of a JOCKEY being 0.5Kg overweight;
5. If the APPRENTICE cannot claim within 0.5Kg of his allowance a replacement RIDER will have to be found or the HORSE will be scratched; and
6. Should any TRAINER declare a JOCKEY to ride a HORSE without the consent of such JOCKEY and the JOCKEY is unable to weigh out within 0.5Kg of the declared weight, the TRAINER shall be fined a minimum of R1000.

(Amended 25.04.2014)

**Appendix G****CODE OF CONDUCT FOR TRAINERS IN DEALING WITH OWNERS (OR INTENDED OWNERS) AND IN RELATION TO HORSES UNDER THEIR CARE OR CONTROL**

The NATIONAL BOARD has issued this Code of Conduct for TRAINERS in relation to dealing with or on behalf of OWNERS or Intended OWNERS or the HORSES under their care or control. The Code is intended to set out some of the minimum standards the NATIONAL BOARD expect to prevail in these areas and to help avoid misunderstanding and resulting dissatisfaction. In particular, dissatisfaction can arise from commissions or other financial interests or benefits which may arise in consequence of the purchase or sale of HORSES. By setting out these minimum standards the Code of Conduct will also serve to safeguard the interests of TRAINERS.

1. When a TRAINER acting as vendor or part-vendor sells any HORSE to an OWNER or intended OWNER, he must disclose by means of an invoice the full percentage of his ownership in that HORSE and thereby the financial benefit derived by him from that transaction.
2. When a TRAINER acts as an agent or adviser for one of his existing OWNERS or intended OWNERS concerning the purchase or sale of a HORSE he must, give prior notice to the intended OWNER that he will benefit financially from any third party from such a transaction. Should the transaction take place, he is required to quantify any financial benefit that in fact arises.
3. When a TRAINER acts in any capacity as detailed in clauses 1 and 2 above he must not also act simultaneously for the vendor or purchaser as the case may be in any capacity related to such transaction without disclosing that fact beforehand to the OWNER or intended OWNER.
4. The TRAINER must regularly report on the general well-being of the HORSE and promptly inform the OWNER of any injury to the HORSE which is likely to require a prolonged period of box rest. The TRAINER must immediately notify the OWNER if one of his HORSES ceases to be under his direct charge to the degree it is the subject of a separate livery charge by a third party.
5. For the avoidance of doubt, this Code does not prevent TRAINERS from retaining benefits derived from purchases or sales but they are required to inform OWNERS of the true position as stipulated above.

**Note:**

- A. In all cases it is the responsibility of the OWNER on complaint of a breach of this Code of Conduct to provide to the NATIONAL HORSERACING AUTHORITY the evidence which the NATIONAL HORSERACING AUTHORITY considers is necessary to support an allegation of a breach of the Code.
- B. A Training Agreement shall not waive the requirements of this Code. Any other waiver or purported waiver will be treated as invalid for the purpose of determining whether a breach of this Code has taken place.
- C. TRAINERS are strongly advised to ensure that when Clause 2 above applies, the disclosure of any financial benefit that has arisen is evidenced in writing.
- D. In the case of a partnership or JURISTIC PERSON REGISTERED in terms of the RULES the duty to disclose or notify under this Code to an OWNER or intended OWNER will be fulfilled if the nominated representative of the partnership or JURISTIC PERSON is duly informed or notified.

**Appendix H****RIDERS' INSURANCES**

In terms of RULE 23.1, RIDERS shall maintain Life Assurance cover to at a minimum of R1 000 000. Disability cover should be maintained at 100% of Life Assurance cover.

[Amended 02.05.2017]

**Appendix I****EQUINE INFLUENZA VACCINATION PROGRAMME**

1. Acting in terms of Rule 39.7.1., the NATIONAL BOARD has issued the following directive in respect of the compulsory vaccination of HORSES:
  - 1.1 FOALS shall be given a primary course of vaccinations consisting of 2 vaccinations, administered between 4 and 6 weeks apart, both to be given after the age of 6 months but before 31 July of the year following its birth. Both vaccinations must be the same vaccine from the same manufacturer. Subsequent vaccinations must be given at intervals not exceeding 6 months.
  - 1.2 All HORSES on training or spelling establishments shall be vaccinated at intervals not exceeding 6 months.
  - 1.3 All registered stallions and mares standing on stud farms shall be vaccinated at intervals not exceeding 12 months.
  - 1.4 Notwithstanding 1. to 4. above, a licenced veterinarian in the employ of the NHA may, in his sole discretion, allow a 21 day extension of the 6 month interval as defined in 2. and 3. above.

### AFRICAN HORSE SICKNESS VACCINATION PROGRAMME

1. Acting in Terms of Rule 39.1.1., the NATIONAL BOARD has issued the following directive in respect of the compulsory vaccination of HORSES:
2. All HORSES, except those referred to in 7. below, and those resident in Zimbabwe and the area defined in 3. below, shall be vaccinated against African Horse Sickness by a Veterinarian, using a registered, non-expired, polyvalent horse sickness vaccine according to the manufacturers' recommendations :-
  - 2.1 two sets of vaccines as FOALS between the ages of 6 and 18 months, not less than 30 days apart and, where possible, between 1 June and 31 October, and thereafter.  
[Amended 24.10.2016]
  - 2.2 every year between 1 June and 31 October.
3. No HORSE resident in the magisterial districts of Cape Town, Vredenburg, Hopefield, Moorreesburg, Malmesbury, Wellington, Paarl, Stellenbosch, Kuilsrivier, Goodwood, Wynberg, Bellville, Simonstown, Somerset West, Mitchells Plain and Strand, shall be vaccinated against African Horse Sickness unless written permission of the Director of Animal Health of the Republic of South Africa has been obtained.
4. Any HORSE, except those referred to in 7. below, moving from the area described in 3. above, to the rest of the country between 1 November and 31 May, which has not been vaccinated in terms of 2.2 above, shall be vaccinated as instructed in writing by a Veterinarian employed by the NATIONAL HORSERACING AUTHORITY.  
[Amended 24.10.2016]
5. HORSES resident in Zimbabwe shall be vaccinated against African Horse Sickness by a PERSON or a Veterinarian using a non-expired, registered, polyvalent horse sickness vaccine according to the schedule prescribed in 2.1 and 2.2 above.
6. All HORSES and FOALS resident in the magisterial districts of Clanwilliam, Piketberg, Ceres, Tulbach, Worcester, Caledon, Hermanus, Bredasdorp, Robertson, Montagu and Swellendam shall only be vaccinated between 1 June and 31 October.
7. All registered stallions and mares, standing on stud farms, except those referred to in 3. above, shall be vaccinated against African Horse Sickness by a Veterinarian, using a registered, non-expired, polyvalent horse sickness vaccine according to the manufacturers' recommendations, at least once every calendar year and where possible, between 1 June and 31 October.  
[Amended 12.05.2016]

## MOVEMENT CONTROL

### 1 REGIONALIZATION

To facilitate the export of HORSES from South Africa to the European Union, the Republic has been divided into four regions, namely:

#### 1.1 The Free Area.

The metropolitan area of Cape Town, contained within the following boundaries

North boundary.

Blaauwberg Road (M14)

East boundary

Koeberg Road (M14), Platteklouf Road (M14), Highway N7, Highway N1 and Highway M5.

South boundary.

Ottery Road, Prince George's Drive, Wetton Road, Riverstone Road, Tennant Road, Newlands Drive, Paradise Road, Union Drive up to Newlands Forestry Station and across Echo Gorge of Table Mountain to Camps Bay.

West boundary.

Coast line from Camps Bay to Blaauwberg Road.

#### 1.2 The Surveillance Zone.

The magisterial districts of Cape Town, Vredenburg, Hopefield, Mooresburg, Malmesbury, Wellington, Paarl, Stellenbosch, Kuilsrivier, Goodwood, Wynberg, Simonstown, Somerset West, Mitchell's Plain and Strand and is defined by the Berg Rivier to the north, the Hottentots Holland Mountains to the east and the coast to the south and west.

#### 1.3 The Protection Zone.

The magisterial districts of Clanwilliam, Piketberg, Ceres, Tulbagh, Worcester, Caledon, Hermanus, Bredasdorp, Robertson, Montagu, and Swellendam.

#### 1.4 The Infected Zone.

All parts of the Republic that are not included in any of the abovementioned areas.

### 2 GENERAL

1.1 All holdings within the Free Area must be registered with the State Veterinarian of the area.

2.2 All HORSES resident within the Free Area must be identified and records kept regarding the movement, health and vaccination history of the animal.



### 3 MOVEMENT CONTROL

#### 3.1 The movement of any HORSE

- 3.1.1 From the Infected Zone into the Protection Zone, or into the Surveillance Zone or into the Free Area, or
- 3.1.2 From the Protection Zone into the Surveillance Zone or into the Free Area, or
- 3.1.3 From the Surveillance Zone into the Free Area.

is prohibited except where a license has been granted in terms of 4 below or under the following conditions;

- 3.2.1 The HORSE must be identified by a PASSPORT and the details of all vaccinations against African Horse Sickness must be entered in the PASSPORT.
- 3.2.2 The appropriate column in the PASSPORT must be signed by an official veterinarian at the place from which the HORSE originates. The signature must certify that:
  - 3.2.2.1 the HORSE was clinically examined within 48 hours of departure and showed no clinical signs of disease, and
  - 3.2.2.2 as far as can be ascertained, the HORSE has, for the past 15 days, not been in contact with other equidae (horses, zebra, donkeys or mules) suffering from an infectious or contagious disease, and
  - 3.2.2.3 the HORSE does not originate from an area where veterinary restriction pertaining to diseases communicable to equidae are in force and does not come from a holding under veterinary restrictions, and
  - 3.2.2.4 the HORSE does not come from a holding where there has been a case of African Horse Sickness during the past 40 days, and
  - 3.2.2.5 In the case where the HORSE is moving into the Free Area from any area other than the Surveillance Zone, it was vaccinated against African horsesickness by a veterinarian using a registered polyvalent African Horse Sickness vaccine as prescribed by the vaccine manufacturer not less than 40 days, and not more than 24 months prior to entering the Free Area.
- 3.3 The movement of the HORSE must be pre-notified by the official veterinarian issuing the abovementioned certificate to the official veterinarian in the district of destination.

[Amended 13.05.2016]

#### 4 LICENCES FOR TEMPORARY ADMISSION FROM THE SURVEILLANCE ZONE TO THE FREE AREA AND FROM THE FREE AREA INTO THE SURVEILLANCE ZONE.

An application for a licence to admit a HORSE from a registered holding in the Surveillance Zone into the Free Area or from the Free Area into the Surveillance Zone, may be made to the State Veterinary Authority of the Republic of South Africa provided that the conditions 4.1 - 4.7 below are met.

- 4.1 The PASSPORT must accompany the HORSE at all times, particularly whilst it is in transit.
- 4.2 Details of all vaccinations against African Horse Sickness must be entered in the PASSPORT.
- 4.3 The HORSE does not originate, or return, from an area where veterinary restrictions pertaining to diseases communicable to equidae are in force.
- 4.4 The holding in the Surveillance Zone from which the HORSE originates or to which it visits, is included in the monitoring programme carried out in the Free Area.
- 4.5 When moving from the Surveillance Zone to the Free Area, the HORSE is only admitted into the Free Area from 2 hours after sunrise until 2 hours before sunset on the same day.
- 4.6 When moving from the Free Area to the Surveillance Zone, the HORSE is only admitted into the Surveillance Zone from 2 hours after sunrise until 2 hours before sunset on the same day.
- 4.7 The licence must be fixed into the HORSE'S PASSPORT.

## **STUD HEALTH SCHEME**

In terms of RULE 33. every mare OWNER and every stallion OWNER shall comply with the requirements of the Stud Health Scheme as published in the RACING CALENDAR from time to time. Failure to comply with the Stud Health Scheme constitutes a serious veterinary health risk and may result in the cancellation of the REGISTRATION of the breeder concerned.

### **1. DOURINE**

All maiden mares and barren mares, as defined in 2 below, shall be tested for dourine prior to being subsequently covered. All REGISTERED stallions shall be tested for dourine annually prior to the first covering of the season.

### **2. BARREN MARES**

All barren mares, as defined below, shall be examined for breeding soundness by a veterinarian prior to such mare being covered again. The mare OWNER shall ensure that a certificate for breeding soundness for barren mares is completed at the time of the veterinary examination.

One copy of the abovementioned certificate shall be retained by the mare OWNER or the studmaster, one copy thereof shall be given to the OWNER or the studmaster of the stallion which subsequently covers the mare and one copy thereof shall be given to the veterinary surgeon who performed the examination for breeding soundness.

Barren mares include mares:

- 2.1 which did not conceive in the previous season;
- 2.2 which aborted;
- 2.3 which produced a stillborn foal;
- 2.4 whose foal died within seven days of birth;

### **3. MARES WHICH ARE NOT BARREN**

All mares which are not barren but which are suspected to be suffering from a genital infection, or which at any time during the previous calendar year, have been in contact with a stallion known to have been venereally infected at the time of such contact, shall be examined for breeding soundness by a veterinary surgeon. The mare OWNER shall ensure that a certificate for breeding soundness is completed at the time of the veterinary examination.

One copy of the abovementioned certificate shall be retained by the mare OWNER or the studmaster, one copy thereof shall be given to the OWNER or the studmaster of the stallion which subsequently covers the mare and one copy thereof shall be given to the veterinary surgeon who performed the examination for breeding soundness.

Mares which are not barren but are suspected to be suffering from a genital infection include:

- 3.1 foaling mares showing evidence of a genital infection;
- 3.2 foaling mares which have retained the placenta;
- 3.3 mares which are in foal and are suspected of harbouring a genital infection.

### **4. VENEREAL CONDITIONS**

Should an organism known to cause a venereal condition in the horse be cultured from a sample taken from a mare, such mare shall not be covered until a veterinary surgeon has certified that it is safe to do so. Organisms known to cause venereal conditions shall, inter alia, include *Taylorella equigenitalis* (CEM), *Pseudomonas aeruginosa* and all *Klebsiella* species.

[Amended 02.05.2017]

## 5. **CONTAGIOUS EQUINE METRITIS (CEM)**

- 5.1 All registered stallions shall be tested for CEM annually prior to the first covering of the season;  
[Amended 02.05.2017]
- 5.2 A certificate confirming the results of the CEM test shall be provided to the NHA annually; and  
[Amended 02.05.2017]
- 5.3 Should any mare having CEM be covered, the mare, the stallion which covered the mare and any mare subsequently covered by the stallion may be destroyed by the Directorate of Animal Health, provided that the sample taken from the mare was cultured by a registered microbiology laboratory.  
[Amended 02.05.2017]

**Appendix M****FORBIDDEN SUBSTANCES AND AGENTS LIST**

The following forbidden substances, including other substances with a similar chemical structure or similar biological effect(s), are not to be administered to a horse at any time:

1. Non-approved substances

Any substance not addressed by any of the subsequent classes of substances, and which has no current approval by any government regulatory authority for veterinary use, or any substance not universally recognised by veterinary regulatory authorities as valid veterinary therapeutic treatment.

2. Anabolic agents

- (a) anabolic androgenic steroids,
- (b) other anabolic agents, including but not limited to selective androgen receptor modulators (SARMs),
- (c) beta-2 agonists, unless the substance is prescribed by a veterinarian as a bronchodilator at the appropriate dose and is reflected in the treatment record of the horse.

3. Peptide hormones, growth factors and related substances.

- (a) erythropoiesis-stimulating agents, including but not limited to erythropoietin (EPO), epoetin alfa, epoetin beta, darbepoetin alfa, and methoxy polyethylene glycol-epoetin beta, peginesatide, hypoxia inducible factor (HIF)-1 stabilisers,
- (b) growth hormones and growth hormone releasing factors, insulin-like growth factor-1 (IGF-1), and other growth factors,
- (c) synthetic proteins and peptides and synthetic analogues of endogenous proteins and peptides not registered for medical or veterinary use.

4. Hormones and metabolic modulators.

- (a) aromatase inhibitors,
- (b) selective estrogen receptor modulators (SERMS) and other anti-estrogenic substances,
- (c) agents modifying myostatin function, including but not limited to myostatin inhibitors,
- (d) insulins(e) peroxisome proliferator activated receptor  $\delta$  (PPAR $\delta$ ) agonists, including but not limited to GW 1516,
- (f) AMPK activators, including but not limited to AICAR (5-aminoimidazole-4-carboxamide-1- $\beta$ -D-ribofuranoside).

5. Human Recreational Drugs of Abuse and Ethanol.

6. Snake venom or other venoms.

7. Any oxygen carriers.

8. Any agent that directly or indirectly affects or manipulates gene expression.

**Appendix N****EXEMPTED SUBSTANCES LIST**

1. Antibiotics / Antimicrobials (with the exception of procaine penicillin).
2. Anti-parasitic medication approved and registered for use in horses.
3. Anti-viral medication approved and registered for use in horses.
4. Anti-fungal medication approved and registered for use in horses.
5. Anti-ulcer medication approved and registered for use in horses.
6. Registered vaccines against infectious agents in horses.
7. Glucosamine and chondroitin sulphate.
8. Locally registered oestrus suppressant medications in the female horse.

The above medications must be used accordingly to manufacturer and/or supplier recommendations.

[Amended 24.10.2016]

**Appendix O****AUTHORISED RACE DAY SUBSTANCES**

1. Ammonium Chloride Salts;
2. Vitamin B1;
3. Calcium; and
4. Homeopathic preparations used in the prevention of Exercise Induced Pulmonary Haemorrhage.

[Amended 02.05.2017]