

[1941]



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 57]

PERTH: MONDAY, 30th JULY

[1962

WESTERN AUSTRALIAN TROTTING
ASSOCIATION.

RULES OF TROTTING

*Made and adopted by the Committee
of
The Western Australian Trotting Association.*

TO COME INTO OPERATION ON THE 1st DAY OF
AUGUST, 1962.

The Rules printed in italics with the letters "L.R." appearing in the last line and also those specifically so designated in the back portion of the book with the prefix "W" before the numbers are the Local Rules of the Western Australian Trotting Association.

Other Rules apply for the time being in the States of Western Australia, New South Wales and Queensland and are later to be considered for adoption in South Australia and Victoria. All Rules appearing in this book shall be read, interpreted and construed together and as so combined shall be and be known as "The Rules of Trotting of the Western Australian Trotting Association."

RULES OF TROTTING.

Made and adopted by the Committee of the Western
Australian Trotting Association.

To come into operation on the 1st day of August, 1962.

Part I.

INTERPRETATION.

1. In the interpretation of these Rules and of any programme of a trotting meeting held thereunder, the marginal notes thereto and punctuation marks shall not be deemed to be a part of the said Rules and shall not affect their construction and the following words in inverted commas shall, unless the context otherwise indicate or require, have or include the several meanings set against them respectively, that is to say:—
- | | |
|-------------------|--|
| Inter-pretation. | |
| Advertised. | “Advertised” means published in the Official Calendar and/or as an advertisement in a newspaper or by poster or notice issued by any Club. |
| Advertised race. | “Advertised race” means a race for which entries are invited by advertisement and includes a race held at a trotting meeting or a sports meeting. |
| Appeal Committee. | “Appeal Committee” means the body of persons appointed in any territory to hear appeals made under these Rules. |
| Apprentice. | “Apprentice” means a person for the time being apprenticed to a trainer in accordance with these Rules. |
| Arrears. | “Arrears” means any moneys payable under these Rules by any person or body and any moneys due and owing to the Western Australian Trotting Association or any Club or other body under any claim in any wise relating to the sport of trotting which moneys remain unpaid for 28 days after payment thereof becomes due and includes any moneys specifically declared by these Rules to be arrears but shall not include any personal debts to any individual. |
| Birdcage. | “Birdcage” means any enclosure or place on a race-course used for the accommodation of horses competing at a meeting. |

- “Body” means and includes any Club, Racing Club, association, society or combination of persons and where the context permits, includes the Western Australian Trotting Association. Body.
- “Breeder” means the owner or in the case of a duly registered lease the lessee of the dam at the time of foaling. Breeder.
- “Central Registrar” means the official appointed by the Inter-Dominion Trotting Conference to approve, allot and record the names of all registered trotting horses in Australia. Central Registrar.
- “Certificate of Registration” includes Name Certificate, Assessment Card or any other form or document issued by a Controlling Body which certifies that the horse referred to therein is eligible to compete under these Rules by virtue of all requirements relating to naming and/or registration having been properly and duly observed. Certificate of Registration.
- “Classic Race” means and includes any non-handicap race or a race in which horses of the same age are started off the same mark or the same classified mark. Classic Race.
- “Chairman” means the Chairman (or President) of the Western Australian Trotting Association, and shall include any acting Chairman (or President). Chairman.
- “Club” means a Club duly registered under these Rules or any other body on whose programme there is any trotting race. Club.
- “Committee” means in relating to any territory the Committee of the Controlling Body in such territory, and includes the body of persons by whatever name designated charged with the general management of the affairs of the Controlling Body. Committee.
- “Committee of the Club” or “committee of any Club” means the committee of any Club or body registered with a Controlling Body, and means also the body of persons by whatever name designated charged with the general management of the affairs of the Club or body under its rules or constitution. Committee of the Club.
- “Contingency” means and includes any condition whereby any person is entitled to any share in the future stake-earnings of any horse. Contingency.

Controlling Body.	The expression "Controlling Body" means in the State of New South Wales the New South Wales Trotting Club, in the State of Victoria the Trotting Control Board, in South Australia the South Australian Trotting League, in Western Australia the Western Australian Trotting Association, and in Queensland the Queensland Trotting Control League, and shall include the Committee of a Controlling Body.
Course.	"Course" or "Racecourse" means and includes any race or trotting track and its enclosures and any training ground over which any Club has for the time being control or management.
Drive.	"Drive" includes ride.
Driven.	"Driven" includes ridden.
Driver.	"Driver" means a person holding for the time being a license or permit issued under these Rules and includes rider.
Driving.	"Driving" includes riding.
Entry.	"Entry" includes nomination.
Finally determined.	"Finally determined" means finally decided by any tribunal from whose decision no appeal lies or from whose decision no appeal can on account of the effluxion of time or for any other reason be brought.
Foreign horse.	"Foreign horse" (see definition in Local Rules of Western Australian Trotting Association at back of book).
Handicap.	"Handicap" means a race in which distance allowances are made and adjusted by the Handicapper for the purpose of equalising the horse's chance of winning; and means and includes also any such adjustment.
Handicapper.	"Handicapper" means a person or persons for the time being appointed by the Controlling Body to handicap.
Heat.	"Heat" is an event which is run because the number of final acceptors exceeds the safety number and provided horses in the heats meet subsequently to determine the winner of such race.
Horse.	"Horse" means a horse trained for or raced in or intended to be entered for or raced in a race and includes horse, mare, colt, gelding, filly or pony.
License.	"License" includes "Permit."

- “Licensed Trotting Meeting” means any meeting at which betting or wagering is legal under the legislation applying in the State concerned. Licensed Trotting Meeting.
- “Licensee” means a person registered or holding for the time being any license or permit issued under these rules. Licensee.
- “List of disqualifications” means any list of disqualifications published or compiled by authority of a Controlling Body. List of Disqualifications.
- “Maiden” means a horse which at the time of starting has never won an advertised race in any country either in saddle or harness. Maiden.
- “Match” see “Race.” Match.
- “Meeting” means a trotting or race meeting. Meeting.
- “Month” means a calendar month. Month.
- “Nomination” includes entry. Nomination.
- “Objection” means and includes a protest. Objection.
- “Official Calendar” means the publication for the time being designated as such by the Controlling Body. Notification in the Official Calendar by the authority of the Controlling Body shall be deemed to be full notice throughout the territory to any and every person concerned of all matters and things so notified. Official Calendar.
- “Owner” in relation to a horse includes in addition to any person being the owner or part owner of a horse any person having any registered interest therein and includes also the authorised agent of an owner acting on behalf of such owner but does not include a person entitled under a contingency only. “Own” or “owned” have a corresponding meaning. Owner.
- “Pacing” includes trotting except in the case of races for pacers only. Pacing.
- “Paid official” means any person who for the time being is employed by any Club at its meeting or in its operation of works or by the Controlling Body and receives in respect of such employment any emolument, wages or salary. Paid official.
- “Penalty” means and includes disqualification, suspension, cancellation or suspension of license or of registration, alteration of the placing of a horse, reduction in status of a driver, or fine. The penalty set out in or at the foot of any Rule shall indicate that any person guilty of a breach of that Rule or any Penalty.

	part of that Rule whether by act or omission shall be punishable by a penalty not exceeding that so set out.
Performance.	"Performance" means a start in any race, heat, division or advertised public exhibition of speed against time.
Permit.	"Permit" includes license.
Person.	"Person" means physical person, a company duly incorporated or firm or partnership.
Placed horse.	"Placed horse" means a horse placed in accordance with these Rules by the Judge or any other person duly authorised to act as his substitute.
Pony.	"Pony" means a horse 14 hands 1 inch and under.
Prescribed form.	"Prescribed form" means the form in that behalf required by these Rules and if not so required then such form as the Controlling Body may from time to time prescribe or require.
Protest.	"Protest" means and includes objection.
Publicly announced.	"Publicly announced" means and includes notifying by advertisement or by written notice exhibited at the office of the Club or other body or as the case may require in a conspicuous place on the racecourse, or by broadcasting by course amplifiers.
Qualifying division.	"Qualifying division" means a race held solely for the purpose of determining which horses will be eligible to contest a major race. A qualifying division is penalty bearing except in respect of an Inter-Dominion Championship.
Qualifying stakes.	"Qualifying stakes" means a race on a Metropolitan Programme the winner of which thereby qualifies for a Metropolitan Handicapping assessment.
Race.	"Race" means a trotting or pacing race and includes division, match or sweepstake for trotting or pacing horses.
Race meeting.	"Race meeting" means any meeting at which any trotting or pacing race is held and which is advertised or notified in any printed or written notice exhibited in any public place or circulated by post or hand for the purpose of inducing persons to trot or pace horses or to attend thereat.

- “Racing Year” means the period beginning on the 1st August in any calendar year and ending on the 31st day of July next following. Racing Year.
- “Registered” in relation to a horse means registered in accordance with these Rules. Registered.
- “Registrar” means the official appointed by the Controlling Body to examine each application for registration as required by these Rules and shall include Deputy Registrars. Registrar.
- “Rules” or “Rules of Trotting” mean these Rules. Rules of Trotting Rule.
- “Rule” means some or one of these Rules. Rule.
- “Saddlecloth” includes in addition to saddlecloth, any disc or other device used in lieu thereof, or in conjunction therewith for the purpose of exhibiting the horse’s number whether it be placed on the horse or the driver or attached to the gear or sulky. Saddlecloth.
- “Sole owner” or “solely owned” for the purposes of these Rules means and includes ownership either by one person alone or in a *bona fide* partnership duly registered of the whole and undivided interest in a horse or of a leasehold interest in a horse entitling such person or partnership to undivided possession of such horse for the time being but does not include any lesser interest. Sole owner.
- “Sports meeting” means a meeting of any kind whatsoever held by any Club or body other than a Club registered under these Rules at which any trotting race is held and the trotting programme for which has been approved by the Controlling Body. Sports meeting.
- “Stable hand” means any person employed by an owner or trainer of trotting horses in or about the management, care, control, breaking, gaiting, training or racing of such horses or in or about the management, care or attention of trotting horses. Stable hand.
- “Stake” means prize given and includes money, cup, trophy or other description of prize which may be trotted for. Stake.
- “Stakeholder” means the Treasurer of the Club for the time being. Stakeholder.
- “Starter” includes a duly appointed substitute. Starter.

State-bred horse.	“State-bred horse” is a horse foaled in Western Australia that has been registered by or notified to and recorded by the Western Australian Trotting Association within three months of foaling or before leaving Western Australia or at any later time by the express permission of the Committee or any horse declared by the Committee to be a State-bred horse in special circumstances.
Steward.	“Steward” means one of the Stewards appointed by the Controlling Body.
Sweepstakes.	“Sweepstakes” means a race in which the stakes are to be made by the owners of the horses entered to go to the winner or other horse or horses placed; any such race is still a sweepstake although money or other prize be added and although the word “cup” be used in the official or ordinary name or description of such race.
Territory.	“Territory” means that State or part of a State in which each Controlling Body shall heretofore have exercised or may hereafter exercise jurisdiction and control over trotting.
Trainer.	“Trainer” means a person holding for the time being a license or permit to train issued under these Rules.
Trotting.	“Trotting” includes pacing except in the case of races for trotters only.
Trotting ground.	“Trotting Ground” means any land which is being used for holding a race meeting for trotting races.
Unpaid Forfeit List.	“Unpaid Forfeit List” means the Unpaid Forfeit List constituted under these Rules (and includes the Unpaid Forfeit List constituted under the Rules of Racing).
Value of race.	“Value of race” means the amount actually payable as stakes, including the value of any trophies.
Winning.	“Winning” in relation to a race includes dead-heating for first place, walking over and receiving forfeit but not being awarded second or any lower place.
Winnings.	“Winnings” means and includes any stake actually credited to any horse (whether receivable by its owner or any other person) in connection with the running of any advertised race in any country.

Words importing the singular number shall include the plural number and *vice versa* and words importing the masculine gender include the feminine gender.

Part II.

APPLICATION OF RULES.

2. (i) Any person who takes part in any matter coming within these Rules shall be held thereby to consent to be bound by them. Persons bound by Rules.

(ii) These Rules shall apply to all races and race meetings as defined by these Rules and shall apply to and be binding on— Application of Rules to persons.

- (a) *all officers, officials and servants of the Controlling Body including all Stewards;*
- (b) *all clubs as defined by these Rules and the Stewards, committee, officers, officials and servants of every such Club;*
- (c) *every Club and other body having trotting events on its programmes or any one of its programmes, and the committee and officers, officials and servants of such Club or body;*
- (d) *all licensed and other persons working in or about a trotting stable or in connection with the management, care, control or superintendence of race horses and their training or driving. (L.R.)*
- (e) all owners;
- (f) all persons who shall enter or nominate any horse for any race;
- (g) all persons who shall import a foreign horse into Australia;
- (h) all persons who shall apply for any license, permit or certificate for the issue of which provision is made under these Rules;
- (i) all persons who shall apply for any totalisator ticket at any meeting; or bet with a registered bookmaker;
- (j) all persons who shall apply for admission to or attend any course on which any race meeting is held;

(k) every person who in any manner directly or indirectly by himself or by any other person, on his own behalf or on behalf of any other person, does or attempts to do any act or thing for the purpose of securing any right, benefit or privilege which he or any such other person is not entitled to receive under these Rules, or to evade any disability or penalty of any kind which has been imposed on him or on any such other person or to which they may respectively become liable by or under these Rules;

Application
of Rules to
horses.

(iii) These Rules shall apply to any horse—

- (a) as soon as it is taken in hand by any person for the purpose of being trained for trotting;
- (b) whether then taken in hand or not as aforesaid, as soon as it is registered under these Rules;
- (c) irrespective of the two preceding paragraphs, at all times when it is in possession or ownership of a disqualified person, or (during the period of disqualification) while it is in the possession or ownership of any person to whom it was sold or otherwise disposed of after the commission of the offence in respect of which the disqualification of such disqualified person was imposed;
- (d) generally when anything is required or otherwise provided to be done under these Rules in respect of such horse.

(iv) All persons and bodies to whom these Rules are declared to apply shall at all times be deemed to have notice of these Rules and to have full knowledge thereof and of all notices and matters published in the Official Calendar and of their rights, duties, liabilities and obligations hereunder, and be bound by the decisions and acts of all tribunals and persons authorised by these Rules to act and give decisions.

(v) All such bodies and persons coming within the application of these Rules shall be deemed to have agreed to seek no remedy available to them at law in respect of anything done under these Rules, or omitted to be done, or against the printers or publishers of, or persons selling, distributing or delivering the Official Calendar, until they have exhausted all remedies provided by or under these Rules in respect of anything so

done or omitted. Any person acting in breach of this subsection may be declared by the Controlling Body to be guilty of a corrupt practice.

3. When the last day for doing anything in relation to any race under these Rules falls on a Sunday it may be done on the following Monday unless the act to be done relates to a race to be trotted on the Monday in which case it shall be done not later than the previous Saturday. Last day.

When such last day falls on Christmas Day or Good Friday the act required to be done shall be performed on the previous day unless that day is a Sunday when it shall be done on the previous Saturday.

4. *These Rules shall come into operation on 1st August, 1962, and any other Rules of Trotting repugnant to or inconsistent with these Rules shall be annulled as from that day but such annulment shall not—* Date of operation of Rules.

- (a) *affect the previous operation of any Rule so annulled or anything duly done or suffered thereunder; or*
- (b) *affect any right, privilege, obligation or liability acquired, accrued or incurred under any Rule so annulled; or*
- (c) *affect any penalty or disqualification incurred in respect of any offence committed against any Rule so annulled; or*
- (d) *affect any investigation, proceeding, or remedy in respect of any such right, privilege, obligation, liability or penalty as aforesaid.*

And any such investigation, proceeding or remedy may be instituted, continued or enforced and any such penalty or disqualification may be imposed as if these Rules had not been passed. (L.R.)

5. These Rules apply to all races held under the management, control or direction of a Controlling Body and shall, together with such Local Rules (not being repugnant to or inconsistent with these Rules) as may from time to time be made by the Controlling Bodies in New South Wales, Victoria, South Australia, Western Australia and Queensland be read and construed as the Rules of the Controlling Body in such State racing under them and shall apply to all races held under the management of any registered Club and and to all Trotting Meetings registered by a Controlling Body. Application of Rules to races.

Part III.
STEWARDS.

- Stewards. 6. To assist in the control of trotting, Stewards shall be appointed according to the Rules of the respective Controlling Bodies, with the powers set out in these Rules.
7. Not applicable in Western Australia.
- Powers of Stewards. 8. The Stewards of a Club conducting a race meeting shall for the duration thereof have the whole control of such meeting only so far as racing is concerned, and shall be charged with the duty of ensuring that, in respect of such meeting, all provisions of these Rules are observed and enforced, and in furtherance of and not in limitation of all powers conferred or implied in these Rules it is declared that they may—
- (a) regulate, control, inquire into and adjudicate upon the conduct of all the officials mentioned in the next succeeding paragraph and of all owners, trainers, drivers and persons attending on horses, bookmakers and clerks;
 - (b) remove the Judge, Starter, Clerk of the Course, Clerk of Scales, any Steward or any other official during and for the duration of the meeting and may appoint another person to act in the place of the person so removed and may also appoint a deputy of or assistant to any official;
 - (c) in any circumstances in which they deem it necessary to ensure proper racing, remove any driver and to substitute another in his place;
 - (d) at any time before the driver of any horse is weighed out for a race to require proof that such horse is not wholly or in part owned by a person whose ownership of such horse would make it ineligible to start and to require the person in whose name such horse is entered to produce the Certificate of Registration, Name Certificate and any proof of ownership or other interest in the horse, and failing the production to their satisfaction of any such proof to withdraw the horse from the race.
 - (e) order at any time an examination by such person or persons as they shall direct of any horse which has been entered for a race or which has run in any race—
 - (i) for the purpose of ascertaining whether such horse is the horse it is represented to be; or

- (ii) for the purpose of ascertaining whether a breach of these Rules has been committed, in which case all persons making such examination shall have the power and right to do all such things as they may deem necessary or advisable for the purpose of obtaining full information as to such alleged breach; or
- (iii) for any other purpose they may think fit; and to make such order as to the payment of the expenses of any such examination as they may deem just;
- (f) punish at their discretion in accordance with these Rules any official, owner, trainer, driver or other person subject to their control guilty of any misconduct or breach of these Rules;
- (g) fine in a sum not exceeding £50 or to disqualify or suspend for any period any person guilty of improper or offensive behaviour towards any Steward, Stipendiary Steward, or member of the Controlling Body or any member of the committee of the Club acting in his official capacity or any official;
- (h) punish at their discretion where no penalty is specially provided by these Rules any official, owner, trainer, driver or other person guilty of any misconduct or breach of these Rules by—
- (i) inflicting a fine not exceeding £50; and/or
 - (ii) inflicting suspension or disqualification for such period and subject to such conditions as they shall think fit; and/or
 - (iii) disqualifying for such period and upon such terms as they shall think fit the horse (if any) in respect of which such misconduct or breach may have taken place;
- (i) determine in such manner as they think fit any matter arising in connection with a meeting for which no provision is made by these rules—
- No owner shall have any claim against any body in respect of any loss suffered by reason of the exercise of any power by this Rule conferred;

Powers of
Stewards
(contd.).

Powers of
Stewards
(contd.)

- (j) consider and determine—
 - (i) all complaints, objections and protests and matters in relation thereto;
 - (ii) any matters in connection with the driving or running of any horse;
 - (iii) all matters submitted to them by the Controlling Body or committee of a Club or by any official;
 - (iv) all questions of the application or interpretation of these Rules in so far as the same is necessary for the purpose of the exercise of their functions;
 - (v) all questions of qualification of persons or horses.
 - (vi) Not applicable in Western Australia;
- (k) declare ineligible to start again at any meeting or for such further specified or indeterminate period as they think fit any horse whose form at such meeting or whose behaviour at the barrier or during the running of a race is in their opinion unsatisfactory or to the detriment of any other competitor or competitors;
- (l) consider and determine any such matter as aforesaid in their own motion;
- (m) may in the event of an emergency stop a race for any reason deemed necessary by them.
- (n) Any person refusing or failing without good reason to attend any meeting of the Stewards when required to do so or refusing to give evidence or giving false or misleading evidence or refusing to give any information required of him may be fined by the Stewards a sum not exceeding £50 and/or disqualified or suspended for so long a period as they think fit.
- (o) Notwithstanding anything contained in these Rules, Stewards or supervisors appointed or approved by the Controlling Body to control trotting races at agricultural shows, gymkhanas or sports meetings shall have all the powers and duties of Stewards as are set out in these Rules.
- (p) The Stewards may appoint a deputy or deputies.

Number of
Stewards.

9. The Controlling Body shall appoint three or more persons as Stewards on such terms and at such remuneration as it deems fit. At least three of such Stewards

shall be the Stewards at all trotting meetings conducted within the Metropolitan Area of any Capital City and have the powers and duties of the Stewards as hereinbefore set out.

10. Not applicable in Western Australia.

11. Except where these Rules otherwise provide, the powers of the Stewards in respect of a race meeting shall commence at eight o'clock in the morning of the first day of the meeting and shall continue for one month after the meeting or such further time as the Controlling Body may allow, for all purposes relating to any matter connected with or arising out of that race meeting. A meeting shall be deemed to commence at eight o'clock in the morning of the day on which the first race is appointed to be run and to conclude at midnight of the last day of the meeting.

Duration
Stewards'
powers.

12. (a) A majority of the Stewards appointed to officiate at any meeting shall form a quorum.

Stewards'
quorum.

(b) A Chairman of Stewards shall be appointed by the Controlling Body.

Chairman of
Stewards.

(c) In the case of Trotting Meetings in the Metropolitan Area of any Capital City the person who shall act as Chairman shall be appointed by the Controlling Body.

(d) In the case of Trotting Meetings conducted by a Club, the Chairman of Stewards for the meeting shall be appointed by the Controlling Body's Chairman of Stewards, provided, however, that should no such appointment be made then the Stewards for the meeting shall select their Chairman from amongst their number.

Chairman of
Stewards
country
meetings.

(e) The Chairman shall have a casting vote in addition to his deliberative vote.

Vote
Chairman of
Stewards.

13. Stewards shall report all punishments inflicted, or suspensions or disqualifications made, to the Controlling Body within seven days of the conclusion of the meeting at which such punishment was inflicted or suspension or disqualification made, unless previously reported under these Rules.

Stewards to
report
punish-
ments.

14. A majority of the Stewards present at any meeting of the Stewards shall have all the powers hereby given to the Stewards and a Deputy Steward shall be considered to be a Steward.

Majority of
Stewards to
exercise all
powers.

15. No Steward shall act or be present at the hearing of or the determination of any matter in which he is in any degree pecuniarily or otherwise interested

Steward
not to
officiate if
interested.

or affected nor shall any Steward adjudicate upon any dispute, protest or matter in which he is involved in a personal (as opposed to an official) capacity.

Persons to be excluded by Stewards.

16. The Stewards, their officers or agents including any Racecourse Inspector may exclude and cause to be removed from all places under their control—

- (i) all persons required by these Rules to be excluded and removed from any racecourse;
- (ii) all persons and horses whose names for the time being appear on the list of disqualifications of a Controlling Body or in any other list mentioned in these Rules;
- (iii) all persons who have been declared by any Club or the Controlling Body in any country with which the Controlling Body has or shall have entered into reciprocal relations and any Club affiliated to or subject to the jurisdiction of any such Club or Controlling Body or by the Stewards of any such Clubs or Controlling Body to have been guilty of any corrupt or fraudulent practice so long as the sentence in respect of any such person remains in force;
- (iv) all persons whose presence the Stewards or the Racecourse Inspector or Betting Supervisor may deem undesirable.
- (v) *all persons warned off its course by the Controlling Body or by any Club duly registered under these Rules or by any Racing Club. (L.R.)*

17. Notwithstanding that any person who shall be liable to be excluded or removed under the last preceding Rule may have paid to enter a racecourse or any enclosure therein, he shall not by reason of such payment be deemed to have acquired an irrevocable license to go into or remain in such racecourse or enclosure and the Stewards, their officers or agents, including any Racecourse Inspector, may remove such person from such racecourse or enclosure without being liable to any action or damages in respect of any such removal.

Committee may exercise powers of Stewards.

18. All the powers conferred on the Stewards of a race meeting may be exercised by the committee of the body holding such meeting except during the currency of such meeting, and the provisions in this part contained as to Stewards shall in such case apply *mutatis mutandis* to members of such committee.

19. The Controlling Body or any authorised officer thereof may at any time in its or their absolute discretion warn any person off any course or the committee of a Club may at any time at its absolute discretion warn any person off the course which it controls. Any person so warned off shall not by reason of his having paid to enter such course be deemed to have acquired an irrevocable license to go into or remain in or upon such course, and any Steward, officer or agent of the body controlling such course or the meeting being conducted thereon may remove such person without being liable for damages in respect of such removal or the manner of such removal. Without limiting the prior provisions of this Rule, any person so warned off shall be subject to the same disabilities as attached to disqualification.

Warning off.

Part IV.

SPECIAL POWERS OF THE COMMITTEE OF A CONTROLLING BODY.

20. The Committee of a Controlling Body shall have the control and general supervision of trotting within its territory.

Powers of the Committee of a Controlling Body.

21. If any question arise which is not or which is alleged not to be provided for by these Rules, and which has not been determined by the Stewards under the power conferred upon them by Rule 8 it shall be determined by the Committee

22. The Committee in furtherance and not in limitation of all powers conferred on it or implied by these Rules shall have power at their discretion—

- (a) to hear and decide appeals as provided for by the Rules of the Controlling Body in question;
- (b) to grant licenses to drivers, trainers and such persons as may apply for any license under these Rules or the Rules of any Controlling Body and at any time to suspend or revoke any such license without giving any reason therefor;
- (c) to make inquiry into and deal with any matter relating to trotting and to fine, suspend or disqualify any person for any breach or non-observance of the Rules of Trotting;

Powers of the
Committee
of a Con-
trolling Body
(contd.).

- (d) to exercise all the powers given by Rule 8 to the Stewards in respect of the matters referred to therein;
- (e) to confirm or adopt and enforce any suspension or disqualification or other punishment imposed by the committee or Stewards of any Racing or Trotting Club in the Commonwealth or of any recognised Racing or Trotting Club in any other country;
- (f) to adopt, remove or modify any disqualification, suspension or other punishment incurred within its territory upon such terms and conditions as the Committee shall think fit, but the fact of such removal or modification shall not entitle any person to any right to claim for damages on any ground whatsoever;
- (g) to annul any disqualification or suspension incurred within its territory and thereupon all disabilities incurred in consequence of such disqualification or suspension shall be removed as if such disqualification or suspension had never been imposed, but the fact of such annulment shall not entitle any person to any right or claim for damages on any ground whatsoever;
- (h) to enquire at any time into the running of any horse upon any course or courses within its territory whether a report concerning the same has been made or decision arrived at by any Stewards or not;
- (i) to impose any fine not exceeding £200;
- (j) from time to time to consent to the repeal or alteration of any of the Australian Rules of Trotting and to new Rules being made as therein provided, and from time to time to adopt such repeals, alterations, and new Rules and from time to time to rescind, annul, alter or vary all or any of its Local Rules and make new Local Rules.
- (k) to publish in any Racing Calendar, official organ or any newspaper or elsewhere any decision of the Committee or Stewards;
- (l) to recognise any Association of Registered Clubs or trotting meetings and approve of its rules, articles or constitution.
- (m) Not applicable in Western Australia.

23. *On every application under subsection (f) or (g) of the preceding Rule, a fee of £5 shall be deposited with the Controlling Body which may make such order as deemed fit as to the disposal thereof. (L.R.)*

Fee.
Application.
Remission.
Punishment.

24. *The Committee may in its absolute discretion exempt such meetings or races as it may think fit from the provisions of any of these Rules and particularly meetings the proceeds of which are to be devoted to some charitable purpose. (L.R.)*

Committee
may exempt
meetings
from Rules.

25. *The committee of any Club may in their discretion postpone any races, either before or after their commencement, from day to day or from one week to another provided that the date to which any race or meeting is postponed is approved by the Committee and the committee of any Club with the consent of the Committee may order the abandonment of or cancel any trotting meeting and declare the same shall not be held, and thereupon all entrance and acceptance fees shall be returned to the respective nominators and be received by them in full satisfaction and discharge of all obligations of the Club and the committee thereof to such respective nominators. (L.R.)*

Postpone-
ment of
meetings.

Part V.

REGISTRATION OF HORSES.

26. *No horse shall be eligible to be nominated for or start in any race until it is registered in accordance with these Rules, and the owner of and every person having any interest in any unregistered horse nominated for any race and the person or persons so nominating shall be liable to a fine not exceeding £50 and liable to disqualification provided that a named foreign horse may be nominated for a race pending completion of registration in the State in which it is nominated. For the purposes of this Rule, in the case of races for which only two or three-year-olds are eligible where nominations for such races are taken before such horses reach the age of two years the final payment or acceptance payable in respect of such race shall be deemed to be the nomination. (L.R.)*

Registration
of horses.

27. *A horse which is owned wholly or in part by a person under the age of 21 years or in which any such person has an interest directly or indirectly shall not be eligible to be registered, nominated or to compete in any race conducted under these Rules. (L.R.)*

Registration
of horses
(contd.).

28. Every person desiring to register a horse shall make written application on a form approved by the Controlling Body to the Secretary of the Controlling Body, and in the case of any stallion or mare an application for the entry thereof in the Stud Book published by the Inter-Dominion Trotting Conference together with such fee as may be stipulated from time to time.

29. Every such application shall be accompanied by such fee as the Controlling Body may from time to time decide and shall contain the following particulars:—

- (i) Proposed names for the horse (as provided in Rule 36).
- (ii) The age of the horse, including, where known, the actual date on which it was foaled. (The age of a horse shall be reckoned as beginning on 1st August in the racing year in which it is foaled if foaled on or after that date; if foaled before that date, it shall be reckoned as beginning on 1st August in the previous year).
- (iii) Gait of the horse.
- (iv) The colour, sex and distinguishing marks and brands of the horse.
- (v) The names of the sire and dam of the horse.
- (vi) The name and address of the breeder of the horse and of the previous owner or owners.
- (vii) The names and addresses of the owner and all other persons (if any) having any interest in the horse.
- (viii) Such other particulars as the Controlling Body may from time to time require.

30. Upon receipt of the said application together with the prescribed fee and upon being satisfied that all the provisions of these Rules relating to registration and naming of horses have been complied with the Controlling Body may register the horse under the name approved. A Certificate of Registration shall thereupon be sent to the owner.

31. (a) *No horse will be eligible for registration under these Rules unless the dam is registered under these Rules or if a thoroughbred is registered as such and eligible for the Australian Stud Book.*

(b) *No horse attaining the age of seven years will be registered for racing purposes, unless cleared from another State or unless the Controlling Body is satisfied that there are mitigating circumstances which justify the registration of such horse over that age. (L.R.)*

32. (i) *No horse shall be eligible for registration unless it bears an identifying brand. (L.R.)*

(ii) Before a horse shall start in its first race after being registered it shall be produced to a Steward for inspection in the Birdcage or other appointed place at least one hour previous to the time set down for the start of the first race at the meeting at which it is proposed to start such horse, and, at the same time, the Certificate of Registration shall be produced by the owner or his agent to a Steward.

Horse to be inspected before first race.

(iii) The Steward shall thereupon examine such horse and satisfy himself that the description thereof is correctly set out in the certificate and that the horse so produced to him is the horse referred to in the certificate.

(iv) No horse shall be eligible to start in a race unless the Steward is satisfied that the horse produced to him is the horse described in the certificate.

Horse to be identified before starting.

(v) If on inspection of the horse—

(a) the Steward is satisfied that the horse produced to him is the horse described in the certificate but that the certificate requires some amendment then the Steward shall request that such certificate be surrendered to him and he shall forward the same together with a report on the matter to the Controlling Body which may thereupon, if it deems fit, amend the certificate;

(b) the Steward does not consider that the horse produced to him is the horse described in the certificate then he shall prohibit the horse from racing and require that the certificate be surrendered to him and the horse shall not be eligible to start in the race, and, furthermore, the owner and/or person in charge of the horse shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly

Procedure if identification unsatisfactory.

(c) the Steward is satisfied that the horse produced to him is the horse described in the certificate and that the description contained

in the certificate is correct and complete then he shall sign such certificate in the space provided for this purpose.

Registration may be refused or cancelled.

33. (a) A Controlling Body may, without assigning any reason, refuse any application for registration of a horse and may at any time cancel the registration of any horse.

False information application for registration.

(b) Every person who in, or in connection with, any application for registration of a horse wilfully or negligently gives or causes to be given, or is knowingly a party to the giving of, any false or misleading information or particulars, shall be deemed to have committed an offence against these Rules and may be dealt with accordingly.

Death of registered horse to be notified.

34. (i) The owner of a registered trotting horse shall forthwith on the death of such horse notify the Secretary of the Controlling Body in writing to that effect and return to him any name, registration or assessment certificate, card or document issued by the Controlling Body in respect of the subject horse.

(ii) Such notification shall be verified by corroborative evidence if the Controlling Body shall so require.

(iii) Any owner having an entire gelded shall within one month thereafter notify the Secretary of the Controlling Body of the date of the gelding and the name of the person who performed the operation.

(iv) Any owner failing to comply with the requirements of this Rule shall be deemed to have committed an offence against these Rules and may be dealt with accordingly.

Unnamed horse not to start.

35. No unnamed horse shall be handicapped or allowed to start in any race.

Names to be submitted.

36. Any person proposing to register a horse with a Controlling Body shall first submit to the Secretary of such Controlling Body in the prescribed form a list of six names (in writing) in the order of preference. The Secretary will in turn forward same to the Central Registrar who will allot a name for such horse and the name so allotted will be the name by which the horse will be registered and known.

37. When a name has been allotted for any horse in accordance with these Rules such horse shall not be entered for, started in or permitted to take part in any race, exhibition, performance or trial at any race meeting, gymkhana, show society meeting or other public meeting, either registered or unregistered, in any name other than the name shown on its name certificate.

Any person being an owner, trainer, rider or driver or other person having charge of any horse who commits a violation of this Rule shall be deemed guilty of corrupt practice within the meaning of the Rule 323, section (19), and may be dealt with accordingly.

38. If a horse has been entered for a race outside Australia under a name already used in Australia such name shall not be used on the registration of such horse in Australia provided that the Controlling Body concerned in its discretion may allow such name to be used subject to such restrictions and conditions as it may think fit to impose.

Duplication
of name of
foreign
horse.

39. The name under which a horse has been registered or raced at any meeting in any State of Australia or in any other country shall not be changed or abandoned except with the approval or by order of the Committee. In the event of the name of any horse being changed the old name (in parenthesis) as well as the new name shall be given in every entry and programme for 12 months or until such horse has competed under the new name at least six times, whichever shall be the longer period.

Name of
horse not
to be
changed.

40. Any person failing or refusing to comply with any of the Rules in this Part contained shall be deemed guilty of an offence against these Rules and may be dealt with accordingly.

Part VI.

REGISTRATION OF FOREIGN HORSES.

41. No foreign horse shall be registered unless and until the owner or his authorised agent has lodged with the Controlling Body in the State where the horse is to be raced such documents, certificates or information and observed such procedure relating to identification of the horse and the establishing of its eligibility as the Controlling Body may at its entire discretion stipulate. Upon compliance with the foregoing, the Controlling Body may register the subject horse upon such terms and conditions as it may impose or refuse registration without assigning any reason.

Registration
of foreign
horses.

Part VII.

ENTRY AND ACCEPTANCE.

42. (a) Yearlings shall not compete in any race.

Age at which
horses may
race.

(b) *Two-year-olds shall not compete in any race prior to the 1st day of November nor in any race over a distance exceeding one mile and a quarter prior to*

the 1st day of April nor in any race exceeding one mile and a half from 1st day of April to 31st day of July inclusive. (L.R.)

Horse not to race.

(c) No horse shall be eligible to compete in any race unless it has been duly entered therefor in accordance with these Rules by the person entitled to enter it, and no horse prohibited by these Rules from being entered for any race shall be entered.

Horse must be entered by owner or authorised agent.

43. A horse must be nominated by the owner or his agent duly authorised in writing, or the trainer, before it shall be eligible to run in any race. In the case of a registered lease the lessee shall be deemed to be the owner during the currency of the lease provided that the lessor of any trotting horse leased for racing purposes may, during the currency of such lease, enter such horse for any race to be run after the expiration of such lease.

Entry to be in proper name.

44. (i) The nomination shall be in writing in the proper name or names or where permitted the assumed name or names of the person or persons entitled to nominate and on the prescribed form and shall be accompanied by the prescribed fees (if any).

(ii) Entries and rights of entry shall not become void on the death of the owner or nominator. If either party to a match die, the match shall be off.

Closing of entries.

45. *Unless the Controlling Body in exceptional circumstances otherwise approves, nominations for a trotting meeting conducted outside the Metropolitan Area of any Capital City shall close at least 10 clear days before the meeting. (L.R.)*

Telegraphed or telephoned entries.

46. *Unless expressly authorised by the committee of the Club and indicated on the programme for the subject meeting nominations made by telegram or telephone shall not be accepted. If acceptance of nominations by telegram and/or telephone is authorised under this Rule then any nomination so accepted shall be confirmed in writing by the nominator and the proper nomination form signed by him or his agent authorised in writing or the trainer and shall be forwarded to the Secretary of the Club as the case may be by the first mail after the telegram was despatched or telephone call made. (L.R.)*

Confirmation telegraphed or telephoned entries.

47. *Any entry by telegram or telephone, if accepted by the Secretary, shall be equally binding, but shall be confirmed in writing by the first available mail thereafter, and if the Stewards or committee consider that*

there has been unnecessary delay in confirming, they may impose a fine not exceeding £2 and reject the entry. (L.R.)

48. The entry shall contain the following particulars:—

Particulars to be given with entry.

- (a) The name or where permitted the assumed name of the person by or on whose behalf the horse is entered.
- (b) The name of the horse.
- (c) The age, sex and colour of the horse.
- (d) The name of its sire and dam and if these be unknown such other particulars as will suffice to identify the horse.
- (e) The name and address of the person by or on behalf of whom the horse is entered.
- (f) The colours in which the horse is to race.
- (g) The names and addresses of all persons having in the horse any interest required by these Rules to be registered.
- (h) The name of the trainer of the horse.
- (i) When required by the committee of the Club a list of performances of such horse, provided that when the performances have been done in the State where the entry is being made it shall be sufficient to give the best three winning and placed. In the case of a registered horse leaving a State and returning, the performances, if any, done by such horse out of such State must be given at the time of nomination.
- (j) In the case of a pacer whether hopped or unhopped, and if the former, the registered length of hopples.
- (k) In the case of a trotter the registered weight of toe weights.
- (l) Owners of trotters desiring to race in half hopples must declare it.

49. The combined entrance and acceptance fees for each entrant in respect of any race shall not exceed £5 per cent. of the amount of stakes allotted to such race.

Maximum entrance and acceptance fees.

50. The Stewards or committee of the Club may prevent any horse from starting for a race unless there has been paid before weighing out any sweepstake, entrance money or other moneys payable in respect of

Horse not to start unless fees paid.

the race and all arrears due to any person for such horse or due for the same or any other horse by any person having an interest in such horse or in whose name or under whose subscription it is entered.

Winning performance after entry to be notified.

51. (a) In the event of a horse being entered for a race and subsequent to such entry but before the handicap is declared, such horse wins a race at any meeting other than that for which he is entered as aforesaid the owner of such horse shall forthwith give to the body with which such horse is entered as aforesaid or to the Handicapper thereof, notice of such win and of the time done by the horse in the race which it won. Such notice shall be given so as to reach the said body or Handicapper before the time for declaring the handicaps for the race for which such horse is entered, and if the Handicapper shall not receive such notice before the handicaps are declared he may upon receipt thereof amend the declared handicap of such horse.

(b) In the event of a horse which has been handicapped for a race winning another race, the owner or trainer of the horse or in their absence the person in charge of the horse shall as soon as possible notify the Stewards of such win. An owner or trainer or person in charge of a horse who fails so to notify the Stewards before the start of the race shall be guilty of an offence against these Rules and the horse shall not be eligible to start in the race.

(c) Where a horse becomes ineligible to compete in any race by virtue of being re-assessed after the closing of entries faster than the limit prescribed in the conditions of such race he may be transferred to another race at the same meeting at the discretion of the committee or Stewards provided that no such transfer shall be made after the declaration of handicaps for the subject meeting. (L.R.)

Time, date and place for entries, etc.

52. The time, date and place for entries, acceptances, declarations of forfeit and payments for every race shall be advertised, and such entries, acceptances, declarations and payments shall close at the advertised hour.

No entry, etc., after advertised hour.

53. No entry, acceptance, declaration of forfeit or payment shall be admitted or accepted after the advertised hour, except where an alteration of such time, date and place shall have been duly authorised by resolution of the committee of the Club and publicly announced prior to the original advertised hour. The nomination fee (if any) shall be paid by the specified

time. Any owner who fails to withdraw his horse prior to the advertised time for any forfeit shall be liable for the appropriate forfeit fee and an owner who fails to withdraw his horse prior to the advertised time for acceptance shall be deemed to have accepted for his horse and shall be liable for the appropriate acceptance fee but this Rule shall not relieve the owner or any other person of the obligation referred to in Rule 209.

Nomination fee and forfeit to be paid by specified time.

54. The Stewards or Committee may without assigning any reason refuse any entry.

Entry may be refused.

55. After an entry has been admitted, the Stewards may, if they think it to be in the best interests of trotting, prohibit the horse so entered from starting in the race; and in any such case at their discretion order a refund of any fees paid in respect of the entry, forfeits or acceptances of such horse.

Stewards may prevent horse starting.

56. The person entering a horse for any race may be called upon by the Stewards to declare the name of the owner or the names of all persons interested, directly or indirectly, in the horse or the horse's stake earnings, and if such person fails to prove to the satisfaction of the Stewards that the declaration is true in every particular, they may declare the entry or entries of such horse to be invalid, the money paid for such entry to be forfeited to such Club or body and the sweepstake (if any) to be forfeited to the race or races in which the horse is entered.

Proof of ownership may be required.

57. *No horse in which any person who is the husband or wife or son or daughter of or who resides with or is employed by a person whose name for the time being appears in the List of Disqualifications or Unpaid Forfeit List of or adopted by any Controlling Body has any interest shall be entered for or start in any race, and any such horse if it shall start shall be disqualified for the race. (L.R.)*

No entry by disqualified person.

58. (i) When, in the opinion of the body conducting a meeting, insufficient nominations have been received for a race, the Controlling Body, or with the approval of the Controlling Body the Club conducting the meeting, may, at any time prior to the advertised time for acceptance, cancel the race and/or transfer the nominations therefor to any other race or combination of races.

Race may be cancelled.

(ii) When a race has been cancelled and/or the nominations therefore transferred to any other race or combination of races pursuant to the last preceding

Notice when race cancelled.

sub-rule the body conducting the meeting shall forthwith notify the nominator of each horse nominated for—

- (a) the race which has been cancelled;
- (b) the race, nominations for which have been transferred to another race or combination of races; or
- (c) the race to which such nominations have been transferred or with which any race has been combined.

Nominations may be withdrawn.

(iii) At any time prior to the advertised time for acceptance the nominator of a horse nominated for a race referred to in subclause (ii) hereof may withdraw his nomination, and in such case the nomination fee (if any) paid by him shall be refunded.

Notice of change of interest after horse entered.

59. Full particulars in writing of every dealing or change of interest in respect of any horse entered for any race occurring after the entry and before the running of the race for which such horse is entered shall be forthwith furnished to the Secretary of the Club with which such entry was made.

Penalty for entry ineligible horse.

60. If any horse be entered for or started in any race for which it was ineligible, the owner, nominator, trainer and any person having an interest in such horse may be fined, suspended or disqualified.

No alterations in entry.

61. No alteration or addition shall be made in any entry after the time fixed for closing without the authority of the committee of the Club or the Stewards as hereinafter provided.

Entry contrary to Rules invalid.

62. (a) Any entry made contrary to these Rules shall be invalid and the fee or stake (if any) in respect of such entry forfeited unless the committee of the Club or the Stewards be satisfied that the horse intended to be entered is sufficiently identified and that there is no reason to suspect fraud. If so satisfied, they may permit or order any accidental or inadvertent error or omission to be corrected or supplied at any time before the start of the race in respect of which such entry was made and may inflict a fine of not less than £1 upon the person responsible for such error or omission. If any horse runs without the correction so approved or prescribed having been made, the Committee or the committee of the Club may fine or otherwise deal with any person or persons responsible for such errors.

Correction accidental error in entry.

(b) Notwithstanding that a horse ineligible to run or prohibited from running in a race has run or been permitted to run in the race and irrespective of whether or not the horse has won or been placed in the race or any stake has been paid or awarded neither the Controlling Body nor the Club or body conducting the meeting shall thereby incur or be under any liability of any kind whatsoever to any person.

(c) Each and every entry for a race shall be and be deemed to be made subject to the provisions of sub-rule (b) of this Rule.

Part VIII.

ASSUMED NAMES.

63 Unless expressly permitted by the Controlling Body in any State, the use of an assumed name is prohibited. If any person desires to use an assumed name application shall be made in such manner and accompanied by such fee as the Controlling Body may from time to time prescribe and upon receipt of the application the Controlling Body may grant permission for the use of the assumed name upon such terms and conditions as it may deem advisable or may refuse permission without assigning any reason. Any person who uses an assumed name or any name other than his own without the permission of the Controlling Body as aforesaid shall be deemed to be guilty of a corrupt practice under these Rules.

Assumed
names.

Part IX.

LEASES.

64. The lessee of any trotting horse leased for racing purposes shall, before entering such horse for any race, lodge with the Secretary of the Controlling Body the lease or other document under which he claims to be entitled to the possession or control of such horse and shall pay to the Controlling Body such fee (if any) as may be prescribed.

Lease to be
lodged.

65. Upon being satisfied that all the provisions of these Rules relating to the registration of leases have been complied with, the Controlling Body may in its discretion register such lease.

Registration
of lease.

Lease subject to action by Controlling Body.

66. Without assigning any reason and without being in any way whatever responsible or liable in damages or otherwise therefor the Controlling Body may—

- (a) refuse to register any lease;
- (b) defer for such time as the Controlling Body thinks fit the registration of any lease;
- (c) impose such conditions or require such amendments to the lease as the Controlling Body thinks fit before registration thereof;
- (d) at any time cancel the registration of any lease.

Notice if lease cancelled.

67. On cancellation of registration of a lease by the Controlling Body, notice of cancellation shall forthwith be served on the lessor and lessee.

Notice of lease determined or extended.

68. In the event of a registered lease being surrendered or determined prior to the full term thereof or being extended beyond the original term thereof the lessor and lessee shall within seven days thereafter notify the same in writing to the Secretary of the Controlling Body.

Fees forfeited if entry made before lease registered.

69. If any lessee shall enter a trotting horse leased for racing purposes for any race before registration of the lease thereof or after service of notice of cancellation of registration of the lease the Controlling Body may declare such entry to be invalid and thereupon the fees (if any) paid in respect of such entry shall be forfeited.

70. (i) No lease of any trotting horse shall have any effect for the purposes of these Rules—

- (a) before the registration thereof; or
- (b) after cancellation of the registration thereof.

70A. *The Committee shall be entitled to accept such evidence as it sees fit as to the ownership of any horse or as to the existence or non existence of any lease of a horse and shall be entitled to act on any such evidence without being in any way whatever responsible or liable in damages for any action taken. (L.R.)*

Part X.

TRANSFER OF INTERESTS IN HORSES.

Notice of transfer of interest in horse to be given.

71. (i) Notice of any change in the ownership of a registered horse or notified foal shall be given in the prescribed form by the transferor and transferee to the Secretary of the Controlling Body within 14 days

after such change is effected and before the horse starts in any race; and where the change of ownership occurs by way of the sale of a horse which at the time of such sale is subject to a contingency, notice of such change shall forthwith be given by the seller to any person entitled to claim any benefit under such contingency. The transferee shall be responsible for paying to the Controlling Body a transfer fee of such amount as the Controlling Body may from time to time prescribe.

(ii) With respect to the notice of change of ownership required by subsection (i) of this Rule, the following provisions shall apply:—

Notice of transfer to be signed.

(a) Where the change of ownership is consequent on any contract, the notice of change shall be signed by all the parties to such contract.

(b) Except only in the case of the death or incapacity or absence from the territory of the Controlling Body concerned of the person whose name is entered on the register as owner of the horse or interest therein as the case may be, every notice of change of ownership or interest shall be signed by such registered owner.

(c) If any person whose signature is required by this Rule refuses or fails to sign the notice of change, the notice signed by the other or others whose signature is required may be accepted as sufficient if accompanied by such evidence as the Controlling Body may require that the change of ownership has in fact been effected.

Controlling Body may recognise transfer without signature.

(iii) Where any such change takes place during the currency of any race meeting or within the period of 72 hours immediately preceding the commencement of such race meeting, such notice may be given in writing to the Chairman of Stewards conducting such meeting for transmission to the Secretary of the Controlling Body and when so given shall operate as a notice to the Secretary of the Controlling Body and shall be notified over all course amplifiers at such meeting.

Notice of transfer may be given to Stewards.

(iv) Every change of ownership shall be noted against the registration of any registered horse.

Change of ownership to be noted.

(v) For the purpose of completion of the form of transfer referred to in subsection (i) of this Rule and for the purpose of the records of the Controlling Body

Date of contract to be date of transfer.

the date of acquisition of ownership of any horse shall be the date on which the contract to acquire the horse is made.

Offence if this part of Rules not observed.

(vi) Every person who fails or refuses to comply with the Rules in this part contained shall be deemed to be guilty of an offence against the Rules and may be dealt with accordingly.

Horse may race without payment transfer fee.

72. (i) Where a change of ownership of a horse takes place during the currency of a lease and the transferee fails to pay the fee for the registration of the horse such failure shall not affect the eligibility of the horse to be nominated for or start in a race whilst the lease is current.

Transfer deemed to be with engagements.

(ii) In the absence of any agreement to the contrary duly lodged with the Controlling Body, a horse leased or sold or, on the surrender, determination or cancellation of the registration of a registered lease, reverting to its owner, shall be deemed to be sold or leased or to revert to its owner with its engagements.

Transferor's liability for forfeits, etc., not to cease.

73. (i) On the sale or lease of a horse the seller or lessor's liability (in case of default by the purchaser or lessee) for payment of the sweepstakes, forfeits and any other payments due (or thereafter to become due) in respect of the entry of the horse for any race shall not cease unless the seller and the purchaser, or the lessor and the lessee, as the case may be, join in a written transfer of the horse's engagements and such transfer is approved by the Controlling Body.

Transferor may strike horse from engagements if transferee fails to pay forfeits, etc.

(ii) If the Controlling Body refuses to approve any such transfer of engagements, the seller or lessor may strike the horse out of all or any of its engagements on payment of all moneys then due to the Controlling Body or any Club in respect of such horse unless the purchaser or lessee shall, within 14 days after being required in writing to do so, deposit with the Secretary the full amount of all sweepstakes, forfeits and other payments which may become due to the Controlling Body or Club, after the date of sale or lease in respect of the then existing engagements of the horse.

Engagement to be transferred on payment of deposit.

(iii) If any purchaser or lessee shall make a deposit in accordance with the provisions of subsection (ii) of this Rule, the engagements of such horse shall be placed in the name of such purchaser or lessee.

(iv) If before any transfer of a horse or its engagements is lodged with the Secretary of the Controlling Body for approval any party to such transfer is charged with an offence which may entail his disqualification (except disqualification for a particular race) such transfer shall not be approved until the charge has been finally disposed of.

Transfer in abeyance if any party thereto charged with offence.

74. Where the seller or lessor of any horse sold or leased with its engagements is compelled, through the default of the purchaser or lessee of such horse to pay any sweepstakes, forfeits or other moneys in respect of any engagement of the horse, the Controlling Body may, at the request of the seller or lessor, place the name of such purchaser or lessee and the name of the horse on the Unpaid Forfeit List in respect of the amount so paid.

Name of transferee may be placed on Unpaid Forfeit List.

75. Rules 73 and 74 shall apply to the surrender, determination or cancellation of the registration of a registered lease in the same manner as if the horse reverting to its owner thereon were sold and for the purposes thereof the lessee shall be deemed to be the seller and the lessor shall be deemed to be the purchaser.

Lessee and lessor to be deemed seller and purchaser.

76. A Controlling Body may, without assigning any reason, refuse to recognise any transaction or dealing with a registered trotting horse, without being in any way whatever responsible or liable in damages for such refusal.

Part XI.

UNPAID FORFEIT LIST.

77. A list to be known as the "Unpaid Forfeit List" (hereinafter in this part referred to as "the list") shall be kept by the Secretary of the Controlling Body at its office.

Unpaid Forfeit List to be kept by Controlling Body.

78. There shall be placed on the list all arrears within the meaning of these Rules that have been duly notified to the Secretary of the Controlling Body for that purpose.

Arrears to be placed on list.

79. Every entry in the list shall state the name of the person by whom and the name of the horse (if any) in respect of which and the body or person to whom the arrears are due and the amount and details of such arrears.

Particulars to appear on Unpaid Forfeit List.

Creditor
may notify
Controlling
Body of
arrears.

80. If there shall be owing to any person or body any arrears as defined by these Rules, such person or body may notify to the Secretary of the Controlling Body the name of the person or body by whom such arrears are due, together with full particulars thereof, including the period for which the amounts have been owing and when demand for payment was last made.

Controlling
Body may
make entry
on Unpaid
Forfeit List.

81. The Controlling Body upon being satisfied of the accuracy of such particulars and upon the giving of such security as the Controlling Body may require by the person or body giving such notification shall cause the Secretary of the Controlling Body forthwith to make an entry in the list of such arrears.

Controlling
Body to be
held indem-
nified.

82. Any person or body giving such notification to the Secretary of the Controlling Body shall hold harmless and keep indemnified the Controlling Body and any person acting under its direction from all damages and consequences which it or any such person acting under its direction may sustain pursuant to such notification.

Arrears to
be paid to
Controlling
Body.

83. Arrears which have been placed on the list must be paid direct to the Secretary of the Controlling Body before the name or names are removed from the list. The date of the receipt of payment of arrears to the Secretary of the Controlling Body, his deputy or assistant at its office shall be deemed to be the date of removal from the list.

Notification
to be
removed
from Unpaid
Forfeit List
on payment
of arrears.

84. Upon receipt by the Secretary of the Controlling Body, his deputy or assistant of the full amount of any arrears, or on receipt by him of satisfactory evidence that the same has been paid to the person or body entitled thereto, he shall forthwith remove the notification of such arrears from the list.

Arrears to be
paid to
entitled
recipient.

85. Upon any arrears being paid to the Secretary of the Controlling Body he shall forthwith remit the same to the person or body entitled thereto.

Conditions
of removal of
notification
from Unpaid
Forfeit List.

86. No notification of arrears shall be removed from the list except—

- (a) by the Chairman or President of the Controlling Body in any case where such name has appeared continuously in the list for at least six years; or
- (b) by the Controlling Body.

Arrears not
discharged
by removal
from list.

87. No arrears shall be deemed to be discharged by reason solely of the fact that the notification of the same has been removed from the list.

88. So long as the name of any person appears in the list or in the official Unpaid Forfeit List published or compiled by the recognised racing or trotting authority of any other State or Country—

Disabilities of persons whose names appear on Unpaid Forfeit List.

- (a) no horse shall be entered for any race by him or his wife either as owner or agent; and
- (b) no horse which has been entered in any race by him or his wife or in his name shall be eligible for such race unless a transfer of the horse has been specially approved by the Controlling Body; and
- (c) no horse in which he has any registerable interest or which is proved to the satisfaction of the Controlling Body or the Stewards to be under his or his wife's training, management, control or superintendence or on his or her property, shall be eligible to be entered for or start in any race; and
- (d) he shall be excluded from all places under the control of the Stewards of any registered body. (L.R.)

89. So long as the name of any horse appears in any list mentioned in the last preceding rule it shall not be eligible to be entered for or to start in any race.

Horse not to be entered or start whilst name on list.

90. Any person who enters for or starts in any race any horse ineligible pursuant to the Rules in this Part to be so entered and/or started, may be fined by the Controlling Body or Stewards a sum not exceeding £50 and such horse may be disqualified for the race.

Penalty for entering or starting horse on list.

91. If any person shall be prevented by the last preceding Rule from entering for or starting in any race any horse through the non-payment of arrears for which he is not himself personally liable, he may pay the arrears to the Controlling Body whereupon the horse's name shall be removed from the list and the horse shall be eligible to be entered for and to start in any race, provided that no other arrears in respect of such horse are in the meantime inserted in the list and he is otherwise qualified.

Arrears may be paid to enable horse to start.

92. If any person paying any arrears in accordance with the last preceding Rule so requests, the name of the person who was liable to make such payment shall, with the consent of the Controlling Body, be written in the list in respect of the amount so paid as arrears due to the person so paying.

Arrears due to person paying.

Horse may start on payment of arrears.

93. Notwithstanding any contrary provisions in these Rules contained, if any person shall in *bona fide* ignorance of the fact that the name of such horse is in the list enter a horse for any race, such entry shall be valid if such person shall, on becoming aware that such horse is in the list, and before the race, pay and discharge all arrears in respect of which the entry in the list has been made

Cheques or instruments dishonoured.

94. If any person tender to a Club or body a cheque or other negotiable instrument which is subsequently dishonoured, the Stewards may disqualify the horse (in respect of which such cheque or other negotiable instrument was tendered) for the race and the Controlling Body may place the name of such person and horse in the list in respect of the amount of such cheque as arrears.

Part XII.

DISQUALIFICATIONS.

Disqualification to be immediately effective.

95. Every disqualification imposed under these Rules shall take effect immediately such disqualification is imposed and shall remain until it is removed by the Controlling Body. Provided that, should a disqualified person appeal against his disqualification in accordance with the Rules of Trotting in the State concerned, he may, at the discretion of the Controlling Body be permitted to continue the training of horses during the period between the time of his disqualification and the decision of his appeal. A horse so trained, however, shall not be eligible to be entered for or start in any race.

Disqualification to be notified to Controlling Body.

96. Save in the disqualification for a particular race or races only or suspension or reduction in grade for not more than one day every disqualification imposed on any person or horse or suspension on any licensed person or permit holder or reduction in grade of any driver shall be notified with full particulars to the Controlling Body forthwith and the Controlling Body shall notify every Club or body racing under its jurisdiction within 14 days after the date of such imposition.

Disabilities disqualified person and relatives.

97. *No person who is disqualified, or the wife or the husband of any such person other than for a particular race or races, shall, unless otherwise determined by the Controlling Body during the period of such disqualification enter, nominate, train, drive or race any*

horse. Any person contravening the provisions of this Rule shall be liable to be disqualified for such term as the Controlling Body or Stewards may think fit and/or be fined not more than £50. (L.R.)

98. Notwithstanding anything to the contrary in these Rules contained, any disqualified person—

Exceptions to disabilities disqualified persons.

- (a) may, with the consent in writing of the Controlling Body first had and obtained nominate any horse under the age of two years for any non-handicap race for two or three year old horses to be run subsequent to the date of expiry of his disqualification; and
- (b) may, if he shall duly lodge an appeal in accordance with the Rules of Trotting in the State concerned against such disqualification, during the period which shall elapse from the imposition of such disqualification until such appeal shall have been finally determined, enter for any race any horse which, were it not for such disqualification, he would be entitled so to enter; provided that if such appeal shall be unsuccessful then such entry shall be void and all fees paid by him in respect of such entry shall be refunded to him.
- (c) may during the period of his disqualification make any payments in respect of the entry of a horse before the commencement of his disqualification for a race to be run after the expiry thereof.

99. No disqualified horse shall, during the term of its disqualification, be eligible to be entered or started in any race.

Disqualified horse not to be entered or started.

100. Notwithstanding the provisions of the preceding Rule, if an appeal in accordance with the Rules of Trotting in the State concerned shall be duly lodged against the decision imposing disqualification on any horse, such horse may, during the period which shall elapse from the imposition of such disqualification until such appeal shall have been finally determined, be entered for any race for which, were it not for such disqualification, it would be eligible to be entered provided that if such appeal shall be unsuccessful then such entry shall be void and all fees paid in respect thereof shall be refunded to the person paying the same.

Exceptions ineligibility disqualified horses.

101. Notwithstanding any contrary provision contained in these Rules, if any horse shall, before the commencement of its disqualification be entered for a

race to be run after the expiry thereof any payments made during the period of its disqualification in respect of such entry shall be valid.

Disqualifica-
tions to be
recorded.

102. The Secretary of the Controlling Body shall enter in a list of disqualifications to be kept by him particulars of every disqualification notified to him and of every disqualification imposed or adopted by the Controlling Body and may notify the same in any Official Calendar or organ.

Conditions,
additions or
removals list
of disqualifi-
cations.

103. No entry shall be made in or removed from such list unless by direction of the Controlling Body or the Chairman or President thereof.

Person whose
name on list
of disqualifi-
cations not
to enter or
run horse.

104. *Except as provided by Rule 98 no person whose name appears for the time being in the list of disqualifications or in the list of disqualifications published or adopted by the recognised trotting or racing authorities of any country shall, whether as principal or agent, enter or run any horse in any race either in his own name or in that of any other person or train or drive any horse or be employed in any capacity in connection with the training or driving of horses and every entry theretofore made by him or of any horse in which he has any interest in a race to be run thereafter shall be void as from the date of disqualification unless otherwise determined by the Controlling Body. (L.R.)*

No horse in
care or on
property of
disqualified
person
eligible to be
entered or
started.

105. Except as provided by Rule 98 no horse owned by any disqualified person at the time of such disqualification of subsequent thereto and during the period thereof, or which, after his name has appeared in any list mentioned in Rule 104, shall be proved to the satisfaction of the Controlling Body to have been placed or permitted to continue whether wholly or in part under his care, training, management or superintendence or on his property shall be eligible to be entered or started in any race.

Disqualified
person may
be removed
from
racecourse.

106. No disqualified person shall enter or go upon any racecourse or other place under the control of any Club or body and upon being found on any racecourse may be removed therefrom by any Supervisor, Racecourse Inspector or official, servant or agent of the Club or body in control of such racecourse, provided that if any disqualified person shall lodge with the Controlling Body an appeal against such disqualification such person may be given permission by the Controlling Body, or, unless they have been otherwise directed by the Controlling Body, by the Stewards, to attend all or any stated meetings until the appeal has been finally

determined and any disqualified person contravening this Rule shall automatically incur the recommencement of the term of disqualification as from the last date of such contravention and may be further dealt with by the Controlling Body.

107. No disqualified horse shall remain under the training, care, management or supervision or upon the property of any owner or licensed trainer or the holder of a permit to train for a longer term than 14 days after the date of the disqualification, except with the express sanction of the Controlling Body unless an appeal has been lodged. Any breach of this Rule may involve all other registered horses remaining under the training, care, management or supervision or on the property of such owner, licensed trainer or holder of a permit to train, and render them liable to disqualification.

Disqualified horse not to remain under care or on property any owner or licensed trainer.

108. Should the owner of a disqualified horse who is not himself disqualified desire to retain such disqualified horse in his own stable with any other horse not disqualified, he may be granted special permission in writing by the Controlling Body to do so.

Owner may be permitted to retain disqualified horse.

109. When the lessee of any horse has been disqualified under these Rules, the lease under which he holds the horse shall become void and the horse shall be returned to the owner thereof within 14 days, provided always that if the lessee appeals in accordance with the Rules of Trotting in the State concerned, then the lease shall remain in force and the lessee shall retain the horse pending the decision of the Controlling Body on the appeal, but if the Controlling Body does not lift the disqualification, the lease shall thereupon be void and the horse shall be returned to the owner within seven days of the Controlling Body's decision.

Lease void when lessee disqualified.

110. Unless otherwise expressly decided by the Committee upon such terms and conditions as it may think fit every horse held under lease from a disqualified person (whether disqualified before or after the lease) shall be ineligible to race, except as provided in Rule 113 and the lease shall become void.

Horse ineligible to race and lease void if lessor disqualified.

111. No disqualified person shall be employed by a Controlling Body or any registered or affiliated club in any capacity whatsoever.

Disqualified person not to be employed by Body or Club.

112. Any person whose name appears on any list mentioned in Rule 104 shall be deemed to be a disqualified person.

Person deemed to be disqualified.

Transfer of horses owned by disqualified persons.

113. When a person has been disqualified, no horse or horses of which he or she is the owner, notwithstanding that such horse or horses are not themselves disqualified, shall be transferred or leased to any other person or persons unless such horse or horses have been previously sold by public auction within 28 days after the date when such disqualification was endorsed or adopted by the Controlling Body, or within 28 days after the determination of an appeal in those cases where an appeal is made, and due notice has been given of such sale in a daily newspaper circulating in the Capital City of the State concerned to the satisfaction of the Controlling Body. If the sale of such disqualified horse or horses is to take place outside of the territory where the disqualification was imposed the sale will not be accepted unless notice of the sale is given to the Controlling Body in the territory where the sale is to take place at least 14 days before the sale and such sale is advertised in that territory to the satisfaction of the body controlling trotting in that territory. Provided that the Controlling Body may refuse to transfer, without assigning any reason, any horse sold by a disqualified person, notwithstanding that the above conditions have been complied with. (L.R.)

Part XIII.

SUSPENSIONS.

Punishment for misconduct by licensed persons.

114. If any trainer, driver, licensee, permit holder, or other person to whom these Rules apply shall whether at a race meeting or otherwise be guilty of any misconduct, or misbehaviour or conduct calculated to injure any Club or Controlling Body or the sport of trotting, or of any breach of these Rules, he may in addition to or in substitution for any other penalty by these Rules in such case provided, be suspended or disqualified from training and/or driving on all or any racecourses or training grounds of Clubs or other training tracks where there are for the time being any registered horses for such period as the Stewards or the Controlling Body shall think fit.

Part XIV.

APPEALS.

Right of appeal.

115. Any Club, racing club or other body or person affected by any decision of the Stewards, Club or official of any Club or other body holding trotting

events under these Rules or any Stipendiary Steward may appeal from such decision to the Controlling Body, except as provided by Rule 125.

116. *Any person or body desiring to appeal shall, within 48 hours after the decision has been delivered, lodge with the Secretary of the Controlling Body notice of his intention to appeal together with such deposit as the Controlling Body shall from time to time prescribe. (L.R.)*

Procedure to be followed when appeal lodged.

117. Forthwith on receipt by him of the notice of appeal, the Secretary of the Controlling Body shall—

- (a) if the placing of any horse or horses may be affected by the result of such appeal, send to the owner or owners of such horses (other than the person or persons appealing, and to the Club or body affected), notice in writing of the lodging of such appeal;
- (b) furnish to the members of the Appeal Committee or body hearing appeal and to the appellant and to each Steward whose decision is appealed from a copy of the evidence taken before the Steward or Stewards.

118. *Within 48 hours of the receipt of such evidence, the appellant shall lodge with the Controlling Body a statement setting out his grounds of appeal. (L.R.)*

119. Upon the lodging of the grounds of any appeal with the Controlling Body a meeting of the Committee or Appeal Committee thereof shall be called within 28 days thereafter for the purpose of considering the same or within such other time as the Controlling Body directs

120. No appeal duly lodged shall be withdrawn without the leave of the Controlling Body or Appeal Committee.

No appeal to be withdrawn.

121. The Controlling Body or Appeal Committee may, subject to the express provisions of these Rules, conduct the hearing of any appeal in such manner as it thinks proper.

Conduct of hearing of appeal.

122. No person, whether member of the Committee or Appeal Committee or not who participated in the race concerned or had a horse in the race may sit on such appeal.

Interested person not to sit on appeal.

123. The Committee or Appeal Committee may after the hearing of such appeal in accordance with these Rules—

Decision may be altered.

(a) approve, reverse or vary the decision appealed from; and/or

Matter may be referred back.

(b) refer the matter back for re-hearing to the body whose decision is appealed from; and/or

Refund of stakes may be ordered.

(c) order the refund of any stakes paid.

Bodies and persons directly affected to be notified of result of appeal.

124. Forthwith upon the determination of any appeal by the Committee or Appeal Committee the Secretary of the Controlling Body shall notify to all bodies and persons directly affected thereby the result of such determination.

Decisions from which an appeal does not lie.

125. *Notwithstanding any provision in these Rules otherwise contained no appeal shall lie from any decision given on any betting dispute by the Stewards or by a Betting Supervisor and endorsed by the Stewards or by virtue of which there is inflicted on any person or body a penalty not in excess of—*

- (i) a fine of £10; or
- (ii) suspension for one month; or
- (iii) reduction in grade of any driver for one month;
- (iv) that any driver on weighing in has failed to make the correct weight. (L.R.)

Parties to appeal to be notified of time, date and place of hearing.

126. The date, time and place for the hearing of any appeal shall be fixed by the Chairman of the Controlling Body or Appeal Committee, and not less than seven days' written notice thereof shall be given by the Secretary of the Controlling Body to the appellant body or person and to such other bodies and persons as the Chairman may direct

Person may be required to give evidence or produce documents.

127. The Chairman of the Controlling Body or Appeal Committee may call upon any person to appear before it to give evidence in such manner as he directs and to produce such papers and documents and furnish such information as in his opinion may be requisite for the purpose of hearing and determining the appeal.

Decision on appeal final and conclusive.

128. *The decision of the Committee or Appeal Committee shall be final and conclusive except as provided in Rule 139 (a) and shall bind all Clubs, bodies and persons. (L.R.)*

129. Every Club, body or person affected by such decision shall forthwith do and perform every act, matter and thing which by the decision may be ordered and give effect to the decision and any person who shall fail to do or perform any act, matter or thing requisite, in order to give effect to the decision, for one month after having been required in writing by the Controlling Body to do so may be disqualified or otherwise dealt with in such manner as the Controlling Body deems fit.

Club, body or person affected by appeal to give effect to decision.

130. Except by special leave of the Committee or Appeal Committee the appeal shall be limited to the grounds set out in the notice of appeal.

Appeal limited to grounds set out in notice.

131. *The Committee or Appeal Committee may order that all or any of the costs and expenses of the Controlling Body or of any party to the appeal shall be paid by such person or persons or body as they think fit and may fix an amount by way of such costs and expenses and such amount if unpaid shall be deemed arrears and may be placed on the Unpaid Forfeit List by the Chairman of the Controlling Body. (L.R.)*

Orders as to costs and expenses.

132. *Any person or body directly affected by any of the several matters mentioned in the above Rules shall—*

Notice and privileges to be given persons or body directly affected by appeals, etc.

- (a) *be given reasonable notice of the time and place of the hearing thereof;*
- (b) *be entitled to be present at such hearing;*
- (c) *be entitled to be heard in support of his interest;*
- (d) *be entitled to give and to call such evidence or witnesses as he shall think fit and which the Chairman of the Committee or Appeal Committee deems relevant provided that no fresh evidence shall be tendered if the appellant had reasonable opportunity of tendering such evidence to the Stewards before the appeal but did not do so;*
- (e) *be entitled to cross-examine all persons giving evidence at such hearing other than those called by himself. (L.R.)*

133. The notice of appeal, objection, complaint or charge upon which the proceedings are founded shall at the commencement of the hearing be read out.

Notice of appeal, etc., to be read.

134. The Committee or Appeal Committee may admit such evidence as it shall deem relevant, which evidence may be given *viva voce* or by statutory declaration.

Admission of evidence.

Legal or other representation at appeals.

135. (a) Except when the Local Rules of any Controlling Body otherwise provide, no counsel or other representative or agent other than an official of a body representing such body or a member or official of the Controlling Body representing the Controlling Body shall appear at the hearing.

(b) Where the Local Rules of any Controlling Body permit, an appellant shall be entitled to be represented by a barrister, solicitor or agent provided where an appellant desires to be represented he shall so indicate at the time he lodges his appeal and advise also at the same time whether his representative is to be a barrister, solicitor or agent. The Committee of the Controlling Body may also retain a barrister, solicitor or agent to assist it at the hearing of any appeal.

Person refusing to attend proceedings deemed guilty of improper practice.

136. Any person bound by these Rules refusing without good reason, the onus of proving which shall be upon such person, to attend any such proceedings when required to do so or refusing to give evidence or giving false or misleading evidence may be adjudged by the Committee or Appeal Committee to be guilty of an offence against these Rules and may be dealt with accordingly.

Evidence may be excluded.

137. The Committee or Appeal Committee may refuse to hear the evidence of any person other than the parties to the proceedings if such person is financially interested in the result of the decision.

When notice deemed to be duly served.

138. Any notice required by these Rules to be served upon any person shall be deemed to have been duly served upon such person if the same be delivered to him personally or left at his usual place of abode with some inmate thereof appearing to be above the age of 14 years or forwarded to him by registered letter addressed to him at his usual or last known place of abode or business.

Re-hearing of appeals.

139. (a) *Any person or body mentioned in Rule 115 may apply to the Controlling Body for a re-hearing of any appeal to the Controlling Body on the ground that new evidence is available and the Committee or Appeal Committee shall decide at its absolute discretion whether or not such application shall be granted.*

(b) *The person or body desiring such re-hearing shall within 30 days after the Committee or Appeal Committee's decision lodge with the Secretary of the Controlling Body notice in writing of the re-hearing together with particulars of the new evidence available and such deposit as the Controlling Body shall from time to time prescribe.*

(c) The procedure for the hearing of appeals shall mutatis mutandis be followed in respect of all re-hearings. (L.R.)

140. Any appeal to the Controlling Body against any decision whatsoever shall be accompanied by a deposit of such amount as may be stipulated by the Controlling Body concerned.

Deposit to be lodged with appeal.

141. The Committee or Appeal Committee may after hearing the appeal in addition to any other penalties ordered by it, order that the whole or any part of the said deposit shall be forfeited.

Disposal of appeal deposit.

142. On any application to the Controlling Body for a re-hearing being granted it may after the hearing thereof in addition to any other penalties ordered by it order that the whole or any part of the deposit shall be forfeited. (L.R.)

Disposal of re-hearing deposit.

143. Notwithstanding anything contained in these Rules, no deposit, fees or costs shall be payable on any appeal or on any application for the re-hearing of an appeal by a Steward in the employ of the Controlling Body. (L.R.)

No deposit where appeal or application by Steward for re-hearing.

Part XV.

HEATS, DIVISIONS AND QUALIFYING DIVISIONS.

144. (a) Nominations for any race shall not be called for in heats but shall be called for in qualifying divisions which shall be penalty bearing, provided that only the final of any Inter-Dominion Championship shall carry a penalty.

Nominations not to be called for in heats but qualifying divisions permissible.

(b) The committee of a Club or other body conducting a meeting shall have an absolute and uncontrollable right, when they deem the circumstances to justify such a course, to order and arrange for a race to be run in two or more divisions, and should the committee of the Club or body decide to run a race in two divisions, the Club or body shall provide as prize money for the winner of each division, an amount not less than 50 per cent. at least of the stake officially advertised for the said race

Race may be run in divisions.

(c) When a race has been divided the acceptance fees shall be reduced by the Club or body by such amount as is approved by the Controlling Body and refunds shall be made by the Club or body to the appropriate persons.

Acceptance fee reduced when race divided.

Method of allotting horses to divisions.

145. Where a race is to be run in divisions the horses shall be allotted to their respective divisions by the handicapper who shall for that purpose, upon the allotment of handicaps, compile a list substantially following the order in which the Handicapper has declared the handicaps, giving each horse nominated a number and shall, in the event of two divisions, thereupon allot all the odd numbers to the first division and all the even numbers to the second division, and in the event of three or more divisions allot the first horse in the list to the first division, the second horse to the second division and third to the third and so on until one horse has been allotted to each division, and, repeating the process, commencing with the next succeeding horse and continuing until all horses have been allotted to a division, subject to the right of the Handicapper, or the Club or body conducting the meeting to select, ballot or further suitably adjust the divisions as may be deemed necessary. No irregularity in the procedure of the Handicapper, Secretary, committee or Controlling Body acting or purporting to act under this or the preceding Rule shall invalidate such procedure or the race or races affected thereby unless fraud or other gross impropriety be established. (L.R.)

Part XVI.

PRODUCE RACES.

Produce Races.

146. A Produce Race is one for the produce of named sires and/or dams.

Entry for Produce Race.

147. The entry for such race of any produce shall be made on a form provided for that purpose by the Club or body conducting such race by entering its dam and naming its sire.

Circumstances in which entrance money for Produce Races shall be refunded.

148. If any produce which has been duly entered for such race is dropped before the 1st August, or such produce be dead when dropped, or if there be no produce, the entry of such mare is void and the entrance money (if any) shall be returned unless the Club or body shall agree upon the happening of any of the above events to accept as a substitute the produce of any other dam and sire whereupon such produce shall take the place of the produce nominated. This Rule shall apply to all programmes now or at any future time issued and shall be deemed to form part thereof.

149. (a) The owner or lessee of a sire or dam may nominate such sire or dam for a Produce Race for which it is eligible for nomination according to the conditions of the race.
- (b) The owner or lessee of the produce of a sire or a dam may nominate the sire or dam for a Produce Race for which it is eligible for nomination according to the conditions of the race
- (i) Subject to this Rule that part of the prize money which is specified in the conditions of the Produce Race as payable to the nominator of the sire or dam shall be paid to the person who at the time of nomination is the lessee or owner of the sire or dam or of the produce of the sire or dam in the following order of priority:—
- The lessee of the sire or dam.
 - The owner of the sire or dam.
 - The lessee of the produce of the sire or dam.
 - The owner of the unleased produce of the sire or dam.
 - The owner of the leased produce of the sire or dam.
- (ii) No lessee or owner shall be entitled to share in that part of the prize money payable to the nominator of the sire or dam unless he has duly nominated such sire or dam.
- (iii) Except as specified in sub-rules (iv) and (v) of this Rule, the order of priority mentioned in sub-rule (i) of this Rule shall not be affected by the order in which nominations for a sire or dam are duly lodged.
- (iv) When owing to the sale or grant or termination of a lease of a sire or dam or the produce thereof two or more persons being at the time of nomination the lessee of or the owner of the unleased sire or dam or produce thereof duly nominate such sire or dam such lessee or owner whose nomination is first received shall take priority over all other such lessees or owners.
- (v) When the lessee of produce or the owner of unleased produce of a sire or dam and the lessee of other produce or the owner of unleased other produce of the same sire or dam duly nominate such sire or dam, such lessee or owner whose nomination is first received shall take priority over all other such lessees or owners.

Owner or lessee may nominate sire or dam for Produce Race.

Owner or lessee of produce may enter sire or dam.

Disposal of prize money payable to nominator of sire or dam in Produce Race.

Lessee or owner not entitled to prize money unless actual nominator of sire or dam.

Prize money not usually affected by order in which entries lodged.

Priority in case of sale, lease or termination of lease.

Conditions under which priority shall be determined by order of entry.

Part XVII.

REGULATIONS FOR RACE MEETINGS.

150. There shall be kept at the office of the Controlling Body a register of all Clubs and bodies which desire to conduct Licensed Trotting Meetings or any trotting race or races under and subject to these Rules. Any properly organised Club or body formed for the promotion of Licensed Trotting Meetings or desiring to conduct trotting races and consisting of not less than twenty-five *bona fide* subscribing members may apply to be registered under these Rules and such application shall be in the form and signed by such persons as the Committee may from time to time prescribe. The Committee may refuse or otherwise deal with the application for the registration or re-registration of any Club or body and may cancel the registration and remove the name of any Club or body from the above-mentioned Register without assigning any reason therefor. If the Committee shall grant registration to a Club or body so applying the Secretary of the Controlling Body shall forthwith issue a certificate of registration which shall remain in force until the 31st day of July next after the date of such application and the Club or body shall thereupon become a registered Club. Every application under this Rule shall be accompanied by such fee as the Committee may from time to time prescribe.

150A. (i) No person or body not being a Club duly registered under these Rules shall hold a race meeting.

(ii) *Subject to Rule 24 of these Rules all registered meetings shall be run in accordance with these Rules. (L.R.)*

(iii) *Every official of every unregistered meeting and the owner, lessee, trainer and driver of every horse trotting at any such meeting shall thereby become liable to disqualification—*

(a) *from holding any office in or being a member of any Club;*

(b) *from entering, nominating, starting, training or driving any horse on the course or training ground of any Club. (L.R.)*

(iv) Every horse trotting at any such meeting and every horse which is owned by any such official, owner, lessee, trainer or driver or in which it shall be proved to

Race meeting not to be held by other than registered Club or Body. Registered meeting to be run in accordance with Rules. Disabilities which may accrue to participants and officials at unregistered meeting.

the satisfaction of the Controlling Body that any such official, owner, lessee, trainer or driver shall have any interest, shall thereby become liable to disqualification, from being entered, nominated or started in any race and from being trained on the course or training ground of any Club.

151. *Rule 150 shall not apply—*

(i) *to trotting races for registered horses at an agricultural show, trials, sports meeting or gymkhana provided that prior to the holding of such trotting races the show society, association or other body has—*

(a) *applied and obtained from the Controlling Body a permit to conduct such races;*

(b) *submitted to and had approved by the Controlling Body duplicate copies of its programme for such races;*

(c) *complied in all other respects with such terms and conditions as the Controlling Body may have stipulated. (L.R.)*

Instances in which Rule 150 does not apply.

152. *If the show society, association or other body does not have its entries handicapped by the Controlling Body's Handicapper it must supply the Controlling Body forthwith with a list of the horses that started with their respective handicap marks, together with the name and address of the person who fixed such handicaps, and shall, if required by the Controlling Body, supply the names and addresses of the officiating Stewards. (L.R.)*

Particulars required respecting meetings where betting not legal.

153. *At the conclusion of the show society, association or other body's meeting there shall be furnished to the Controlling Body a statement in duplicate showing the value of each race held, the distance of such race, names, gross times, and handicaps of the placed horses, and the names of their drivers, and any other information that may be required by the Controlling Body. (L.R.)*

154. (a) The word "Derby" in the name of a race shall not be used except in connection with—

(i) a race for three-year-old trotters and pacers; or

(ii) a race for three-year-old trotters; or

(iii) a race for three-year-old pacers.

Use of word "Derby" in name of race.

Limitation
of Derbies in
Capital
Cities.

(b) *In each Racing Year there shall be within the Metropolitan Area of any Capital City not more than—*

- (i) *one Derby for trotters and pacers; or*
- (ii) *one Derby for trotters and one Derby for pacers (subject to the right of the Controlling Body to conduct a "Country" Derby annually).*
- (iii) *In each case the word "Derby" must be prefixed by the name of the territory conducting such Derby. (L.R.)*

Race not
to be
designated
"Derby"
without
permission
of Control-
ling Body.

(c) *In territory not within the Metropolitan Area of any Capital City no race shall be designated as a "Derby" without the express permission and approval of the Controlling Body.*

Prizes not
in money.

155. *The value of prizes not in money may or may not be advertised. (L.R.)*

Certificate
of circum-
ference of
track to be
lodged with
Controlling
Body.

156. *Each Club shall furnish the Controlling Body with a certificate by a competent civil engineer or surveyor who shall certify by statutory declaration the exact length of such Club's track measured three feet horizontally from that portion of the inside fence which projects furthest over the track. Such certificate shall be endorsed by the Secretary of the Club furnishing the same, and shall be placed on the records of the Controlling Body. The Controlling Body may waive the necessity for such certificate on such terms and conditions as it may deem fit.*

Alteration of
date or post-
ponement of
meeting
subject to
approval
Controlling
Body.

157. (i) *No alteration shall be made in the date of any meeting except with the consent of the Controlling Body but this Rule shall not operate to prohibit the Stewards or committee from postponing any meeting provided that the approval of the Controlling Body is obtained to the holding of the meeting on the date to which the postponement is made (L.R.)*

Applications
for racing
dates.

(ii) *Applications by Club for the dates upon which they may hold race meetings must be lodged with the Controlling Body before such date as may be stipulated from time to time by the Controlling Body.*

Meeting
cancelled or
abandoned.

(iii) *No Club shall cancel or abandon any race meeting without the consent of the Controlling Body and any meeting which is not held within 14 days from the date set out in the programme approved by the Controlling Body shall be deemed to be cancelled unless the Controlling Body otherwise determines.*

(iv) Where any race meeting is cancelled or abandoned all entry and acceptance moneys shall be returned to the respective nominators and be received by them in full satisfaction and discharge of all obligations of the Club and the committee thereof to such respective nominators.

Entry and acceptance moneys to be refunded if meeting cancelled or abandoned.

158. Except as otherwise specially provided in these Rules, no deduction shall be made from the stakes advertised provided that nothing herein contained shall be deemed to prevent a Club or other body from deducting from such stakes any money due to the Club or other body or person in respect of the horse earning the stake or by the person entitled to receive such stake.

Deductions from stakes.

159. Forthwith after every race meeting the Secretary of the Club or body holding such meeting shall forward to the Secretary of the Controlling Body a form as required by the Controlling Body showing the starters and placed horses in each event, the correct distance of each race, the gross times of such placed horses and the net times and handicaps of such placed horses, the names of the drivers and starting price of each horse.

Particulars of registered race meeting to be supplied to Controlling Body.

160. No official of any race meeting shall employ any deputy or assistant unless thereunto expressly authorised by these Rules or by the Stewards or Committee.

Employment of deputy or assistant by official.

161. (i) *Any person who is the Secretary of a Club or a Clerk of the Scales, Starter, Judge, Steward, Time-keeper, Clerk of the Course, Lap Steward, Bookmakers' Supervisor or Bookmaker's Steward and any other official or the duly appointed deputy or assistant of any such person officiating at or in connection with a meeting shall not make any bet or be interested in any wager or bet on any race at such meeting or on a race of any kind run during the currency of the meeting, nor shall a person act in any capacity referred to in this Rule in respect of any race in the result of which he is pecuniarily or otherwise interested. (L.R.)*

Person not to officiate if pecuniarily or otherwise interested.

(ii) Any person committing a breach of this Rule shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly.

Breach of Rule deemed an offence.

162. Unless with the permission of the Controlling Body no person whether he be paid or honorary shall at a meeting conducted by a Club hold the dual position of Handicapper and Judge.

Person not to act as handicapper and judge.

Ambulance men and conveyance to be in attendance all race meetings.

163. Each Club shall at each race meeting held by it have in attendance at least two men trained in ambulance work provided with first aid appliances and shall also have in attendance a suitable conveyance to convey if necessary any person injured at such race meeting to the nearest public hospital.

Part XVIII.

RE-NOMINATION OF HORSES.

Re-nomination of horses and conditions attached thereto.

164. Nothing in these Rules shall be deemed to prevent the Controlling Body or any Club inserting in its programme a condition that horses entered at the meeting may be re-nominated for a higher class on the first or subsequent day or days of the meeting, provided—

- (a) that such horses have put up at the meeting or any other meeting held between the date of nomination and the date of holding the meeting a performance making it ineligible to take the handicap it would have received; and
- (b) that in the case of re-nomination for the first day of the meeting that it be made at any time up to three hours immediately preceding the declaration of handicaps; and
- (c) that in the case of re-nomination for the second or subsequent day of the meeting, that it may be made at any time fixed by the Club or body holding the meeting, not exceeding half an hour after the finish of the last race on the first, second or last day but one of such meeting;
- (d) that in the case of any such re-nomination such re-nominated horse or horses shall be entitled to compete in either or both events as the owner shall elect.

Part XIX.

STAKES AND FORFEITS.

Liability for stakes and forfeits.

165. A person entering a horse for any race shall thereby become liable for all forfeits and fees payable for such horse in respect of such race.

166. (i) All Clubs or other bodies having on their programmes races, by the conditions of which forfeits are payable, shall at least 21 days before the due date thereof, advertise and/or forward by post to all owners by whom such forfeits are payable notice of the amount and of the due date of such forfeit and the amount thereof.

Notice of forfeits to be given by post or advertisement.

(ii) If any club shall fail to comply with the requirements of subsection (i) of this Rule it shall forfeit its right to claim any such forfeit from such person.

167. No Club or other body shall be responsible to the winner of any race for the sweepstakes or forfeits therein unless the same were payable at the time of the closing of entries for such race, or the horse in respect of which the same were payable shall have been permitted to start in the race.

Instances where Club not liable for sweepstakes or forfeits.

168. The Stewards may prevent any horse from starting in a race unless there has been paid before weighing out—

Stewards may prevent horse starting if moneys due not paid.

(a) any entrance or acceptance money or forfeits or sweepstakes or any other moneys payable for that horse in respect of such race; and

(b) all arrears due by any person for such horse, or due for any other horse by any person having any interest in such firstmentioned horse or in whose name or under whose subscription it is entered. Provided that arrears due in respect of a race meeting at any other place than the place at which the race is run shall not be deemed to be arrears for the purpose of this paragraph unless previously notified in writing to the Club or body concerned.

Stewards may prevent horse starting if arrears notified not paid.

Part XX.

HANDICAPPING.

169. In all handicap races the handicaps shall be allotted on the yards system.

Handicaps to be allotted in yards.

170. (i) The Handicapper shall in computing the handicaps reckon 12 yards as equal to one second and six yards as equal to half a second.

Handicapper shall reckon 12 yards equal to one second and 6 yards equal to one-half second.

(ii) The Handicapper shall not for the purpose of framing a handicap alter the class set out in the programme.

Handicapper shall not alter class.

Handicapper not to impose higher than prescribed penalty except where handicapping discretionary.

(iii) In assessing and allotting a handicap, except in events to be run under special or discretionary handicapping conditions, the Handicapper shall in no case impose any higher penalty than the relevant maximum penalty set out in the Schedule of Handicapping prescribed by the Controlling Body or in any amendment thereof for the time being in force.

(iv) Not applicable in Western Australia.

Conditions under which handicap may be amended before acceptance.

171. (i) If any Handicapper shall declare a handicap which is not consistent with the Schedule of Handicapping, or which does not comply with these Rules, such handicap shall, if attention is drawn to the error at any time prior to the closing time for acceptances, be amended by such Handicapper.

Incorrect handicap through improper penalty after acceptance.

(ii) Unless attention is drawn to such error in accordance with subsection (i) of this Rule, such handicap shall not be amended except in the case of a penalty improperly imposed after acceptance, in which case it shall be the duty of the Handicapper, and, failing him, the committee of the body conducting the meeting to correct such improper handicap.

Conditions under which Handicapper may adjust horse's handicap.

(iii) Notwithstanding any provision to the contrary contained in these Rules or in the Schedule of Handicapping, the Handicapper may, in determining the handicap of any horse, provided the Controlling Body shall consent thereto, make such adjustment as shall seem just and equitable to him if—

- (a) such horse has been wrongly handicapped for any race; or
- (b) such horse has been handicapped as a winner and on the final determination of an objection is held not to be entitled to first place.

Schedule of handicapping.

172. A Schedule of Handicapping shall be published by the Controlling Body from time to time.

Selection of Handicappers.

(i) The Controlling Body shall have the power to select one or more persons to act as Handicapper or Handicappers for races on such terms with such powers (not inconsistent with these Rules) and subject to such conditions as the Controlling Body may prescribe.

Only selected Handicapper to act.

(ii) No person other than the Handicapper selected in accordance with the preceding subsection shall act as the Handicapper of any race.

173. *If any objection shall have been duly lodged affecting the first place in any race, both the horse against which such objection is made and the horse claimed to be entitled to such first place shall, until*

such objection has been finally determined, be liable to all penalties which would have attached to the winner of the race if no objection had been made and shall be handicapped accordingly. (L.R.)

174. (i) If any person, being an owner, trainer or driver, or on behalf of an owner, trainer or driver, shall improperly approach any Handicapper relative to the handicapping of any horse, or other duties of such Handicapper, the Controlling Body or Stewards may fine him any sum not exceeding £50 or disqualify him for any period.

Penalty for improper approach to Handicapper.

(ii) Notwithstanding the previous provisions of this Rule any owner or trainer may apply in writing to the Committee or Stewards of any Club or body for an explanation of the handicapping of any horse owned or trained by him.

Owner or trainer may apply to Committee or Stewards re handicapping.

175. (i) No Handicapper shall—

- (a) engage directly or indirectly in any business connected with the sale, lease, breeding or management of trotting horses;
- (b) directly or indirectly be interested in the ownership of any trotting horse;
- (c) bet or be interested in any wager or bet on any race.

Handicapper not to bet or be interested in any trotting horse or contribute to newspaper.

(ii) No Handicapper shall, without the previous permission in writing of the Controlling Body, contribute to any newspaper or periodical any information or article in any wise relating to the sport of trotting.

176. The Handicapper may re-handicap for any subsequent race any horse which has been previously handicapped for such race but wins a race after the issue of such handicaps.

Winner after handicaps declared may be rehandicapped.

177. Any person committing a breach of any of the Rules in this Part contained shall be guilty of an offence against these Rules and may be dealt with accordingly.

Penalty for breach of Rules in this part.

Part XXI.

PROGRAMMES OF MEETINGS.

178. No Club shall publish or issue a programme for a race meeting nor shall any other body publish or issue a programme for any trotting events unless the programme of such meeting or events as the case may be is first approved by the Controlling Body in accordance with these Rules.

Programme not to be published before approval.

Only programmes of registered Clubs to be approved.

179. The Controlling Body shall not approve any programme of a race meeting unless such meeting is to be held by a Club duly registered under these Rules or a body holding a meeting mentioned in Rule 149 hereof.

Time limit for submitting draft programme.

180. (i) (a) Any Club or body desiring to issue a programme for a race meeting or for a trotting event or events shall forward to the Controlling Body two draft copies thereof or such other number as the Controlling Body may decide, not less than two weeks before the date on which nominations are to close.

Clubs may be required to pay daily racing fee.

(b) Each such Club or body may also be required to forward to the Controlling Body a prescribed fee for each days' racing on such programme.

Controlling Body may approve or disapprove programme or official.

(ii) The Controlling Body may, on being satisfied that all the requirements of these Rules are complied with, approve or disapprove such programme or any official mentioned therein, and may require, as a condition precedent to its approval, the amendment of such programme and the appointment of some other official in the place of any official disapproved by it.

Information which must appear on programmes.

181. (i) Every programme shall state—
- (a) that the meeting or trotting event or events is held subject to these Rules;
 - (b) the date on which the meeting is to begin and end, or, as the case may be, the date on which such trotting events are to be held;
 - (c) the names of the Stewards, Treasurer, Judge, Starter, Clerk of Scales, Timekeepers, Handicapper and Secretary;
 - (d) the amount of stakes and the nomination and/or acceptance fees for each trotting event;
 - (e) the place at which and the times at which nominations and/or acceptances close;
 - (f) any special conditions required by the Controlling Body and not appearing in these Rules.

Omission or error not to invalidate programme.

(ii) Any accidental omission from any programme of any matters required by the Rules to be stated or any error therein shall not invalidate the same and any such omission may be remedied, or error corrected, with the permission of the Controlling Body, after such programme has been approved or published.

(iii) Supplying in accordance with subsection (ii) hereof any such omission or the correction of any error shall not be deemed an alteration of the programme.

Supplying omission or correcting error not deemed alteration of programme.

182. The time adopted for the start of each race shall be published by the Club or body not later than the time when the result of the draw for barrier positions in such race is published.

Starting time of race to be published with result of barrier draw.

183. The programmes of all race meetings and of every trotting event held by any Club or body shall, when approved by the Controlling Body, be advertised by the Club or body concerned in full once at least in a newspaper circulating in the district where the meeting is to be conducted and such advertisement shall show that such programme has been duly approved by the Controlling Body. Save as is provided by these Rules, no alteration shall be made in any programme after it has been passed except with the approval of the Controlling Body; and such programme shall be faithfully adhered to by the Club or other body as the case may be.

Programme to be advertised when approved by Controlling Body.

184. *In the case of an agricultural society or association or body conducting a sports meeting or gymkhana, it shall be necessary in addition to the other details required in the programme to state that no horse disqualified under these Rules or owned or trained by any person disqualified under these Rules may enter for or compete in any of the races advertised on the programme and also that no person disqualified or suspended under these Rules may drive in any race advertised in the programme. (L.R.)*

Statement re disqualified persons and horses to be made on programmes for meetings where betting not legal.

Part XXII.

WEIGHING OUT AND WEIGHING IN.

185. No person other than officials of the Controlling Body or the Club conducting the meeting shall, without special leave of the Stewards, be admitted to the weighing stand or enclosure with the exception of the owner, trainer (or other person in charge) and driver of the horse in the race.

Restriction on admission of persons to weighing enclosure.

186. Every driver shall be weighed in his right colours for a specified horse by the Clerk of the Scales at the appointed place, not less than 20 minutes before the time fixed for the race and the number cloth, armband and any other identifying device shall then be exhibited.

Driver to be weighed in with colours and saddle cloth.

Stewards may scratch horse if driver not weighed out.

187. In default of compliance with the preceding Rule, the Stewards may scratch the horse whose driver shall not have weighed out and the owner or driver shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly.

188. *Where the driver of a horse competing at a licensed trotting meeting is not also the owner or trainer of such horse, the fee for driving, in the absence of any special agreement, shall be as follows:—*

For a winning drive: 5 per cent. of the value of the prize to the winner.

For a losing drive: £1. (L.R.)

Stewards may punish connections if number altered or horse does not start after driver weighed out.

189. If any alteration be made in a number after it has been exhibited, or if, after the driver has been weighed, the horse does not start, the Stewards may call upon the owner, lessee, trainer, driver or any of them for an explanation and if in the opinion of the Stewards no satisfactory explanation be given, the owner, trainer, driver, or any of them shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly.

Driver may be replaced if prevented from driving after weighing out.

190. If the driver, after he has been weighed out for any race, but before the time fixed for the start, be prevented by accident or illness, or in the opinion of the Stewards is otherwise unfit to drive in the race, he shall be replaced by another driver.

Payment of driving fee to replaced driver to be decided by Stewards.

191. Any question as to whether or not the fee as for a losing mount shall be paid to the driver so replaced shall be determined by the Stewards, whose decision shall be final.

Stewards may extend time for weighing.

192. In exceptional cases, such as where the delay of a previous race has rendered punctuality impossible, the Stewards may extend the time for weighing and declaring weight and for exhibiting the numbers.

Driver to produce license at scales if required.

193. Every driver shall, if required, produce his license or permit to the Clerk of the Scales, and, failing to do so, he may be dealt with by the Stewards.

Dress to be worn by drivers.

194. All drivers must be dressed in jockey costume, approved type of skull cap, and jacket of silk, satin or plastic or similar material, breeches of suitable white material, corduroy cord, white flannel or buckskin, and top boots or leggings, but the wearing of top boots or leggings in a sulky will not be insisted upon. The Stewards may fine any driver coming to scales in untidy costume any sum not exceeding £5.

Part XXIII.
WEIGHTS TO BE CARRIED.

195. The weight to be carried shall be not less than 10 stone. Weights to be carried.
196. No driver after he has been weighed out shall without the express permission of the Stewards (which permission shall immediately be publicly announced) drive in the race or in the preliminary any horse other than the horse for which he has been weighed out. Driver after weighing out only to drive horse for which weighed.
197. Every driver shall immediately after pulling up if ordered drive his horse past the Judge's box to the place of weighing and on the driver being ordered to do so by a Steward he shall dismount and be weighed by the person officially appointed for that purpose. Provided if a driver be prevented by accident or illness from driving to the place of weighing he may walk or be carried to the scales or be exempted by the Stewards from compliance with this Rule. Driver to proceed as ordered after pulling up and may walk or be carried to scales.
198. When all drivers required by these Rules or by the Stewards to be weighed in have correctly weighed in to the satisfaction of the person officially appointed for that purpose then, if no objection has been made or if an objection has been made, after such objection has been determined, the person officially appointed for that purpose shall direct a "correct weight" signal to be displayed or given in the manner approved by the Club or body conducting the meeting. When "Correct Weight" to be signalled.
199. If a horse be led away from the scales before a driver's weight has been declared by the person officially appointed for that purpose, no articles shall thereafter be taken off such horse for the purpose of being weighed with the driver unless otherwise ordered by the Stewards whether or not he may be the proper weight without it. No article to be taken off horse for weighing after horse led away from scales.
200. If a driver does not weigh in on being ordered by a Steward or other official to do so, or he be found short weight, or be guilty of any improper practice with respect to weight or weighing or touch (unless accidentally) any person or thing other than his own equipment before weighing in both he and his horse may be disqualified for the race and he shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly. Horse may be disqualified if driver does not weigh in or commits specified acts.
201. No whip or substitute for a whip shall be allowed on the scales. No whip or substitute allowed on scales.
202. Any hood, muzzle, martingale, breastplate or clothing, boots, hobbles or bandages in which a horse runs shall not be deemed part of the weight. Gear not to be deemed part of the weight.

Bridle may be weighed or allowance claimed.

203. A driver may weigh out or in without his bridle and shall, if he so requests, be allowed 1 lb. for the bridle.

Driver to see correct minimum weight and proper number carried.

204. Every driver who is to drive in the race shall see that his horse carries its correct minimum weight and its proper number for which he shall apply to the Clerk of the Scales or his assistant.

Restrictions on persons allowed on racing track.

205. No person except a driver actually engaged in the race or a Steward or other official of the Club or a person holding an authority in that behalf shall enter or remain on the racing track for any purpose whatever at any time during the course of a race meeting. But in the event of a horse being fractious the Starter may direct any official to render the driver assistance, but no permission shall be given to hold a horse on the mark.

Penalty clause.

206. If a person commits a breach of the last preceding Rule and such person is an owner, nominator, or a trainer, or any other person holding a license or permit from the Controlling Body (whether such owner, nominator, trainer or licensed person is or is not interested in any horse competing in the race) such person shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly.

Part XXIV.

GENERAL.

Horses leaving Saddling Enclosure hopped or unhopped must thus race.

207. (a) Any horse leaving the Saddling Enclosure in hobbles must race in same unless by the permission of the Stewards.

(b) Any horse leaving the Saddling Enclosure unhopped must race unhopped unless by permission of the Stewards.

Penalty for driver's misconduct or disobedience.

208. Any driver who shall be guilty of any act of misconduct or who shall disobey the order of the Stewards or an official of a Club acting in his official capacity or those officials whom they or it may appoint, or who shall refuse to pay any fine which may be imposed on him may, in addition to the penalties hereinbefore provided, be deemed guilty of an offence against these Rules and be dealt with accordingly.

209. (a) Any authorised person intending to withdraw a horse from a race shall give notice in writing to that effect to the Secretary of the body conducting the meeting or the Clerk of Scales or other duly appointed person by the appointed time as defined in Rule 213.

Notice to be given of intention to withdraw a horse.

(b) Every person having a horse engaged for a race shall by the appointed time as defined in Rule 213 notify the name of the driver of the horse to the Secretary of the body conducting the meeting or the Clerk of Scales or other duly appointed person.

Name of driver to be notified by appointed time.

(c) *If a driver notified in accordance with this Rule is subsequently found to be not available to drive the horse for which he was notified then the person who made the notification shall be deemed to be guilty of an offence under these Rules and may be dealt with accordingly. (L.R.)*

210. *At a Licensed Trotting Meeting when a horse is withdrawn after the declaration of acceptances or (where no provision exists for acceptances after the declaration of handicaps) the Stewards may require the owner or trainer to satisfy them that there was a good and sufficient reason for such withdrawal and if the owner or trainer is unable so to satisfy them they may fine him not more than £50 and/or debar the horse from competing at any meeting or meetings conducted under these Rules for any specified period or pending satisfaction of such conditions as they may see fit to impose. (L.R.)*

Stewards may require explanation when horse withdrawn.

211. In the event of any horse not being on the ground by the appointed time as defined in Rule 213, the owner or trainer of such horse shall notify the Club or body concerned that such horse is not on the ground. Failure to notify its absence will be an offence against these Rules.

Owner or trainer to notify club if horse not on ground by stipulated time.

212. A horse not on the ground by the appointed time as defined in Rule 213 may be struck out of its engagements by the Stewards.

Horse not on ground by appointed time may be struck out of engagements.

213. *For the purposes of these rules in relation to a horse entered in a race, the appointed time for that race means:—*

Definitions of appointed times.

(a) *In respect of a meeting conducted in the Metropolitan Area of any Capital City—at least 40 minutes or such longer period as the Controlling Body may determine before the time fixed for the start of the race; and*

(b) *in respect of any other meeting, at least 40 minutes before the time fixed for the start of the race. (L.R.)*

Horse shall not be left unattended.

214. (i) A horse shall not be left unattended in the birdcage until it has completed all its racing on the programme.

If horse left unattended connections guilty of offence against Rules.

(ii) When a horse is left unattended contrary to the last preceding sub-rule, the owner, trainer and other person for the time being in charge of the horse shall be guilty of an offence against these Rules unless he satisfies the Stewards that he had taken all reasonable precautions to ensure that a responsible person was constantly in attendance on the horse.

(iii) *Where any horse accepted to compete at a meeting of the Western Australian Trotting Association shows any sign of lameness or other condition which could adversely affect its performance the trainer or other person having charge of the horse shall report accordingly to the Chairman of Stewards not later than 40 minutes before the advertised starting time of the race in which the horse is entered. Any trainer or other person being in charge of the horse failing to observe the provisions of this rule may be fined, suspended or disqualified by the Committee or Stewards. (L.R.)*

(iv) *A horse having competed in a race at a Licensed Trotting Meeting shall not compete in any subsequent race on the same day of such meeting unless expressly ordered or permitted by the Stewards and, unless a race shall have been declared void in accordance with Rule 244, a horse shall not in any circumstances after competing in a race start in another race run less than 40 minutes later. (L.R.)*

Order of priority in driving when owners and trainers have more than one horse in race.

215. Except with the special permission of the Stewards, the order of priority set out hereunder shall apply in relation to owners and trainers who have more than one horse engaged in a race and who desire to drive in that race:—

FIRSTLY: He shall drive the horse he owns and trains.

SECONDLY: He shall drive the horse which he owns but which is trained by some other person.

THIRDLY: He shall drive the horse trained by him but not owned or leased by him.

For the purposes of this Rule "part owner" and "lessee" shall be included in the meaning of the word "owners" and the word "owns" shall be deemed to include "leases" in its meaning, also the word "trainer" shall be deemed to include a driver who in the absence of a trainer shall be temporarily in charge of a horse.

216. If any person shall commit a breach of the last preceding Rule, his horse and the horse driven by him may be disqualified for the race and he and such horses may be disqualified for such further period or the person fined such amount as the Stewards or Controlling Body shall think fit, not exceeding £50.

Penalties for breach of Rule 215.

217. (i) Except with the special permission of the Stewards which shall be granted only on good and substantial grounds, the same driver shall drive a horse throughout the meeting.

Horse to be driven by same driver throughout meeting except by permission of Stewards.

(ii) If any such permission be granted the same shall immediately be publicly announced by the Club concerned.

Permission granted to be publicly announced.

(iii) If any breach of subsection (i) of this Rule shall be committed the owner and/or trainer of the horse concerned may be fined not less than £5 and such horse may be disqualified for the race.

Penalties for breach of this Rule.

218. (a) Drivers will be allowed whips not to exceed the following lengths: For saddle horses 2 ft. 6 ins.; Sulky 4 ft. 6 ins. Every such whip must have a snapper or keeper which, in addition to the foregoing measurements, shall not exceed 2 inches in length and 1 inch in breadth and not less than $1\frac{3}{4}$ inches x $\frac{3}{4}$ inch and must be in one piece.

Restrictions as to whips and snappers or keepers.

(b) No trainer or driver shall use a metal lined whip.

Metal lined whip not to be used.

219. *Every sulky attached to a horse raced in harness shall have pneumatic tyres of good quality of no greater width than $1\frac{1}{2}$ inches, and shall not exceed 4 ft. 2 ins. in width. (L.R.)*

Restrictions re sulkies.

220. The traces shall not be lapped round the shaft of the sulky more than once.

Traces to be lapped around shaft only once.

221. (i) All gear used in the race shall be of good quality and in good order and condition.

Penalty if horse sent out with insecure gear.

(ii) If in the opinion of the Stewards a horse is sent out to race with insecure gear attached to it, the person or persons attaching or responsible for attaching such gear, whether they are aware of the same

being insecure or not, may be deemed to be guilty of an offence against these Rules and may be dealt with accordingly.

Driver to report to Stewards if gear lost, broken, damaged or tampered with in race.

222. *If during a race any collision, mishap or happening of any kind occur which could or may have affected the performance of a horse or the true running of the race or if any gear be broken, lost, damaged or tampered with or there be any interference with any gear the driver of the horse concerned shall report the same to the Stewards immediately after leaving the racing track at the conclusion of the race. Any driver failing to comply with this Rule shall be deemed guilty of an offence against the Rules and may be dealt with accordingly. (L.R.)*

Restriction on horse competing hopped then unhopped.

223. (i) Not applicable in Western Australia.

(ii) *At meetings where betting is legal, a horse having competed in hobbles shall not compete unhopped within a period of three months and vice versa unless ordered or permitted by the Stewards.*

(iii) *At agricultural shows and sports meetings where betting is not legal, a horse competing in hobbles shall not compete unhopped in any subsequent event held at the same show or meeting or vice versa. (L.R.)*

Restrictions on changes of gear.

224. (i) Except with the express permission of the Stewards obtained not less than 60 minutes before the time announced for the start of the race in which the horse is entered—

(a) a horse which has raced with hobbles, shoes, overcheck or other gear shall not subsequently race without nor with any different type, arrangement, size or length of hobbles, shoes, overcheck or such other gear as the case may be;

(b) a horse which has raced without hobbles, shoes, overcheck or other gear shall not subsequently race with hobbles, shoes, overcheck or such other gear as the case may be.

Provided that in exceptional circumstances the Stewards may grant such permission at any time prior to the start of the race.

Permission for change of gear to be announced.

(ii) Any such permission shall be publicly announced on the course as early as practicable.

(iii) Not applicable in Western Australia.

- (iv) Saddle horses shall only compete in races which are specifically stated as being for saddle horses. Saddle horses only to compete in races restricted thereto.
225. Every driver shall drive throughout the race with both feet in the rests of the sulky provided for that purpose. Any driver committing a breach of this Rule may be fined a sum not exceeding £10 or may be suspended or disqualified. Drivers must drive with feet in rests.
226. Every driver when entering the race track to compete in a race must drive his horse in its preliminary the correct way of the course only, except when being paraded by the Clerk of the Course. Horses in preliminary must go the correct way of the course.
227. All drivers shall immediately obey and comply with the instructions and requirements of the Clerk of the Course. Drivers shall obey the Clerk of the Course.
228. Any person or Club failing or refusing to comply with the provisions of any of the Rules in this Part contained shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly. Penalties for offences under this Part.

Part XXV.

STARTING.

229. The Starter and any substitute or assistant starter shall be appointed by the body conducting the meeting or the committee thereof, subject to the approval of the Controlling Body. Starter to be appointed by Club and approved by Controlling Body.
230. The Secretary or deputy of such Secretary of the body conducting the meeting shall, at least 30 minutes before the official time for the start of the race, supply to the Starter a written list signed by him of the horses qualified to start in such race, setting out the actual handicap of each. Starter to be supplied with list of horses at least 30 minutes before race.
231. Every horse shall be on the track at least seven minutes before the time appointed for starting, and, on the whistle being blown by the Starter, shall immediately be taken to its allotted mark. When once a horse is weighed out and is on the track it shall be deemed to be under the Starter's orders and the driver shall obey the same. A race may be started without any horse not ready and/or not at its allotted mark at the appointed time. Horses to be on track seven minutes before appointed starting time.

Horse deemed starter when competitors summoned to marks but may be withdrawn by Stewards.

232. A horse shall be deemed to be a starter and in the Starter's hands when the whistle is blown calling the horses to their marks; provided that the Stewards shall have power to order the withdrawal of a horse from any race either before or after it has come under the Starter's orders if in the opinion of the Stewards such horse is unfit or unable to run by reason of injury or otherwise.

Stewards to make ruling on bets when horse withdrawn after time for scratching.

233. In the event of the Stewards ordering or permitting a horse to be withdrawn from a race after the time for scratching, they may declare off all bets made on the racecourse on such race on the day it is being run or they may make such order as to the settlement of such bets made prior to the withdrawal as in their discretion they may deem just.

Driver not to dismount or horse to leave track except with Starter's permission.

234. No horse under the Starter's orders shall leave the track nor shall any driver dismount except with the permission of the Starter. Should a breach of this Rule be committed the driver shall be liable to a fine not exceeding £10.

Barrier positions.

235. The horses shall be drawn up before the start, as far as is practicable, according to their handicaps, and horses on the same mark shall be drawn up in such order as previously determined by lot. It shall be a condition of entry that the barrier positions of horses shall be drawn for, and if the numbers exceed the capacity of the track, the outside draws will be placed as near as practicable behind the front line; provided always that the Stewards may before the draw for barrier positions place any horse in such a barrier position as in their opinion would be conducive to a fair start for the race but not in such a way as to alter the handicap mark of such horse.

Barrier positions if horse withdrawn.

236. (i) *If a horse is withdrawn from a race before the appointed time, as defined in Rule 213, the remaining starters on the same handicap mark shall take their relative positions as if the horse so withdrawn had not been included in the draw for barrier positions, and if, where there are two lines on the handicap mark, a horse on the front line is so withdrawn the horse on the inside of the second line shall take its position on the outside of the front line.*

Barrier positions when horse withdrawn after appointed time.

(ii) *If a horse is withdrawn from a race after the appointed time as defined in Rule 213, the remaining starters on the same handicap mark shall take their relative positions, and where there are two lines on the handicap mark in the same line as if such horse had not been withdrawn. (L.R.)*

(iii) If a horse is re-handicapped for a race after the draw for barrier positions has been made, such horse shall take a position on the outside of the horses placed on the same handicap mark and if there are two lines on that mark on the outside of the second line on that mark.

Barrier position of horse re-handicapped.

(iv) Notwithstanding the preceding provisions of this Rule, the Starter may place a horse which is misbehaving and which, in his opinion, is likely by such misbehaviour to prevent a fair start, in any position he thinks proper but so as not to alter the handicap mark of such horse, and the remaining starters on the same handicap mark shall take their relative positions and where there are two lines on the handicap mark in the same line as if such horses had not been moved.

Starter may place misbehaving horse in any position.

237. If any horse by misbehaviour or for any other reason is in the opinion of the Starter liable to cause delay at the start, the Starter shall warn the driver of such horse and shall not further delay the start.

238. Unless otherwise determined by the Controlling Body, the start for all races shall be a standing one, save that in matches and exhibitions of speed against time the start may be a flying one.

Start to be standing except in matches and speed exhibitions.

239. All races conducted under these Rules shall be started by means of a starting barrier or barriers of a type approved by and installed to the satisfaction of the Stewards unless the Controlling Body shall otherwise specially permit.

All races to be barrier started.

240. The Starter's decision shall be final and conclusive upon any question that may arise as to whether horses have been started for a race.

Starter's decision final on validity of start.

241. The Starter shall give all such orders and take all such measures as he may consider necessary for securing a fair start, and in particular, but without limiting the generality of the foregoing, the Starter—

Powers of Starter.

- (a) may fine any driver disobeying his orders or attempting to take an unfair advantage in a start in a sum not exceeding £10; and/or
- (b) may, if he is unable to compel obedience to his orders by any driver, delay the start and report the matter to the Stewards;
- (c) shall report to the Stewards any driver who starts before the signal is given or who starts off the wrong mark;
- (d) may, if he considers that a start in a race is unsatisfactory, recall the field and re-start the race.

Stewards may replace driver reported by Starter.

242. In the event of a report under subsection (b) of the last preceding Rule, the Stewards, in addition and without prejudice to their discretionary power to remove any driver or any other powers conferred on them by these Rules, may prevent the driver from taking part in the race or may permit another driver to be put up or may disqualify the horse for the race or may fine the driver in a sum not exceeding £50.

Stewards may disqualify horse and/or deal with driver on report from Starter.

243. In the case of a report under Rule 241, the Stewards may disqualify the horse for the race and the driver shall be deemed to be guilty of an offence under these Rules and may be dealt with accordingly.

Conditions under which race shall be void.

244. *If a race be trotted by all the horses at wrong handicaps or with all the drivers at wrong weights, or over a wrong distance, or wrong course, or before the appointed time, or if the Judge or his substitute or a Steward be not in the Judge's box at the time the placed horses pass the winning post, or in the event of all the placed horses being disqualified, the race shall be void if the matter is brought to the notice of the Stewards before correct weight is signalled, and may be trotted again and all bets may be declared off. (L.R.)*

Penalties for driver communicating with unauthorised person.

245. Any driver after entering upon the race track, speaking, communicating or signalling to any person other than an authorised official shall be liable to a fine by the Stewards not exceeding £50 and may be suspended or disqualified

Stewards to decide action if driver considers his horse placed on wrong mark.

246. If any driver shall intimate to the Starter that he considers that he is being placed by the Starter on the wrong mark, the Starter shall not start the race until he shall have reported the matter to the Stewards and received their decision with regard thereto, which decision shall be final and, notwithstanding anything otherwise in these Rules contained, not subject to appeal.

Driver not to permit his horse to start in advance of proper mark or before signal to start.

247. No driver in any race shall permit his horse to start in advance of its proper mark or before the signal to start has been given or attempt to take an unfair advantage in the start.

Starter to report to Stewards any breach of Rule 247.

248. The Starter shall forthwith notify any breach of the last preceding Rule to the Stewards, who, upon being satisfied thereof, may place the horse driven by such offending driver behind the placed horses and

may fine such driver not more than £50 and may disqualify or suspend him and/or the horse for such time as they shall think fit.

249. (a) (i) An owner or trainer of a horse entered in a race who, at the time that the driver should be nominated in accordance with Rule 209 (b), is aware that the horse is not in a fit state or condition to race, shall withdraw the horse from the race in the manner provided by these Rules.

Owner or trainer aware of horse unfit to race at time for nomination of driver to withdraw such horse.

(ii) Where any horse brought to compete at a meeting shows any sign of lameness, unfitness or any other condition which could adversely affect its performance, the owner or trainer shall report accordingly to the Stewards at least one hour before the time set for the start of the race in which the horse is engaged, and such horse shall not start in the race except with the approval or by the direct order of the Stewards.

Owner or trainer to report if horse shows indication of unfitness.

(iii) Any person failing or refusing to comply with the provisions of subsections (i) and (ii) of this Rule shall be deemed to be guilty of an offence against these Rules and may be dealt with accordingly.

Penalties for failure to comply with this part of Rules.

(b) If in their joint opinion any horse is not in a fit state or condition to race, the Stewards may at any time prior to the actual start declare such horse ineligible for the race and may make such order as to settlement of bets as they in their discretion deem just.

Stewards may declare horse considered by them unfit ineligible for race.

250. If the Starter named in a body's approved programme is for any reason unable or refuses to perform his duties at the meeting, the Stewards may authorise any fit person to act as Starter at such meeting.

Stewards may appoint substitute for Starter.

251. No Starter, substitute starter or Starter's assistant shall officiate at any race meeting at which there is competing any horse in the ownership of which he is directly or indirectly interested.

Starter, substitute or assistant not to officiate if interested in any horse at meeting.

Part XXVI.

TROTTING.

252. (i) Every horse which competes in a race shall be raced on its merits whether the owner thereof owns another horse in the race or not.

Every horse to be raced on its merits.

(ii) Every driver shall drive his horse out to the end of the race if he has any reasonable chance of running first, second, third, fourth, or if there are four prizes, fifth, and shall in no case trust to the chance of an objection.

Horses to be driven out.

Penalties if Stewards consider horse not raced on its merits.

253. (a) Where in the opinion of the Stewards any horse has not been raced on its merits they may fine, disqualify or suspend the driver and may also disqualify the horse for the race and also (if they think fit) for a specified period and may also fine, disqualify or suspend the trainer and fine or disqualify any other person (including the owner) who, in their opinion, was party to the horse not being run on its merits.

Penalties if Stewards consider person concerned in inconsistent running of horse.

(b) Any person who, in the opinion of the Stewards, is guilty of being concerned in the inconsistent running of any horse, may be fined, suspended or disqualified.

Penalties for driver looking around unduly in race.

254. Any driver who looks around unduly during a race shall be liable to be fined by the Stewards not more than £10, and, if after having been fined for this offence on one or more occasions, any driver continues to look around unduly during a race, he may be suspended for such period as the Stewards think fit.

Stewards' powers if horse wins as result of collusion or fraudulent conduct.

255. If any horse shall win a race as the result of collusion or other fraudulent conduct on the part of the driver, owner or trainer of such horse, and the driver, owner or trainer of any other horse in such race, the Stewards may declare the race to be void, and/or disqualify such horses and the owners, trainers and/or drivers thereof.

Drivers concerned in or affected by accident in race shall report to Stewards.

256. (i) If an accident shall happen in any race the driver or drivers concerned therein or directly affected thereby shall, unless incapacitated, immediately after the race report the matter to the Stewards. Upon receipt of such report, the Stewards shall hold an inquiry if they shall deem the same to be necessary.

Penalty for failing to observe foregoing Rule.

(ii) Any driver failing to comply with the provisions of subsection (i) of this Rule or failing to appear at any enquiry thereunder which he has been summoned to attend, may be fined by the Stewards not more than £5.

Stewards or veterinary surgeon may order injured horse to be destroyed.

(iii) In the event of any horse being so injured on a racecourse that the destruction of such horse is advisable in the opinion of the Stewards or the qualified veterinary surgeon appointed by the body conducting the meeting; in order to save unnecessary suffering, such Stewards or qualified veterinary surgeon may, after consulting with the owner or person in charge of the horse, if this be possible, order such horse to be destroyed by such person as the Stewards or the veterinary surgeon consider suitable.

257. The Stewards or committee of a Club may make or cause to be made such test or tests as the Stewards or committee shall deem necessary in order to determine whether any drug, stimulant, alcohol or substance of a like nature has been administered to any horse which has been entered for or run in any race, and for this purpose to take possession of and detain any such horse for such period and under such conditions as the Stewards or committee may think proper, without being liable for any damages in consequence of the exercise of such powers, and to fine or disqualify any owner or other person who prevents or attempts to prevent or in any way interferes with the exercise by the Stewards or committee of the powers hereby conferred.

Committee or Stewards may order tests for drugs or stimulants.

258. The Stewards shall disqualify for the race and/or such period as they think fit, any horse which is subjected during any race to any ear-twitch or lip-twitch.

Horse may be disqualified if subjected to ear or lip twitch.

259. The Stewards may disqualify for the race and/or such period as they shall think fit any horse which is subjected during any race to any appliance or device which has not previously been approved by them.

Horse may be disqualified if subjected to any appliance or device not approved by Stewards.

Part XXVII.

INTERFERENCE.

260. A horse may be disqualified for the race or placed behind any other competitor in the race if such horse or any horse belonging to the same owner or in which the same owner has any registerable interest—

Horse may be disqualified or relegated to lower place if crosses too quickly.

- (a) crosses any other horse in the race without being at least 10 feet clear ahead of any such horse in front of which he has crossed at the time of crossing; or
- (b) jostles, or itself or its driver in any way interferes either wilfully or accidentally with any other horse in the race unless it is proved to the satisfaction of the Stewards that such jostle or interference was caused by the fault of some other horse or driver or that the horse or driver jostled or interfered with was at fault;
- (c) forces a passage where there is not sufficient room;
- (d) forces another horse out of his ground;
- (e) trots the wrong side of a post and does not turn back and trot the course from such post.

Horse may be disqualified if jostles or interferes with another horse, forces a passage where insufficient room or forces another horse out of his ground.

Penalties for foul, careless or incompetent driving.

261. Any driver who, in the opinion of the Stewards, caused or contributed to any crossing, jostling or interference by foul, careless or incompetent driving shall be deemed guilty of an offence against these Rules and may be dealt with accordingly.

Use of the whip.

262. No driver shall during any race—

- (i) use his whip except in a direct line with the body of the horse which he is driving or allow the whip to project beyond such line or unduly use or flourish his whip whether thereby interfering with any other horse or horses or not; or
- (ii) strike with his whip or otherwise any other horse or driver; or
- (iii) shout loudly, make any improper noise or do or attempt to do any matter or thing which interferes or is designed to interfere with the progress of any other horse; or
- (iv) make excessive use of the whip on a horse;
- (v) abruptly reduce or check the speed of his horse in such manner as may cause interference or jostling in the race;
- (vi) *although entitled to use any part of the racing track except after selecting his position on the home stretch a leading horse shall not change from right to left or from the left to the right when another horse is so near him that in altering his position he compels the horse behind him or alongside of him to shorten his stride or causes the driver of such horse to pull him out of his stride; (L.R.)*
- (vii) *do anything to interfere with or prevent another horse passing on the inside of him or anywhere when there is sufficient room for such horse to do so without interference to others. (L.R.)*

Driver not to shout or otherwise interfere with progress of any horse.
Excessive use of whip.

No driver to drive so as to assist some horse other than his own.

263. No driver shall during any race drive his horse with the dual object of impeding or hindering another horse so as to impair its chance of winning or being placed and of thereby assisting some horse other than his own.

Penalties for breach of Rules in this Part.

264. If any driver shall commit a breach of any Rule in this Part contained the Stewards may—

- (i) fine such offending driver not more than £50; and/or
- (ii) disqualify for that race or for such period as they may think fit such offending driver and/or the horse driven by him; and/or

- (iii) suspend or reduce or restrict in stature or grade such offending driver for such period as they may think fit or restrict the efficacy or operation of any license held by him; and/or
- (iv) place the horse driven by such offending driver behind any horse whose chance of being placed has in their opinion been interfered with by reason of such breach, or behind all the other horses in the race; and/or
- (v) if they decide that such breach was committed with the privity, knowledge or consent of the owner and/or the trainer of the horse driven by such offending driver, disqualify such owner and/or trainer and/or any other horse in the race belonging to such owner or trained by such trainer, for such period as they shall think fit and/or fine such owner and/or trainer not more than £50.

Part XXVIII.

HORSES BREAKING.

265. When any horse breaks from his gait the driver shall immediately use his best endeavours to pull him to the gait at which he has to go in the race, and if in the opinion of the Stewards any driver shall fail to comply with this requirement, the horse he is driving, if it is placed, may be disqualified for the race and the driver may be fined any sum not exceeding £50 or be suspended or disqualified for any term.

Horse breaking to be pulled back to gait otherwise may be disqualified and driver punished.

266. If the Stewards shall decide that any driver has in any race allowed his horse to make repeated breaks for the purpose of losing or winning the race such driver and the horse driven by him may be disqualified for such period as the Stewards may think fit.

Horse and driver liable to disqualification if repeated breaks allowed.

267. If the Stewards shall decide that any horse by breaking has gained thereby such an advantage as to enable him to run into a place before any other horse or horses in the race, they shall place the horse gaining such advantage behind such other horse or horses and may place him behind any other horse or horses in the race.

Horse gaining advantage by breaking may be relegated to lower placing.

Horse breaking at winning post subject to no greater penalty than on other part of track. Stewards may call off horse which breaks repeatedly.

268. *A horse breaking at or near the winning post shall be subject to no greater penalty than if he broke on any other part of the track provided the Stewards do not consider it a wilful break. (LR.)*

269. If a horse repeatedly breaks during the progress of a race or causes or is involved in any other serious breach of these Rules, a Steward shall have power to call him off the track and any driver refusing to come off when called may be suspended or disqualified.

Instructions to driver unseated in race.

270. A driver who is unseated during a race—

- (a) shall not interfere with or stop or attempt to interfere with or stop any bolting horse on the racing track when such horse is without a driver;
- (b) shall leave the racing track as quickly as practicable and at once report for examination the the Medical Officer or ambulance attendant.
- (c) Any driver who fails to observe or commits a breach of this Rule or any part thereof may be by the Stewards fined any sum not exceeding £5 and/or suspended and/or disqualified by the Stewards.

Penalties for failure to observe Rules in this Part.

Drivers to pull up immediately if lighting should fail.

271. If, during any race held under artificial lighting, the lights should fail, all horses competing in the race must be pulled up by the respective drivers and the race discontinued and be re-started if and when the lights have been restored within 15 minutes or such other time as the Stewards may decide.

Part XXIX.

DEAD HEATS.

Procedure in case of dead heat for first place.

272. In the case of a dead heat for first place by two or more horses, the owners of such horses shall, except in the case of classic events which, at the request of the owners concerned and with the permission of the Stewards, may be run off, divide equally all the moneys or other prize which any of them would have received if there had not been a dead heat.

Matter of indivisible prize to be determined by Stewards in case of dead heat.

273. If in the case of a dead heat, the owners of the horses running such dead heat cannot agree which of them is to have a cup or other indivisible prize, the matter may be determined by lot by the Stewards who

may also determine what sum of money (if any) by way of equality shall be paid by the owner successful in the lottery.

274. (i) In the case of a dead heat for first place, neither horse so dead heating shall incur a handicap penalty nor be re-handicapped because of such dead heat.

No penalty where horses dead heat for first place.

(ii) Any horse running a dead heat shall be deemed to be a winner of the amount actually received in money or value of other prize by its owner and no more.

Horses running dead heat deemed to be winner only of amount actually received.

Part XXX.

JUDGING OF RACES.

275. (i) All races shall be judged by the duly appointed Judge or his duly authorised substitute and a camera may be used to make a photograph or photographs of the horses at the finish to assist the Judge in determining their positions as exclusively indicated by their noses.

Races to be judged by Judge or authorised substitute. Camera may be used.

(ii) The Judge and any substitute Judge shall be appointed by the body conducting the meeting or the committee thereof for such period and upon such terms and at such fees as may be thought fit, subject to the approval of the Controlling Body.

Judge or substitute Judge to be appointed by Club or committee thereof.

(iii) The decision of the Judge determining the order in which horses have passed the winning post shall be final.

Judge's decision final.

(iv) The Judge shall place all horses in a race according to the order in which they have passed the winning post up to and including the fourth horse, and, if by the conditions of the race, more than three prizes are to be awarded, the Judge shall place one more horse than there are prizes.

Placings to be made by Judge.

(v) If the Judge named in a registered Trotting Club's approved programme is for any reason unable or refuses to perform his duties at the meeting, the Stewards may authorise any fit person to act as Judge at the meeting.

Stewards may authorise person to act as Judge in certain circumstances.

276. The Judge may, before correct weight is notified, correct any mistake made by him.

Judge may correct error before weight declared.

Part XXXI.

WALK OVER.

Procedure when only one horse competes or is placed in race.

277. When only one horse weighs out for a race it must trot or pace over the prescribed distance of such race unless the Stewards specially exempt it from so doing.

278. Where only one horse weighs out in a race in which a sum of money is given (whether added to a sweepstake or not) only one-half of the amount which by the conditions of the race was payable to the winner shall be paid.

279. If two or more horses are weighed out but no horse is placed in second or any lower place, the money or prize provided by the conditions of the race for the second or lower placed horse shall be retained by the Club or body conducting the meeting.

Part XXXII.

RECORDS OF TIME.

Register of Time to be kept.

280. Every Club shall keep a Register of Times in which shall be recorded the official times trotted at its meeting.

Timekeepers to be appointed by committee or Stewards of Club.

281. Each Club shall by its committee, and failing action by its committee, then by the Stewards, appoint competent Timekeepers for each of its meetings.

Number of horses to be timed.

282. Such Timekeepers shall—

(a) take the time of the first, second, third and fourth horses past the post in each race, and if by the conditions of the race, more than three prizes are to be awarded, the Timekeepers shall take the time of one more horse than there are prizes;

Time to be entered in Register.

(b) immediately after the finish of each race enter the time so taken in the Club's Register of Times and sign such entry.

Times entered to be official and publicly announced.

(c) the times so entered shall be the official times and shall immediately after being so entered be publicly announced.

283. (i) No times taken by any person other than the official Timekeepers shall be recorded in the Club's Register of Times or publicly announced.

Only times taken by official Timekeepers to be recorded and announced.

(ii) Nothing contained in subsection (i) of this Rule contained shall prevent the Stewards or the Controlling Body from admitting, in any case where fraudulent suppression or misrepresentation on the part of the official Timekeepers is alleged, the evidence of any other person as to times.

Controlling Body or Stewards may admit evidence of other persons re times in circumstances.

(iii) Save as is provided by subsection (ii) of this Rule no entry in Club's Register of Times and no public announcement of times shall be amended or altered save by order of the Stewards or the Controlling Body.

Times may not be altered except as provided.

Part XXXIII.

PROTESTS AND OBJECTIONS.

284. (i) *When a Steward, Starter or other official of the Club or body holding a meeting in his official capacity, or the owner or nominator of a horse engaged in a race or the authorised agent of the owner or nominator or the trainer or driver of the horse considers that a horse is not entitled to be placed in the race in accordance with the Judge's decision, or is in any wise ineligible or liable to be disqualified for the race, he may lodge an objection, provided that protests on the grounds of alleged interference in a race which could alter the placings may be lodged only by the driver of any of the horses placed 1st to 5th inclusive. (L.R.)*

Stewards or other official or connections of a horse may lodge objection against placed horse.

(ii) Except as provided by Rule 285, every objection shall be in writing stating the ground on which the objection is based and signed by the person making the objection and shall be made to a Steward or the Secretary of the Club or body holding the meeting.

Objection other than by official to be in writing.

(iii) Subject to sub-rule (iv) of this Rule, every objection shall, unless the Stewards waive payment thereof, be accompanied by such deposit as shall be prescribed by the Controlling Body, and if the objection be dismissed or not proceeded with, such deposit may, by order of the Stewards, be forfeited.

Objection to be accompanied by deposit.

(iv) No deposit shall be required from a Steward or Starter or official of the Club or body holding a meeting lodging an objection in his official capacity nor from a person making an objection under Rule 285.

No deposit when objection lodged by official.

Objections in certain grounds may be made verbally without deposit before correct weight signalled.

285. (i) An objection on the ground—
- (a) of interference, cross, jostle or any improper act by a driver;
 - (b) of a horse not having run the proper course;
 - (c) of the race having been run over a wrong course;
 - (d) of a horse having gained an advantage by breaking; or
 - (e) of any other matter occurring after the horses have proceeded on to the track;

shall be made verbally or in writing to one of the Stewards or by a Steward or Starter without any deposit before correct weight is signalled.

Penalty if objection deemed frivolous.

(ii) In the event of the Stewards deciding that an objection made under subsection (i) of this Rule is frivolous they may impose on the person making the objection a fine not exceeding £10.

Objection not to be considered without deposit if required.

286. Except in a case to which subsection (iv) of Rule 284 applies or unless the Stewards decide not to require payment of the deposit, an objection which is not accompanied by the required deposit shall not be considered.

Restrictions on time for lodging protests on grounds not specified in Rule 285.

287. An objection on a ground other than those mentioned in Rule 285 may be lodged with the Secretary of the Club or body holding the meeting at any time within seven days after the conclusion of the meeting but not afterwards, save where such objection alleges fraud or intentional misrepresentation, in which case the objection may be lodged at any time.

Controlling Body or Stewards may disallow objection if satisfied there has been unreasonable delay.

288. The Stewards or Controlling Body may disallow any objection lodged under the proviso of the last preceding Rule if they shall be satisfied that there has been unreasonable delay in lodging same.

Person having knowledge of matter capable of affecting result to notify Stewards before race.

289. Any person having prior knowledge of any matter or thing which would affect the result of any race shall, before the commencement of such race, advise the Stewards of such knowledge. Failure to comply with this Rule makes the person liable to a fine not exceeding £50 and to disqualification for a period not less than 12 months.

Stewards to consider objections without delay.

290. The Stewards shall as soon as possible judicially consider all objections duly lodged.

291. No objection duly lodged shall be withdrawn except by leave of the Stewards.

No objection to be withdrawn except by leave of Stewards.

292. The procedure on the hearing of an objection shall be as follows:—

- (a) When the objection is on a ground mentioned in Rule 285, the driver of the horse against which the objection is lodged shall be given notice of and may attend the hearing of the objection which shall be conducted in such manner as the Stewards hearing the objection determine.
- (b) When the objection is on a ground other than mentioned in Rule 285, the owner, trainer and driver of a horse against which the objection is lodged shall, if reasonably practicable, be given notice of and may attend the hearing of the objection. They shall be entitled to be informed of the substance of the objection and may give evidence, call and examine witnesses and cross-examine other witnesses at the hearing.
- (c) A record shall be made of the evidence given at the hearing and each witness may be required to sign the record of his evidence and/or to make a statutory declaration verifying such evidence.
- (d) The Stewards shall give their decision as soon as practicable.
- (e) Forthwith after the Stewards have given their decision, a full statement of the objection, the record of the evidence and any statutory declarations furnished in connection therewith and the decision recorded in writing shall be forwarded to the Secretary of the Controlling Body.

Procedure on the hearing of objections.

293. If an objection in respect of a horse entered for a race is made prior to the race, the Stewards may require the owner or trainer or other person having charge of such horse to furnish proof that such horse is qualified for the race. If such proof be not supplied to their satisfaction, they may disqualify the horse for the race.

If objection lodged before race Stewards may disqualify horse not proved to be qualified.

294. If a protest or an objection made against a horse that has won or has been placed in a race be declared valid, the horse may be either disqualified for

If objection sustained Stewards to determine placings.

the race or the Stewards may disqualify any horse or horses for the race and/or place any horse or horses immediately after any other horse or horses.

Stakes to be paid on decision of Stewards or result of appeal if lodged. Bets to be paid in accordance with Steward's decision on objection.

295. If any objection shall be sustained, the stakes shall be paid in accordance with the decision of the Stewards unless an appeal from such decision be duly lodged, in which case the stakes shall be paid in accordance with the decision of the Controlling Body or Appeal Committee. However, whether there be an appeal or not, all bets shall be paid in accordance with the decision of the Stewards and no person shall have any right to payment of any bet or wager by virtue of the result of the appeal.

Prize to be withheld until objection determined or withdrawn.

296. If an objection to the placing of any horse in a race shall be duly made, the money or prize to which such horse would otherwise be entitled shall be withheld until such objection has been finally determined or duly withdrawn

Club not responsible in respect of prize paid before objection lodged.

297. If in any such case the money or prize shall have been paid over before the objection is made, the Club or body holding the race meeting shall not be responsible for the payment thereof to the person found to be entitled thereto unless it recover the amount from the person to whom the same was paid and if such latter person shall fail to repay such moneys his name shall be placed by the Controlling Body in the Unpaid Forfeit List.

Stewards may limit evidence to be received on objection in certain circumstances.

298. If on the hearing of an objection lodged under Rule 284 in respect of any alleged breach under Rules 284-287, the Stewards or a majority of them shall have witnessed such breach or alleged breach, they may determine the matter on their own knowledge and in any such case it shall not be necessary, notwithstanding any provision of these Rules to the contrary, to receive any evidence other than the evidence of the owner of the horse to the placing of which the objection is made and any witnesses called by him, provided that their decision on the matter is unanimous.

Allocation of prize, determination of penalty and position re bets when horse disqualified for race after correct weight signalled.

299. *When the "correct weight" or "pay out" signal has been sounded or exhibited by authority of the Stewards (whether a protest or objection has been lodged and determined or not) if the horse declared by the Judge to be first past the post is subsequently disqualified for the race on any grounds whatsoever, then the first prize for the subject race shall be divided equally; one half thereof shall revert to the Club conducting the race and one half shall be paid to the*

owner of the horse to which the race is awarded following the disqualification and no handicapping penalty shall accrue to the horse which was subsequently disqualified or to the horse to which the race is ultimately awarded nor shall the classification or assessment of either horse be thereby affected.

Subsequently disqualification of any horse shall not affect payment of any bets or totalisator dividends. Such payments shall be made on the basis of the placings existing at the time the "correct weight" or "pay out" signal has been sounded or exhibited as aforesaid. (L.R.)

Part XXXIV.

COMPLAINTS.

300. (i) Any Steward or other official of a body holding a race meeting in his official capacity may lodge with the Secretary of the body a complaint against any person that such person has committed a breach of these Rules.

Complaints may be lodged with Secretary by official.

(ii) If such complaint shall not be in writing, the Secretary of the body, except in the case of a complaint by a Steward, shall cause the same to be committed to writing and signed by the person lodging the same before the commencement of any inquiry held in consequence thereof.

Complaint except by Steward to be made in writing.

301. Any objection duly lodged shall, for the purposes of this section, be deemed to be a duly lodged complaint against all persons concerned in the breach of these Rules in respect of which such objection is made.

Objection to be deemed duly lodged complaint.

302. (i) No complaint against any person relating to his conduct during a race shall be brought later than five minutes after the Judge shall have given his final decision unless the Stewards shall be satisfied that, owing to special circumstances, the complaint could not have been lodged within that time.

Complaint of conduct during race to be lodged within five minutes of Judge giving final decision.

(ii) No complaint against any person on any ground relating to his conduct at a race meeting and not being a complaint within the operation of subsection (i) of this Rule shall be lodged later than seven days after the conclusion of such race meeting unless such complaint shall allege fraud.

Complaint of conduct at race meeting other than during race to be lodged within seven days except in case of alleged fraud.

Complaints to be heard when and where Stewards think fit. Complaint not to be withdrawn except by leave of Stewards. Stewards to consider all complaints as soon as possible. Person complained against to be given notice of complaint and hearing.

Procedure in respect of complaints.

Stewards shall as soon as possible advise Controlling Body of penalties.

Stewards may fine driver up to £50 without hearing evidence other than that of subject driver.

If driver appeals against decision under section (1) of this Rule Stewards to bring and hear complaint.

Stewards may confirm, vary or reverse decision after hearing complaint.

303. (i) Any complaint duly lodged shall be heard by the Stewards at such time and place as they shall think fit.

(ii) No complaint duly lodged shall be withdrawn except by leave of the Stewards.

304. (i) The Stewards shall as soon as possible judicially consider all complaints duly lodged.

(ii) The person against whom such complaint is laid shall be given due notice of the nature of the complaint and of the hearing, provided that if any complaint in connection with a horse be made during a meeting against its owner who is not present thereat, it shall be sufficient compliance with this Rule if such notification is given to the person having at such meeting the control of such horse and such person shall have all rights in connection with such hearing as are by these Rules conferred on persons against whom complaints shall be brought.

(iii) The procedure laid down by Rule 292 relating to objections shall, *mutatis mutandis*, be followed in respect of all complaints.

(iv) If any person is censured, fined, suspended, disqualified or otherwise punished by the Stewards they shall, as soon as possible thereafter, forward to the Controlling Body full particulars thereof and of the grounds for such censure or punishment.

305. (i) Notwithstanding anything to the contrary in these Rules provided, the Stewards may, without hearing any evidence other than the explanation of such driver if they shall be unanimous in their decision, inflict on any driver who, in their opinion has, during the race been guilty of a breach of these Rules, a fine not exceeding £50.

(ii) If such driver shall duly lodge an appeal against any decision given under subsection (i) of this Rule within the time limited in that behalf by these Rules, the Stewards shall cause to be brought against such driver a complaint under the provisions of Rule 300 hereof and shall proceed to hear such complaint in accordance with Rule 304.

(iii) Upon the hearing of such complaint, the Stewards may confirm, reverse or vary their previous decision.

(iv) If upon such hearing the Stewards shall reverse their previous decision or reduce the penalty thereby inflicted, such driver may request that the deposit made by him be returned, in which case such deposit shall be repaid to him and the appeal deemed to be vacated; in any other case, the appeal shall stand as an appeal against the decision given upon such hearing.

If decision reversed driver may vacate appeal and obtain refund of deposit.

306. If on the hearing of a complaint lodged under Rule 300 in respect of any alleged breach under Rules 284-287, the Stewards or a majority of them shall have witnessed such breach or alleged breach, they may determine the matter on their own knowledge and in any such case it shall not be necessary, notwithstanding any provision of these Rules to the contrary, to receive any evidence, other than the evidence of the person against whom the complaint is made and any witnesses called by him, provided that their decision on the matter is unanimous.

Stewards may limit evidence to be received on complaint in certain circumstances.

Part XXXV.

INQUIRIES.

307. (i) The Stewards may during a race meeting or the Controlling Body or at least three of its Stewards may at any time hold an inquiry into any matter which the Controlling Body or the said Stewards shall consider it advisable to investigate.

Controlling Body or Stewards may inquire into any matter considered desirable to investigate.

(ii) An inquiry shall be held by the Stewards whenever they shall be so requested by the Controlling Body.

Steward or Stewards to hold inquiry whenever requested by Controlling Body.

(iii) The evidence at any such investigation or inquiry or any adjournment thereof shall be committed to writing and signed by the respective witnesses.

Evidence at any inquiry under preceding section to be committed to writing and signed.

(iv) The written evidence taken upon any inquiry and the decision of the Stewards, both certified by the Chairman as correct, shall forthwith, upon the giving of such decision, be forwarded to the Controlling Body.

Certified evidence and decision to be forwarded to Controlling Body.

308. (i) The Stewards may review and consider the running of any horse competing at any meeting or meetings and if the Stewards are satisfied that the performance of such horse is inconsistent and/or unsatisfactory they may recommend the rejection of the

Powers of Stewards if satisfied performance of horse inconsistent or unsatisfactory.

nomination of the horse for such period as they think fit and/or suspend the owner and/or the license or licenses of any driver and/or trainer or disqualify such horse and/or its owner, trainer and/or driver.

(ii) *The powers conferred upon Stewards under this rule may be exercised by the Chairman of Stewards upon information supplied to him by the Steward or Stewards who officiated at either or both of the race meetings referred to and it shall not be necessary that the Chairman of Stewards shall have officiated at either or any of such race meetings. (L.R.)*

Recom-
mendation
by Stewards
under
preceding
Rule to
prevent
horse
starting
until period
stipulated
has expired
or terminated
by
Controlling
Body.

309. Upon the Stewards, under the power vested in them by the last preceding Rule, recommending that a horse be not permitted to start for any specified period, the horse concerned shall not thereafter be started in any race unless and until the recommendation has been rejected by the Controlling Body or the period mentioned in the recommendation has expired or is terminated by such Controlling Body.

Stewards
may order
driver to
try any
horse.

310. The Stewards may order any driver selected by them to try any horse trotting at any meeting.

Penalty if
driver
refuses to try
horse or any
person
refuses to
allow trial
or interferes
with gear.

311. Any driver refusing to comply with any order of the Stewards given under the last preceding Rule, and any person after being notified of such intended trial by any Steward or official of the Club refusing to allow such trial or in any wise interfering with or altering the gear or hobbles of such horse without the consent of the Stewards shall be liable to be disqualified or suspended for such period as the Stewards think fit and/or to be fined by the Stewards not more than £50.

Controlling
Body may
prevent any
horse or
driver taking
part in race
pending
Stewards'
decision on
any inquiry.

312. Pending the decision of the Stewards on any inquiry or in connection with any protest, objection or complaint, the Controlling Body or Stewards may direct that the horse shall not be allowed to compete in or be nominated for any race and/or that the driver shall not be allowed to drive or otherwise take part in any race and/or that no horse of the owner shall be allowed to compete in or be nominated for any race.

Stewards
may take
and keep
possession of
horse, gear or
equipment.

313. (i) For the purpose of ensuring compliance with these Rules or of ascertaining whether there has been any breach thereof, the Stewards or any person authorised for the purpose by the Controlling Body shall be entitled at any time or place to take and during such period as the Stewards or such other

person shall think fit to keep possession of any horse, gear, equipment or thing and to test and examine the same.

(ii) A person who refuses or fails to deliver up any horse, gear, equipment or thing in his possession when required by the Stewards or a person authorised for the purpose by the Controlling Body so to do, shall be guilty of an offence against these Rules.

Person refusing to deliver horse, gear or equipment guilty of offence.

(iii) Neither the Controlling Body nor any person acting in accordance with sub-rule (i) of this Rule shall be liable for any loss, damage or injury of any kind whatsoever arising out of or occurring during the taking or keeping or possession of any horse, gear, equipment or thing pursuant to sub-rule (i) of this Rule.

Controlling Body or person acting under this Rule not liable for loss, damage or injury.

314. (i) A legally qualified veterinary surgeon when requested or instructed by the Controlling Body or the Stewards or a person authorised for the purpose by the Controlling Body to carry out any test or examination, shall be entitled to take from a horse such swabs and blood, urine and other samples and to carry out such tests and examinations of the horse as he shall think fit and for all or any of those purposes to use such instruments in such manner as he shall think proper.

Veterinary surgeon to take samples from horse when instructed by Controlling Body or Stewards.

(ii) Neither the Controlling Body nor any person lawfully requesting any test or examination, nor a legally qualified veterinary surgeon carrying out any such test or examination, or any person properly assisting such veterinary surgeon, shall be liable for any loss, damage or injury arising out of or occurring during any such test or examination.

Controlling Body veterinary surgeon or assistant not liable for loss, damage or injury attached to test or examination.

Part XXXVI.

RE-HEARINGS.

315. If after the Stewards have given their decision on any matter, new evidence touching such matter is produced to them within 14 days after having given such decision, they may re-hear the matter.

Stewards may re-hear any matter within 14 days if new evidence produced.

316. The Stewards, if intending to conduct any such re-hearing, shall, a reasonable time before the date fixed for such re-hearing, notify the Controlling Body and any other person directly affected of the time and place of such re-hearing.

Controlling Body and any person directly affected to be notified of re-hearing.

Stewards may be directed to re-hear or reconsider any matter.

317. The Controlling Body or Appeal Committee may order or direct the Stewards to re-hear or reconsider any matter determined by them and in such event such Stewards shall within 14 days after such order or direction has been notified by the Secretary of the Controlling Body, re-hear the matter.

Procedure in re-hearings.

318. On any such re-hearing, notwithstanding that the matter may have originally been decided under the provisions of Rules 298 and 306 hereof, the provisions of Rule 292 shall, *mutatis mutandis*, apply; provided that if any persons whose evidence is desired reside away or are absent from the place where such re-hearing shall be heard then their evidence may be taken in such manner as the Stewards conducting the re-hearing shall, with the approval of the Controlling Body or Appeal Committee, arrange.

Stewards may confirm reverse or vary decision on re-hearing.

319. Upon any re-hearing, the Stewards may confirm, reverse or vary the decision originally given.

Appeal lodged deemed to be vacated on determination of re-hearing.

320. If, before any re-hearing held under the provisions in this Part contained, any appeal shall have been lodged, such appeal shall, upon the determination of such re-hearing, be deemed to be vacated.

Right of appeal to exist in respect of decision given upon re-hearing.

321. The same rights of appeal shall exist in respect of the decision given upon any re-hearing as existed in respect of the decision given upon the first hearing.

322. On any application to the Controlling Body for a re-hearing being granted it may after the hearing thereof in addition to any other penalties ordered by it direct that the person, Club or other body which applied for the re-hearing shall pay such costs of the re-hearing as it may deem reasonable.

Part XXXVII.

OFFENCES.

OFFENCES.

323. No person shall—

- (1) corruptly give or offer directly or indirectly any money, present, share in a bet or other benefit to any person having official duties in relation to a race or to any owner, trainer, driver or other person having charge of or access to any horse; or

- OFFENCES
(Contd.)
- (2) having official duties in relation to a race or being the owner, trainer, driver or other person having charge of or access to any horse, corruptly accept or offer to accept any money, present, share in a bet or other benefit; or
 - (3) wilfully enter or start or cause or procure to be entered or started for any race a horse which he knows or believes or has reason to believe to be disqualified, or not to be qualified to be entered or to start for such race, or wilfully enter a horse for a race unless entitled under these Rules or under the conditions of a programme duly approved under these Rules so to do, or starts any horse in a condition unfit to race; or
 - (4) tamper with any person employed in a trotting or racing stable or obtain surreptitiously information respecting a trial, or respecting any horse in training, from any person employed in a trotting or racing stable or in the service of the owner or trainer of the horse; or
 - (5) being a person employed in or about a trotting or racing stable or in the service of an owner or trainer divulge surreptitiously and/or improperly any information concerning any horse in such stable or owned by such owner or trained by such trainer or accept any bribe; or
 - (6) lay or accept a wager illegal in the State or Country in which the same is made; or
 - (7) having invested with a bookmaker repudiate such investment; or
 - (8) refuse to supply any information, give any evidence or make a written declaration, statutory or otherwise, respecting any matter connected with trotting or any horse registered with the Controlling Body or the ownership thereof which the Stewards, racecourse inspectors or supervisors, Stipendiary Steward or Controlling Body shall require him to supply or make; or
 - (9) wilfully supply any false information or make any false declaration respecting any matter connected with trotting to any body or person mentioned in subsection (8) of this Rule; or
 - (10) without the consent of the Controlling Body knowingly employ or keep in his employ in connection with the care, training or racing of

OFFENCES
(Contd.)

horses any person who is under a term of disqualification imposed by the Controlling Body or Stewards; or

- (11) wilfully fail to register any interest, partnership, sale, lease or other dealing by these Rules required to be registered; or
- (12) wilfully fail to perform any act lawfully ordered by the Stewards, committee of the body holding the meeting or Controlling Body; or
- (13) wilfully drive in any race unless qualified and eligible under these Rules so to do; or
- (14) (a) either by himself or any other person do or permit or suffer any act or thing to be done during the progress of any race or prior or subsequent thereto in connection therewith, which the Stewards or Controlling Body shall deem to be fraudulent, corrupt, foul or improper, or by which other persons may suffer or be penalised; or
(b) drive in any race in a manner which in the opinion of the Stewards is careless and/or incompetent; or
- (15) at any time write or cause to be written, publish or cause to be published, utter or cause to be uttered, any improper, insulting or abusive language with reference to the Controlling Body or any members or officials of such body, any Stewards, racecourse inspectors or supervisors, committee, officials, officers or members of any Club or body or to the handicapping, starting, racing or anything connected therewith; or
- (16) being a trainer, driver, stableman or apprentice without due notice abscond from the service of his employer or being a driver refuse his services, without just cause, to any owner by whom he is retained; or
- (17) (a) administer or cause or suffer or permit to be administered to a horse for the purpose of affecting its speed, stamina, courage, conduct or behaviour in a race any drug, alcohol or substance of a like nature; or
(b) during any race use any electrical or mechanical appliance other than the ordinary whip; or

- (c) by the use of harness, gear or other equipment or by any other means inflict undue suffering on any horse; or
- (d) use his whip excessively; or
- (e) not allow his horse to do its best in any race; or
- (f) *alter any gear of a horse in such a manner as to constitute an advantage or disadvantage to such horse or prevent the horse doing its best in any race; or (L.R.)*
- (18) make a fraudulent entry of any horse or disguise a horse with intent to conceal its identity or be in any way interested in any such transaction; or
- (19) do in connection with trotting any other matter or thing which in the opinion of the Controlling Body or Stewards is fraudulent, corrupt or detrimental to the interest of the sport of trotting;
- (20) either by himself or in conjunction with others or as a member of a society, union or association, publish, communicate or send to or cause to be published, communicated or sent to the Stewards or the Controlling Body or to any member or officer of any such body any statement, comment or expression of opinion upon any question which is to be decided by any such body with intent improperly to influence or affect the decision thereof; or
- (21) (a) fail to comply with any request or direction by the Controlling Body or any of the Controlling Body's Stewards or the Stewards of any race meeting; or
- (b) commit a breach of any provision of these Rules; or
- (22) do or neglect to do any act which results in the inconsistent running of any horse; or
- (23) force a passage in any race where there is not sufficient room; or
- (24) make any horse cover more ground than necessary by carrying him out; or
- (25) converse with any driver after such driver has been weighed out for a race and is on the track for such race; or
- (26) act in a manner discreditable or injurious to those interested in trotting affairs;

OFFENCES
(Contd.)

- (27) except as provided in these Rules, communicate or approach either directly or indirectly any member of the Controlling Body or the Committee or Appeal Committee concerning any matter which is or may be the subject of an appeal to the Controlling Body or Appeal Committee;

(Should any such communication or approach be made, the onus shall be on the appellant to satisfy the Controlling Body or the Committee or Appeal Committee that such communication or approach was made without his consent or connivance, failing which, the Controlling Body or the Committee or Appeal Committee may dismiss the appeal and/or impose any of the penalties provided in Rule 329 (b).)

- (28) abet any person in the commission of any of the aforesaid acts; or
- (29) conceal the commission of any of the said acts; or fail to immediately notify the Controlling Body or one of its Stewards of the commission or attempted commission of any of the aforesaid acts.

Ticket sold or issued by club not to be transferred or resold.

324. *Any person being the purchaser or recipient of a ticket sold or issued by a club and which carries any privilege or entitles the holder to enter a particular course or a specific section, stand, reservation or enclosure contained within the boundaries of such course shall not sell or transfer such ticket to any other person without the express permission of the Committee of the Club. Where it is established to the satisfaction of the Committee of the Club or Stewards that a breach of this rule has occurred the offender may be fined or disqualified by the Committee of the Club or Stewards and/or removed from the course. (L.R.)*

Person committing breach of provisions of Rule 323 may be dealt with.

325. Any person who commits a breach of any of the provisions of Rule 323 shall be deemed to have committed an offence against these Rules and may be dealt with accordingly.

Person doing attempting or omitting any act with intent to commit breach of Rules deemed to have committed an offence.

326. Every person who having an intent to commit a breach of any of the provisions of these Rules does or attempts to do or omits any act for the purpose of accomplishing his object shall be deemed to have committed an offence against these Rules.

327. When any drug, alcohol or substance of a like nature is administered to a horse in breach of these Rules, the trainer and any other person who, in the opinion of the Stewards, was in charge of the horse during the period when the drug, alcohol or substance of a like nature was administered, shall, unless he satisfies the Stewards that he had taken all reasonable and proper precautions to prevent the administration of the drug, alcohol or substance of a like nature, be deemed to have committed an offence against these Rules.

Trainer or person in charge of horse deemed guilty of offence unless he satisfies Stewards all reasonable precautions taken to prevent administration of drug, or alcohol.

328. Any horse which has been brought to any race-course and which is found by the Committee of the Club or the Stewards to have had administered to it without the permission of the Stewards any drug, alcohol or substance of a nature capable of affecting its speed, stamina, courage or conduct may be disqualified for any race in which it has started on that day.

Part XXXVIII.

PUNISHMENT FOR OFFENCES.

329. (a) If in the opinion of the Controlling Body, any Club has committed any breach of these Rules or been guilty of any act or omission discreditable or injurious to those interested in trotting affairs, the Controlling Body may fine such Club not more than £200 and/or may cancel or suspend either absolutely or conditionally the Certificate of Registration thereof.

Club liable to penalty if guilty of breach of Rules.

(b) Every person who, in the opinion of the Controlling Body or Stewards, has committed any offence against these Rules or has failed or refused to observe any of the provisions thereof, may be suspended or disqualified for any specified period or during the pleasure of the Controlling Body or the Stewards as the case may be or for life and/or be fined a sum not exceeding £200 unless some other penalty has hereinbefore been provided in these Rules for a particular offence.

Penalties accruing to offences persons committing against Rules.

(c) *The Stewards shall have absolute discretion to disqualify any person who, in their opinion, has been guilty of corrupt, dishonest, fraudulent or improper practices at any race meeting or in connection with horse racing (of any kind or class) in Western Australia or elsewhere. (L.R.)*

330. Any horse in connection with which any offence against these Rules shall have been committed may be disqualified for any specified period or for life.

Horse may be disqualified.

Penalties may be imposed by Controlling Body or Stewards.

331. (a) Any of the penalties provided by Rules 329 (b) or 330 may be imposed by the Stewards or the Controlling Body (whether or not an appeal has been brought to it).

(b) *In the interpretation of the Rules under this Part, the word "Stewards" shall be deemed to include any two or more of the Controlling Body's Stewards and also one Steward when acting under Rule 307 (ii). (L.R.)*

Controlling Body may increase, reduce or vary any penalty.

332. (a) The Controlling Body may at any time whether or not an appeal has been brought before it, either increase, reduce or vary any penalty imposed at any time by the Stewards.

(b) The Controlling Body may at any time review any penalty imposed or adopted by it, and may vary, increase or reduce such penalty in such manner as it deems fit.

Part XXXIX.

NOTICES.

Notices.

333. Any notice required to be given under these Rules may be served upon any person if the same be delivered to him personally or left at his usual place of abode with some inmate thereof appearing to be above the age of 14 years, or forwarded to him by registered letter addressed to him at his usual or last known place of abode or business. After any such notice has been so given or served the Controlling Body or Stewards, as the case may be, may proceed to deal with the matter in his absence.

Part XL.

TIME.

Time for act to be done.

334. Wherever in these Rules any time is provided within which any act, matter or thing is to be done or performed, then the Controlling Body may, in its discretion, and without assigning any reason therefor, enlarge or abridge such time in any particular case or cases either with or without imposing any penalty.

Number of days excludes first day and includes last day.

335. In any particular case in which any particular number of days not expressed to be clear days is prescribed by these Rules, the same shall be reckoned as exclusive of the first day and inclusive of the last day.

336. Without affecting the provisions of Rule 3 where the time for doing any act expires on a Sunday or other day on which the offices of the Controlling Body are closed and by reason thereof such act cannot be done on that day, such act shall so far as regards the time for the doing of same be held to be done if done on the day on which the offices are next opened.

When time for doing act expires on Sunday such act may be done on day on which office of Controlling Body next opened.

INTERPRETATION.

W.1. In these rules, the following words shall have the following meanings if not inconsistent with the context:—

“*The Association*” means the Western Australian Trotting Association.

“*Affiliated Club*” means any Trotting Club formed for the promotion of, and which conducts, trotting meetings and is registered and continues to be registered under Part III.

“*Dealing*” means any sale, transfer, loan or lease (which includes a sub-lease) of a horse, or of any share or interest in a horse.

“*Foreign horse*” means any horse foaled out of Western Australia or any horse which is foaled in but taken out of Western Australia before being registered under these Rules.

“*Official Calendar*” means the publication (if any) for the time being, appointed or published as such authorised by the Committee.

“*Special Invitation Race*” means and includes any race for which no nomination or acceptance fee is payable and which is open only to certain horses named by the body conducting the meeting at which the race is to be held. An Invitation Race is penalty free.

“*Unregistered Meeting*” means a race meeting in Western Australia which is not held by or under the auspices of the Association, or of any Affiliated Club or of a body whose programme has not been approved by the Committee.

Words importing the singular number include the plural and *vice versa*, and words importing the masculine gender include the feminine gender, and every word in either of the said

genders or numbers shall be construed as including a body corporate as well as an individual, and whenever reference is made to any official of the Association or of an affiliated Club, it shall include his deputy or any authorised person performing his duties.

The Committee.

W.2. The Committee of the Association shall from time to time appoint Stipendiary Stewards as required by clauses 54 and 55 of the Constitution, and may from time to time—

- (a) appoint, suspend and dismiss all Judges, Starters, Clerks of the Scale, Clerks of the Course and Timekeepers, and also all such other officials as the Committee thinks fit to carry out these Rules and may also appoint, suspend and dismiss any deputy or deputies, or other persons to act for any such official;
- (b) prescribe, alter and vary scales of fees for any matter in respect of which it is provided by these Rules that fees shall be charged;
- (c) prescribe, alter and vary all such forms as in the opinion of the Committee are necessary under these Rules;
- (d) without assigning any reason and in its absolute discretion and on its own motion or on complaint prohibit any person or horse or vehicle from being allowed entry to or remain upon any racecourse or in its precincts either permanently or for a specified time or occasion and/or order the expulsion from any racecourse or its precincts of any person, horse or vehicle thereon. And every person entering or being upon any racecourse or its precincts shall do so subject to this uncontrolled power of the Committee. If any person is expelled from any Course the Committee will on demand refund any cash entrance fee which was paid by him.

W.3. In exercising its powers or discretions under these Rules, the Committee of the Association shall have an absolute and unfettered power and discretion, and shall not be required to assign reasons, and may act with or without notice, and whenever a question comes before or is dealt with by the Committee on its own motion, or by way of appeal, its decision shall be final

and conclusive except as provided in Rule 139. The decision of the Committee in case of appeal or re-hearing shall be final and shall not be questioned in any Court.

W.4. Whenever the Committee of the Association confirms with or without modification the report or further report of the Stewards made under Rule 13 the report so confirmed shall be final and whenever an appeal is made to the Committee of the Association under Rule 115 the decision on appeal shall be final except as provided in Rule 139, but any report so confirmed or any decision on appeal by the Committee of the Association may be rescinded, varied or modified by a resolution of the Committee carried by the votes of two-thirds of the members present at a meeting provided that the notice convening such meeting has specifically stated the details of the proposed resolution.

Affiliated Clubs.

W.5. Any association or number of persons formed for the promotion of, and which conducts race meetings, desiring to hold its meetings under these Rules, may apply to the Committee of the Association for registration as an affiliated Club and such application shall be in the form prescribed and accompanied by the prescribed fee.

W.6. The Committee may register or refuse to register an association as an affiliated Club and may, after registration, and with or without giving any reasons, suspend or cancel either absolutely or conditionally the registration of an affiliated Club.

W.7. Every affiliated Club shall have a racecourse for the holding of its meetings to be named in the application for registration, and no meeting shall be held by or under the auspices of such Club except upon the racecourse so named, provided that the Committee may give written permission to an affiliated Club to hold a meeting on some other racecourse.

District Councils.

W.8. (a) Any three or more Clubs which have already been affiliated with this Association may apply to the Committee for permission to form a district council to be named in the application, and the Committee may, by resolution, approve of such application.

Should the approval of the Committee be obtained, it shall be given to the applicants in writing and such written approval shall contain particulars as to the extent of the authority conferred upon such district council.

The district council shall be entitled to exercise powers to the extent of the authority contained in the aforesaid approval and no further.

The Committee may at any time cancel or revoke the approval or add to or cancel any of the powers given to any district council by resolution and notice in writing to the Secretary of such council.

(b) Each district council shall consist of two delegates from each of the affiliated clubs desiring to join such district council in the respective districts, together with a secretary appointed by each council.

The Association shall not be in any way liable or responsible for any of the debts, liabilities or undertakings of any district council and no such council shall have any authority whatsoever to pledge the credit of the Association in any manner whatsoever, nor shall any district council nor the Secretary thereof be the agent for the Association for any purpose whatsoever.

(c) Nothing in the foregoing portion of this rule shall be taken to constitute any members of any such district council and/or affiliated clubs members of the Association.

(d) It shall be deemed sufficient service of any document, notice or other writing upon any such district council if the same is posted in a prepaid letter addressed to "The Secretary" and naming the district council as described in its application.

(e) Nothing herein contained shall in anywise affect or limit the liability of any of the Clubs for the time being represented upon any district council to pay to the Association such affiliation fees as may from time to time require to be paid to it for the purpose of such affiliation but each of such councils may levy upon and require to be paid by any of the Clubs represented upon such council, such amounts as may from time to time be required for any of the purposes of such council authorised by the Committee.

Registration of Horses.

W.9. To be eligible for registration, a horse must be by a sire and out of a dam, both of whom are correctly registered by the Association.

W.10. No horse shall be nominated or allowed to start in any race unless the horse and its name are first registered under this Part and no horse shall be so registered unless it is in Western Australia at the time of application for registration; or in the case of a foreign horse, unless the provisions of Rule 41 have been

complied with. Provided that a foreign horse intended, at the date of nomination, to be imported into Western Australia, may be nominated before registration on condition that the horse is registered within 14 days after its arrival in Western Australia and is so registered before it starts in any race.

W.11. Registration of transfer of sales, leases, surrender of leases and notification of death must be complied with in accordance with the Rules of the Association on the prescribed forms of the above.

Foreign Horses.

W.12. (a) Any person importing a foreign horse into Western Australia shall, at least three days before its arrival, notify the Secretary of the Western Australian Trotting Association of the expected date and port of arrival.

(b) The Secretary shall thereupon direct the Registrar to have such horse examined within 14 days and to secure and furnish to the Secretary a full description of such horse, including particulars of its age, colour, sex, height, brands and distinguishing marks, and also, if so directed, to secure photographs of such horse, taken from each side.

(c) The importer or his agent shall produce such horse for examination at such time and place as the Registrar or any person appointed by him to make such examination directs, within 14 days of the horse's arrival in the State.

(d) The cost of taking any such photographs as aforesaid shall be borne by the importer who shall pay to the Western Australian Trotting Association such fee as it demands in respect of such examination.

(e) All foreign horses imported into the State of Western Australia must be registered with the Western Australian Trotting Association.

(f) Any horse leaving the State must be presented to the Registrar or his deputy, prior to being sent away, for inspection.

The owner or agents for the owner of any such horse must request to the Secretary that a clearance for the animal be sent from the Association to the Controlling Body in the State to which the horse is being sent. Failure to comply with either of the above regulations will mean that a clearance for the horse in question will not be issued.

W.13. No horse imported into Western Australia shall be registered under these Rules unless application for such registration is made to the Secretary of the Association within one month after the date of its arrival in Western Australia and until there is furnished in connection with such horse—

- (a) a Certificate of Clearance by the Controlling Body in the country or State from which the horse is imported, stating—
 - (i) the name (if any), age, sex, colour, pedigree, brands and distinguishing marks and performances of the horse;
 - (ii) that the horse is not disqualified from running in that country or State.
- (b) Such other particulars or information as the Executive may require.

A horse under the age of one year at the date of its arrival in Western Australia shall not be registered under these Rules until it reaches the age of one year and shall not at any time thereafter be so registered unless the provisions of Rule 28 hereof have been duly complied with.

- (c) Notwithstanding anything to the contrary in these Rules, a foreign horse may be entered for any race prior to its being registered in Western Australia but shall not be eligible to start until it is so registered.
- (d) Before any horse can be registered, all details appertaining to service and foaling notifications, in connection with the said animal, must have been lodged at the office of the Association during the correct year of service and foaling. Unless these details have been completed correctly, registration will not be approved.
- (e) Every application for registration of a horse must be signed by the sole owner or, if there are more owners than one, they must be signed by all the owners of that horse or by any one of such owners who produces to and deposits with the Secretary a written authority from his co-owners to make such application and every person who has a share or interest in the horse or is entitled to any rights of ownership therein, whether legal or equitable, shall be deemed an owner.

- (f) If at any time after registration of a horse the Secretary or any other official of the Association reports to the Committee that the application for registration contains a statement which is not true both in substance and in fact, or that the application by reason of any omission is misleading or insufficient, then the Committee may if it thinks fit direct the Stewards to inquire into the matter complained of and, if the Stewards are of the opinion that the complaint is well founded they may disqualify the person or persons whose names are specified in the application as having a share or interest in the horse or entitled to any rights of ownership therein or any one or more of such persons and/or the horse referred to in such application for such period as the Stewards think fit or may impose on such person or each of such persons a fine of any sum not exceeding £50.
- (g) The owner of a registered trotting horse shall forthwith on the death of such horse notify the Association thereof, which notification must be verified by corroborative evidence if required by the Association, and any owner failing to do so shall be liable to be disqualified for such term as the Association shall think fit or to a penalty to be inflicted by the Association not exceeding £20.

W.14. *Accidental Matings and Foalings.*—Progeny resulting from accidental matings will not be approved for registration unless full written details of such a service and foaling are supplied to the Registrar as soon as same takes place.

W.15. *De-registration of Horses.*—The registered owner of a pacer can, at any time, de-register same (subject to any existing lease) and, when this is done, the said horse can neither be raced nor bred from.

W.16. *Branding of Horses.*—Before any unregistered horse is sold, he must carry a breeder's registered brand.

W.17. *Thoroughbred Blood.*—Approval for registration of pacers, whose sire or dam is a thoroughbred, will only be given if such is a registered thoroughbred and eligible for the Australian Stud Book.

REGISTRATION OF, AND LICENSES TO, BOOK-
MAKERS, BOOKMAKER'S CLERKS, TRAINERS,
REINSMEN AND FARRIERS.

W.18. No bookmaker or bookmaker's clerk shall carry on, or attempt to carry on, his business, or to take part or assist at any race meeting, unless he shall have his name entered in the Register of Bookmakers, or the Register of Bookmaker's Clerks, as the case may be, to be kept by the Committee of the Association.

W.19. A bookmaker or bookmaker's clerk desiring to have his name entered on the Register shall apply as provided by Rule W27. Such entry shall cease on the 31st day of July next following his application.

W.20. The Committee of the Association or of an affiliated Club may grant to a bookmaker whose name is on the Register of Bookmakers, a license hereinafter called a "Bookmaker's License" entitling the person named therein to carry on the business of a bookmaker at a specified race meeting held by the Association or such affiliated Club as the case may be.

W.21. No such license shall be granted to or held by any official or employee of the Association, or of an affiliated Club, or by any person licensed under Rule W.23 and every such registration and license shall be cancelled if the licensee is declared a defaulter by the Stewards.

W.22. No person shall, at any race meeting, carry on the business of a bookmaker unless holding a license under these Rules.

W.23. The Committee of the Association may on or after the first day of August in each year, on written application, grant to any person any one or more of the following classes of licenses and for the following purposes, that is to say—

- (a) A license (hereinafter called a "Trainer's License") entitling the licensee to train any horse.
- (b) A license (hereinafter called a "Reinsman's License") entitling the licensee to drive any horse at a race meeting.
- (c) A license (hereinafter called a "Farrier's License") entitling the licensee to carry on the business of a farrier on any course.

W.24. No paid official shall hold a Trainer's or a Reinsman's License.

W.25. All such licenses shall endure during the current racing year only.

W.26. No person shall train or drive any horse unless he is the holder of a Trainer's License and/or a Reinsman's License, respectively, issued and in force under the preceding Rule, and no person shall employ a trainer or reinsman who is not so licensed.

Penalty not exceeding £20.

W.27. All applications for licenses under Rule W.23 and all applications for registration under Rule W.19 shall be made in writing on a form to be prescribed and shall be—

- (a) endorsed by the Secretary of an affiliated Club or by some well-known person of good repute in the district in which the applicant resides, or by the Stewards of the Association; and be
- (b) forwarded to the Secretary of the Association, together with the prescribed fee;
- (c) subject to the approval of the Trustees for time being of the W.A. Trotting Owners, Trainers and Reinsmen's Provident Fund.

W.28. The Committee of the Association may refuse to enter any name on the Register, or to grant any license, and may cancel or suspend any license granted, or remove from the Register the name of any bookmaker or bookmaker's clerk without giving any reason for such refusal, cancellation, suspension or removal.

W.29. Registers of the several classes of licenses and the names of the persons to whom the same are from time to time granted, and notices of all cancellations or suspensions shall be kept by the Secretary of the Association and published in the Official Calendar (if any).

REINSMEN.

W.30. All reinsmen must submit to an annual medical examination after attaining the age of 55 years.

W.31. *Maximum Age Limit.*—No license will be granted to any reinsman after he has attained the age of 65 years, and his license will be automatically cancelled when the age of 65 years has been reached.

W.32. All persons must submit to a medical examination before being granted a Reinsman's License.

W.33. *Reinsmen's School.*—All persons must have attained the age of 17 years before being granted permission to drive in the Reinsmen's School Trials.

FEES TO REINSMEN.

W.34. In the absence of any special written arrangement to the contrary the fees payable to a reinsman winning a race shall be five per cent. of the amount or value of the winning stake or sweepstake (if any) won by and paid in respect of the horse driven by him in the race, but in the case of a losing reinsman shall not be less than £1.

W.35. If any fee claimed by a reinsman is not paid when due he may complain in writing to the Stewards, who shall deal with the complaint, and hold an inquiry under Rule 8 (j) and may direct the payment of such amount as is in their opinion due to the claimant, or may dismiss the complaint. If the Stewards direct the payment of any sum, the person who fails or neglects to pay the same within 14 days of the Stewards' decision shall be declared a defaulter and his name may be entered in the Unpaid Forfeit List. No reinsman shall have any claim for a losing drive unless he, in writing, claims payment of the amount from the person liable therefor within one calendar month of the race.

ACCEPTANCES.

W.36. The nominator shall pay the fee in respect of the acceptance of any horse 40 minutes at least prior to the time appointed for the starting of the race.

W.37. If such fee is not paid at least 40 minutes prior to the time appointed for the starting of the race, the Stewards may withdraw the horse and refuse to allow it to start, and may also impose on the nominator a fine not exceeding £20.

W.38. A horse may be withdrawn from a race if the nominator or trainer desiring to withdraw or some person duly authorised in writing by the nominator or trainer and previously lodged with the Secretary or person appointed to receive withdrawals, shall at least 40 minutes prior to the time for the start of the race as advertised in the official programme, withdraw the horse from the race by written notice to, and consent of, the Stewards. If any nominator or trainer or other person authorised neglect to comply with this Rule in the time and manner above specified, the nominator may be fined a sum not exceeding £20.

W.39. The acceptance fee shall be fixed by the Committee or the committee of an affiliated Club, as the case may be, but shall not, together with the nomination fee, exceed five per cent. of the aggregate stakes for the race.

W.40. Nominations and rights of nomination shall not become void on the death of any nominator.

W.41. If the Committee of the Association or the Stewards are of the opinion that any error or omission relating to the nomination of any horse has been accidental or inadvertent, they may permit the nominator to correct the same either before or after such horse has competed in and/or won or been placed in any race, and either with or without payment of a fine not exceeding £5.

W.42. If a race be not run or be void, nomination fees which have been paid shall be returned.

REGISTRATION OF COLOURS, COSTUME OF REINSMEN, GEAR.

W.43. Upon nominating a horse, the nominator must name and specify and (if he has not already done so) apply to register his racing colours with the Secretary of the Association annually.

W.44. The application shall be in the prescribed form accompanied by the prescribed fee.

W.45. The person registering such colours, shall, after registration, be entitled exclusively to use and, every reinsman driving a horse nominated by such person in a race, shall wear his cap and jacket coloured in accordance with such registered colours and no others.

W.46. The Committee of the Association may, with or without notice, cancel the registration of any racing colours if of the opinion that it is unfair, confusing, or unreasonable that same should continue to be registered.

W.47. Reinsmen driving in any race must wear a proper racing costume consisting of a skull cap of a type and standard approved by the Committee and jacket of silk and/or satin.

W.48. If two or more horses nominated by the same person start in the same race, the reinsman of each such horse (except one) shall have a distinguishing mark to be approved by the Stewards.

W.49. Any reinsman who, in the opinion of the Stewards, comes to scales in an untidy costume or a costume which is not the proper one, may be fined by the Stewards in a sum not exceeding £5.

COUNTRY HANDICAPPING SYSTEM.

W.50. The slowest permissible front shall be 2.32. Thence a penalty of 24 yards for the first win and a penalty of 12 yards for each win thereafter (approved non-penalty races excepted).

W.51. For wins in the country, no penalty will be incurred for races held in the metropolitan area.

W.52. A horse, winning a race in the metropolitan area, incurs a penalty for metropolitan and country racing.

W.53. For wins at agricultural shows, no penalty will be incurred in races held by registered Trotting Clubs.

W.54. Wins at agricultural shows and gymkhanas incur penalties in these events during the current season only.

W.55. Any horse handicapped in a race, the basis of which is faster than its assessment, upon winning such race must take the penalty from the basis of the race and not from the horse's assessment.

W.56. *Restricted Handicap*.—Are races where the conditions of which state—"for horses handicapped . . . and better."

No horse with an assessment slower than the basis of the race may be handicapped in such event, i.e., a horse cannot give away time in a race where the conditions state—"is for handicaps . . . and better."

W.57. *Non-Restricted Handicap Races*.—Are races where the conditions of which state—"scratch mark . . ." Any horse may start in this event but a horse with an assessment slower than the basis of the race will be handicapped on the front mark and, in the event of it winning such race, will be re-assessed from that mark and not from its previous assessment.

W.58. No horse can be nominated for any race in which he will be required to give away more than two seconds on his assessed handicap mark.

W.59. *Country Free-for-Alls*.—For horses who have not won a Qualifying Stakes or reached the 2.21 or better assessment in the metropolitan area in any State of Australia. These are restricted events and no basis slower than 2.26 may be used.

W.60. *Free-for-Alls (for Horses with a Metropolitan Assessment)*.—Permission for these must be applied for to the W.A.T.A. stating—for horses assessed . . . and

better, amount of stake and distance of race. All horses competing in Free-for-Alls must start from scratch and the winners of these events are not penalised.

Clubs are only permitted to include one of these events in the programme at every fourth meeting, except by special permission from the W.A.T.A.'s Committee.

W.61. A horse may be nominated for no more than TWO (2) races on any one programme.

CONDITIONS GOVERNING HORSES BEING SENT TO COUNTRY DISTRICTS TO RACE.

W.62. Horses must be in the Council Districts for a period of three months before becoming eligible to nominate in races restricted to country horses.

W.63. *Country Horses:* Are horses owned, leased or trained by a person residing outside a 30-mile radius from the G.P.O., Perth. Those persons must hold the necessary license with the W.A.T.A.

Names of all horses being sent to the country must be submitted to the Country Supervisor at Gloucester Park on the day that they are transported. Failing this, the three months' qualifying period will commence from the day the Country Supervisor is notified.

W.64. *Country Derby Candidates.*—Providing that Country Derby Candidates have not availed themselves of the following Rule, they may be sent to the metropolitan area for education in February of their two-year-old, and must be returned on or before 15th October of their Derby season. These horses are not required to qualify.

W.65. Two-year-old pacers may be sent to the metropolitan area in the August of their attaining this age for education, but must be returned to the country immediately after the last two-year-old race held in the metropolitan area.

W.66. Horses going to the metropolitan area to compete in the Classics not nominating or competing in any other race and returned to the country immediately after the last Classic, do not have to qualify for country marks.

W.67. Horses owned, leased or trained in the country and who appear in trials in the metropolitan area or accept for Qualifying Stakes are not eligible for closed country races until three months after their return to the country.

W.68. The winner of a Country Derby shall be ineligible for a Maiden race but shall retain a 2.32 mark. A second win in a country Classic will carry a penalty, e.g., a horse winning a Council Derby and the Country Derby shall take one penalty on the country mark.

W.69. Races restricted to Three-year-olds shall not have a front in the metropolitan area.

W.70. Any horse winning a Qualifying Stakes, Restricted Age Stakes or Country Club's Handicap, shall take a 2.21 mark in both the country and metropolitan area, if applicable.

W.71. *Country Derby at Gloucester Park:* To be eligible, horses must have started in one of the three Council Derbies.

RECIPROCAL HANDICAPPING.

For the purpose of reciprocal handicapping the following conditions shall apply to two and three year old horses:—

W.72. (i) Special conditions governing penalties for races restricted to Two-year-old horses:—

- (a) All horses competing in Classics shall start from scratch but, for winning any such race, a horse shall be penalised in non-classic races as provided hereafter.
- (b) In races restricted to Two-year-olds, a penalty of 12 yards shall be imposed for each win but such penalty shall not continue beyond Two-year-old pacers.
- (c) Any horse irrespective of age winning in open company shall take the normal penalty in any subsequent race, whether or not such subsequent race is restricted as to age.

(ii) Special conditions governing penalties for races restricted to Three-year-old horses:—

- (a) All horses (trotters and pacers) competing in Classics shall start from scratch but, for winning any such race a horse shall be penalised in non-classic races as provided hereafter.
- (b) For each win in any race restricted to Three-year-olds, a penalty of 12 yards shall be incurred in races restricted to Three-year-olds.
- (c) The first win in races restricted to Three-year-olds shall be penalty free in subsequent races in open company, but thereafter shall take the normal penalty in any subsequent race.

- (d) Any horse, irrespective of age, which wins in open company shall take the normal penalty in any subsequent race whether or not such subsequent race is restricted as to age.
- (e) For the second win in a Classic race and/or race restricted to Three-year-olds in the metropolitan area, a horse shall receive a 2.21 assessment in the metropolitan area and country areas in the mainland States, and the corresponding mark in Tasmania. Any subsequent win will incur the normal penalty in any subsequent race.

CONDITIONS GOVERNING THE CONDUCT OF
PERFORMANCES AGAINST TIME.

W.73. (i) Performances against time must be at a regular meeting conducted by regularly appointed officials. A regular meeting is construed to mean a meeting authorised by the State Controlling Body and advertised in the daily or weekly press published in the vicinity and giving notice that a performance against time is to be run.

Notice of its intention to conduct a performance against time must also be given by the Club to the State Controlling Body.

(ii) A record can only be made in a public race or performance against time, the horse to pace or trot according to rule. The race or performance against time shall be started by an officially appointed Starter, the time shall be taken by three Timers and the race or performance against time supervised by the Stipendiary Steward or Judge officially appointed by the State Controlling Body.

The record of the race or performance against time must be signed by the Starter, the Timers and the Stipendiary Steward or Judge and forwarded to the State Controlling Body, who in turn, will forward it to the Inter-Dominion Trotting Conference for inclusion or otherwise in the official record list.

In every official race or performance against time, the time shall be taken by three Timers and placed in record in minutes, seconds and tenths of seconds.

No unofficial time shall be admitted to the record, and when the timers fail to act, no time shall be announced or recorded.

(iii) In order that the performances thereon may be recognised as official every Club, not having done so heretofore, shall cause to be filed with its State Controlling Body, the certificate of a licensed civil engineer or land surveyor that he has, subsequently measured the said track from post to post, three feet out from the running rail thereof and certifying in yards, feet and inches the result of such measurement. Each track shall be re-measured and re-certified in the event of any changes or re-location of the running rail.

(iv) In performances against time, a horse must start to equal or beat a specified time and a losing performance shall not be recorded.

(v) When a horse performs against time, it shall be proper to allow any other horse to accompany him in the performance but not to precede him or be harnessed with or in any way attached to him. No other type of assistance shall be allowed.

(vi) In a performance against time, if a horse goes to break it shall be disqualified from that trial.

(vii) In any performance against time, the brutal or indiscriminate use of the whip will be considered a violation and punishable under racing rules.

BY-LAWS RELATING TO WORKING OF THE TOTALISATOR.

W.74. No horse shall be barred on the totalisator.

W.75. Investors may back any number to an unlimited amount, the numbers on the official programme corresponding with the totalisator numbers.

W.76. No dividend shall be paid out on any particular race until the horses have been duly weighed in, and until five minutes after the winner has been weighed in.

W.77. The horse placed first by the Judge shall be deemed to be the winner, unless a protest be lodged in accordance with the provisions of the Rules of Racing.

W.78. The decision of the Stewards in the event of a protest shall be final.

W.79. No dividend will be paid except upon presentation of the ticket and no defaced or damaged ticket will in any case be admissible unless certified to by the Stewards.

W.80. In the event of no ticket being taken on the winning horse in any race, or of a walk-over, the amount paid on the purchase of each ticket for that race will be returned, less the usual commission, on production of tickets.

W.81. In the event of a dead-heat (not run off), the total money shall be divided into as many equal parts as there are horses placed first, and each such part shall be treated as a separate total, and separate dividends shall be paid thereon according to the number of investors upon each horse.

Should the owners of the horses running a dead-heat, which under the Rules of Racing may be run off, decide to run the same off, the totalisator shall be closed so far as the race is concerned, and may be re-opened on the run-off, the money in each case to be paid out on the winner of the race.

W.82. If the final result of a race should be a dead-heat, in which only one horse is backed, the holders of tickets on the horse backed will receive the whole dividend.

W.83. *Duty of Purchaser of Ticket:* Every purchaser of a ticket must satisfy himself that he has received the ticket applied for and see that his ticket is properly stamped before leaving the counter, as no unstamped tickets will be recognised, and every holder of a ticket must see that he has his proper dividend before leaving the counter, as no subsequent claim will be recognised.

W.84. *As to Change on Purchasing Ticket:* To save time, persons wishing to become purchasers of tickets are requested to provide themselves with change, as no change will be given.

W.85. *Division of Amount Invested:* The total amount invested, less commission which shall not exceed the amount authorised or required by the Totalisator Duty Act, 1905, or any Act amending the same, to be deducted therefrom, will be divided *pro rata* between the investors on the winning number, but no fractional part of sixpence will be paid unless otherwise required by Act of Parliament.

W.86. *Purchaser Bound by these By-laws:* Every purchaser of a ticket and every holder of a ticket shall be deemed to have made himself thoroughly acquainted with these by-laws, and to have agreed to be bound thereby.

W.87. *Effect of Purchase of Ticket:* A person applying for a ticket shall be deemed to have irrevocably constituted the workers of the totalisator, and each and every one of them, his agents and agent, to invest the money paid by him in advance to the workers of the totalisator, at the price of such ticket, on the horse indicated in such ticket, and for the race named in such ticket, subject to these by-laws, and so soon as the money so paid shall have been so invested, and the ticket issued to the purchaser, he shall have no rights other than those conferred by these by-laws on the holder of a ticket issued under these by-laws.

W.88. *Closing of Totalisator where Race Run Over Again:* In the event of the Stewards ordering a race to be run over again, the totalisator shall be closed so far as the first attempt is concerned, and shall be re-opened on the second attempt, and treated as on a distinct race, the money in each case to be paid out on the winner of the final event.

W.89. *No Money Accepted After Totalisator Closed:* Under no circumstances whatever shall any further money be accepted or investments permitted after the totalisator has once been officially closed.

W.90. *Posting of Dividend:* Immediately after the declaration of a dividend, the amount of such dividend shall be posted in a conspicuous place on or near the totalisator.

W.91. *Procedure if Horse Never Reaches Starter's Hands—Disputes:* In the event of a horse in any race never reaching the Starter's hands, the Stewards may order all moneys paid for tickets on that horse in that race to be returned, as they may think advisable, either after or without deducting the usual commission.

Should any dispute arise, it shall be referred to the Stewards, whose decision in all cases shall be final.

W.92. *Rules as to Place Totalisator:* The following by-laws shall apply exclusively to place totalisators, and subject thereto the foregoing by-laws shall also apply:—

- (a) When six or more horses start in any race the total amount invested, less commission, will be divided into three equal parts, and investors on the placed horses shall be entitled to a dividend arrived at by dividing each such part by the number of investors on each such horse respectively.

- (b) The investors on three or more horses running a dead-heat for first place shall divide the whole of the amount invested; on two horses running a dead-heat for first place, shall divide two-thirds of the amount invested. The investor on horses running a dead-heat for second place shall divide two-thirds, and on horses running a dead-heat for third place, shall divide one-third of the amount invested.
- (c) Where four or five horses start in a race, the place totalisator shall pay on the first and second horses only. The total amount invested, less commission, will be divided into two equal parts, and paid to the investors on the first and second horses respectively. The investors on horses running a dead-heat for first place will divide the whole, and on horses running a dead-heat for second place will divide one-half of the amount invested.
- (d) If only one horse be placed by the Judge, investors on such horse will divide the whole amount invested.
- (e) If only two horses be placed, investors on each of such horses shall divide one-half of the amount invested.
- (f) In all cases the amount paid will be less commission.
- (g) If only three or a less number of horses start in a race, place totalisator will not be opened.

"DOUBLES" TOTALISATOR.

W.93. The "Doubles" Totalisator is conducted on all races of the programme. Investors must choose the winners of two consecutive races (this and the next race) commencing from the first race on the programme. Tickets are sold at 5s. each. There is no limit to the number of tickets which may be purchased.

W.94. In the event of a "carry-over" on any "Doubles," it shall be transferred into the Pool of the first "Doubles" of the next meeting at Gloucester Park. In the event of there being two or more "carry-overs" at the one meeting, they shall be transferred to the Pools of such race or races at the next meeting, as may be decided by the Committee of the Association.

Field Tickets.

W.95. Investors may purchase "Field" Tickets, taking one horse (or No.) with the remainder of the field (or Nos.) for which one ticket will be issued.

Refunds on Non-starters.

W.96. (i) In Totalisator "Doubles" you are entitled to a refund of your stake in the following circumstances:—

- (a) If your FIRST horse is scratched or withdrawn regardless of whether your second horse wins or does not start.
- (b) If your SECOND horse is scratched or withdrawn BEFORE your first horse starts, regardless of whether your first horse wins or loses.
- (c) If your FIRST horse wins and your second horse is scratched or withdrawn after the running of the race in which your first horse was a starter.

(ii) No refund is made if your first horse loses and your second horse is scratched or withdrawn after the running of the race in which your first horse started.

(iii) Do not destroy tickets until fully satisfied such tickets are of no value. No dividend or refund shall be paid except on presentation of a ticket. Mutilated or defaced tickets will not be accepted for payment.

(iv) In the event of disputes, the Stewards' decision shall be final.

(v) Except as to these conditions, the Rules of the Totalisator shall as far as applicable apply to the "Doubles."

"QUINELLA" TOTALISATOR.

W.97. The "Quinella" Totalisator is conducted on all races of the programme. You must choose two horses to fill the first and second places irrespective of the order in which they finish. Tickets are sold at 5s. each. There is no limit to the number of tickets which may be purchased.

W.98. In the event of a "carry-over" on any "Quinella," it shall be transferred into the Pool of the first "Quinella" (first race) of the next meeting. In the event of there being two or more "carry-overs" at the one meeting, the first "carry-over" shall be transferred into the Pool of the first race "Quinella" of the next

meeting and the other or others shall be transferred to a race or races to be decided by the Committee of the Association.

Field Tickets.

W.99. Investors may purchase "Field" Tickets; taking one horse (or No.) with the remainder of the Field (or Nos.) for which one ticket will be issued.

Refunds on Non-starters.

W.100. Investments on the "Quinella" Totalisator on any combination which includes a non-starter shall be refunded in full upon production and delivery of the ticket.

W.101. No dividend or refund shall be paid except on the presentation of a ticket. Mutilated or defaced tickets will not be accepted for payment.

GENERAL.

W.102. The Committee of the Association may enter into reciprocal relations with any *bona fide* trotting associations in other parts of the Commonwealth, New Zealand and America, respecting the application of these rules to the registration of horses, disqualifications, offences, licenses, defaulters and other matters relating to trotting in the countries named.

REPEAL.

W.103. These Rules shall come into force on the 1st day of August, 1962, and, thereupon all previous Rules shall be deemed repealed except in relation to any protest, objection or complaint, or any inquiry or appeal then pending.

W.104. The fees set forth in the schedule hereto shall be the prescribed fees until others are prescribed by the Committee of the Association.

AMENDMENTS TO RACING RESTRICTION ACT, 1917.

W.105. The following clauses of the above Act apply to Trotting Racing in Western Australia:—

- (a) No Trotting Race Meeting and no Trotting Race for any stake or prize shall be held without the license in writing of the Western Australian Trotting Association.
- (b) Subject as hereinafter provided the number of Trotting Meetings to be held in the metropolitan area, inclusive of the Trotting Meetings of the Western Australian Trotting Association, shall be governed by the Racing Restriction Act, 1917-1925.

- (c) Provided that the Treasurer may, at the request of the Western Australian Trotting Association, authorise Trotting Meetings to be held on not exceeding five additional days in any year in aid of any Public Hospital or other Charitable or Patriotic purpose.
- (d) Provided that the Treasurer may, at the request of the Western Australian Trotting Association, authorise Trotting Meetings to be held on not exceeding two additional days in any year, in aid of any public hospital or other charitable or patriotic purpose in the Fremantle area.
- (e) For the purpose of this section the words "Fremantle Area" mean the district within a circle having a radius of five miles from the Town Hall, Fremantle.

COUNTRY CLUB BENEFIT FUND.

W.106. The Minister may establish a Country Clubs' Benefit Fund which shall be held by the Association and placed in a separate account and may authorise three meetings in any year additional to those provided for in section 3 of the Racing Restriction Act, 1917-1925, to be conducted by a Club in the Metropolitan Area, the profits of which shall be devoted to such Fund.

Provided that the meetings referred to shall not be meetings held at Christmas time or at Easter.

FEES PRESCRIBED UNDER THESE RULES.

	£	s.	d.
Assumed name (Registration) (Annual)	1	1	0
Bookmaker — Registration	1	1	0
Bookmaker's Clerk — Registration	10	6	
Club Affiliated — Registration	5	5	0
Colours — Registration	10	0	
Copy of Evidence	1	1	0
Farrier — License (Annual)	1	0	0
Horse — Stud Book Application	1	0	0
Horse — Inspection and Registration	12	6	
Horse — Transfer (Sale)	5	0	
Horse — Official List of Performances	1	10	0
Reinsman's License (Annual)	1	0	0
Search Fee (Minimum)	1	1	0
Trainer's License (Annual)	1	0	0
Lease— Forms 5s. }			
Stamps 2s. }			
		7	0

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