



**Regulations**

**of the**

**New Zealand Greyhound Racing  
Association Incorporated**

**including the**

**Rules of Racing**

These Regulations are made under clause 24 of the Constitution of New Zealand Greyhound Racing Association Incorporated.

These Regulations, including the Rules of Racing came into effect (and replaced the previous Rules of Racing) on 1st August 2018.

**We love our dogs. They love to race.™**

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## **SCHEDULES**

FIRST SCHEDULE PRESCRIBED FORMS

SECOND SCHEDULE NEW ZEALAND GREYHOUND RACING CLUBS

THIRD SCHEDULE GREYHOUNDS AUSTRALASIA

FOURTH SCHEDULE RACECOURSE, RACING RULES, RACING CODD AND RACING  
BETTING, BOOKMAKING, EXEMPTIONS COMMITTEE

FIFTH SCHEDULE PERMANENTLY BANNED PROHIBITED SUBSTANCES

SIXTH SCHEDULE MINOR INFRINGEMENT TABLE

SEVENTH SCHEDULE COMMON RULES OF PRACTICE AND PROCEDURE FOR THE  
JUDICIAL COMMITTEE AND APPEALS TRIBUNAL

## 1. DEFINITIONS

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**Act** means the Racing Act 2003 or any legislation which replace the Racing Act 2003.

**Age Race** means a race conducted in accordance with Rule 27.3.

**Appeals Tribunal** has the meaning given to that term in the Constitution.

**Appropriate Race Rug** means a rug of a type and colour prescribed by the Board.

**Approved Company** means a company approved by the Board to be the Owner of a Greyhound pursuant to these Rules.

**Approved Facility (AI)** means a facility approved by the Board to be used for the purposes of Artificial Insemination.

**Artificial Insemination** means any insemination of a Greyhound bitch carried out by any means other than by sexual intercourse.

**Approved Registration Authority** has the meaning given to that term in the Constitution.

**Assistant Stewards** means a person appointed or approved by the Board to carry out such duties under these Rules.

**Association** means the New Zealand Greyhound Racing Association Incorporated.

**Authorised Person** means a person authorised or approved by the Board or the Stewards from time to time to do certain things, to exercise certain powers, or to deal with certain situations at a Meeting.

**Authorised Person (AI)** means a person authorised by the Board pursuant to these Rules to carry out Artificial Insemination.

**Board** has the meaning given to that term in the Constitution.

**Body** means and includes any Club, Racing or Harness Racing club or combination howsoever designated.

**Box Draw** means the random allocation process by which the respective boxes in which Greyhounds shall be placed in order to commence a Race is determined.

**Breeder** means the Owner of a Greyhound bitch intended to be used for breeding.

**Central Region** means that part of the North Island excluding the Northern Region.

**Certificate of Registration** means an identification document in respect of a Greyhound issued by an Approved Registration Authority.

**Certificate of Incapacitation** means a certificate issued in accordance with Rule 56.

**Chief Executive** means the Chief Executive of the Association for the time being.

**Chief Steward** means a person appointed to that position by the Board or by the Integrity Service Provider.

**Club** has the meaning given to that term in the Constitution.

**Club Committee** means the managing body charged with the administration of a Club.

**Company Manager** means the person appointed to be the manager of an Approved Company.

**Consolation Race** a race for Greyhounds which have raced in a qualifying Race but have failed to gain a start in the Final for which such qualifying Races were held.

**Constitution** means the Constitution of the New Zealand Greyhound Racing Association Incorporated, as amended from time to time.

**Day** means the calendar day.

**Dead-Heat** means where two (2) or more Greyhounds pass the finishing line at the same time in a Race.

**Defaulter** means any person placed on the Defaulter's List.

**Defaulter's List** means the list referred to in Rule 64.1.

**Disqualify** means in relation to a Person or a Greyhound means the loss of all rights, licences or registrations under these Rules and Disqualification shall have a corresponding meaning.

**Enquiry** means an investigation conducted by the Board pursuant to Rule 15.

**Fails to Pursue The Lure** means the action of the Greyhound voluntarily turning the head without making contact with another Greyhound, or voluntarily easing up, or stopping during a Race while free of interference.

**False Start** means a Race declared by the Stewards to have been a false start pursuant to Rule 52.

**Feature Race** means a race designated as a Feature Race by the Board in accordance with Rule 37.2.

**Field** means the Greyhounds in a Race, including reserves.

**Final** means a Race held under conditions prescribed by the Board for which eligibility may or may not have been determined in Heats and/or Semi Finals.

**Fine** means a fine provided for under these Rules or under the Constitution or any regulations made pursuant to the Constitution.

**Gear List** means the list of gear approved by the Board, from time to time, for application to Greyhounds

**Gear Register** means the register established by the Board, to record the gear to be applied to or removed from every Greyhound

**Greyhound** has the meaning given to that term in the Constitution.

**Greyhounds Australasia** means Greyhounds Australasia Limited.

**Group Racing** means group racing as defined in Rule 37.1.

**Handler** means a person registered by the Board to physically be in charge of a Greyhound whilst such Greyhound is on the Racecourse for racing or the Trainer of a Greyhound or any

person that is authorised by the Stewards to be in charge of a Greyhound pursuant to Rules 42.4, 42.5 or 47.5.

**Heat** means the competitive pursuit of a Lure by two (2) or more Greyhounds in a Race held under conditions prescribed by the Board and by which the eligibility of Greyhounds to be Nominated for a Final is determined.

**Ill** includes suffering from a disease or any fungal viral, bacterial, parasitic or other contagious condition and **ILLNESS** shall have a corresponding meaning.

**In Season** means those times when a Greyhound bitch is in heat.

**Integrity Service Provider** has the meaning given to that term in the Constitution.

**Invitation Race** means a Race conducted in accordance with Rule 27.4.

**Judge** means a person approved by the Board in accordance with Rule 53.

**Judicial Committee** has the meaning given to that term in the Constitution.

**Judicial Control Authority** means the Judicial Control Authority established pursuant to the Racing Act 2003.

**Litter Master** means the person who is physically responsible for a bitch at the time of whelping.

**Licensed Person (and Licensee)** has the meaning given to that term in the Constitution.

**Lure** means a lure activated by mechanical or electronic means.

**Lure Driver** means a person approved by the Board to carry out the duties of a Lure Driver.

**Marking Steward** means a Steward nominated by the Chief Executive to carry out the functions set out in Rule 96.

**Mar or Marring** means the action of a Greyhound in voluntarily turning the head so as to make head or muzzle contact with another Greyhound.

**Meeting** means any occasion at which Greyhound racing is scheduled to be conducted pursuant to these Rules.

**Member** has the meaning given to that term in the Constitution.

**Micro-Chip** means an electronic identifier transponder encoded with a unique unalterable number approved by the Board.

**Minimum Stake Schedule** means the minimum stake schedule published by the Association from time to time.

**Minor Infringement Offence** has the meaning set out in Rule 62.3.

**Muzzle** means a guard or strap worn on the head of a Greyhound, of a type approved by the Board.

**Named** means the allocation of an official name to a Greyhound in accordance with these Rules and Naming has a corresponding meaning.

**Nomination** means the submission of an entry in respect of a Greyhound for a Meeting or Race and Nominator and Nominating have a corresponding meaning.

**Non Totalisator Meeting** means a Meeting for all classes of Greyhounds not utilising the totalisator for betting purposes.

**No Race** means a Race declared by the Stewards to be a No Race pursuant to Rule 52

**Northern Region** means that area of the North Island north of Taranaki province and eastward above the 39<sup>th</sup> latitude.

**Offence** means the offences pursuant to Rule 62.

**Officer of the Board** means a person authorised by the Board either generally or in a particular instance to make enquiries, give directions or carry out any activity pursuant to these Rules or by direction of the Board.

**Official** has the meaning given to that term in the Constitution.

**Owner** means:

- (a) the owner of a Greyhound or part owner of a Greyhound;
- (b) any person having an interest in a Greyhound required by the Rules to be registered as a partnership;
- (c) any person who is the lessee of a Greyhound.

**Owner Trainer** means an Owner who trains a Greyhound of which he/she is an owner or part owner. Where an Owner/Trainer is only a part owner he/she can only train for a maximum of five different partnerships.

**Parade Area** means the area set aside for the parading of Greyhounds prior to the commencement of a Race.

**Parade Official** means the Official appointed by the Board or Club to carry out certain duties at the Parade Area.

**Partnership** means a partnership registered under these Rules.

**Partnership Manager** means a person appointed as the manager of a partnership in accordance with Rule 91.

**Penalty** means a Fine, Disqualification, Suspension, Warning Off, cancellation or withdrawal of licence or registration, alteration of the placing of a Greyhound, and any other determination, decision, order or other matter imposed or made pursuant to these Rules by which a person or a Greyhound suffers or incurs a disadvantage, detriment or any restriction whatsoever.

**Permanently Banned Prohibited Substance** means a substance specified in the 5<sup>th</sup> schedule.

**Permitted Gear** means any strapping or equipment (including a muzzle) applied to a Greyhound in connection with the kennelling, presentation for or competing in a Race;

- (a) in accordance with the Gear List published by the Board from time to time and notified and approved in accordance with clause 44.17; or



(b) as approved by the Stewards in accordance with Rule 44.18.

**Person** has the meaning given to that term in the Constitution.

<sup>1</sup>**Prize Money** means any monies given for competing in a Race.

**Prohibited Substance** means:

- (a) Any substance capable of affecting a Greyhound by its action on the central or peripheral nervous system or any part of that system such as the autonomic nervous system, cardio-vascular system, respiratory system, alimentary-digestive system, musculoskeletal system or genitourinary system and includes without limitation analgesics, antihistamines, anti-inflammatory agents, blood coagulants, diuretics, hormones and their synthetic counterparts, stimulants, corticosteroids, anabolic steroids, local anaesthetics, muscle relaxants and tranquillisers.
- (b) Substances administered to disguise or make undetectable, or attempt to disguise or make undetectable, the administration of any of the substances in paragraph (a) above.
- (c) A metabolite, isomer or artefact of any of the substances referred to in paragraphs (a) or (b) above irrespective of whether such metabolite, isomer or artefact has any pharmacological effect or not.
- (d) Unusual or abnormal amounts of endogenous substances including but not limited to cortisol and testosterone.

provided that the following are excluded from the definition of Prohibited Substances:

- (a) Testosterone as evidenced by the presence of 5-androstane-3, 17-diol at or below a concentration of 10 nanograms per millilitre in a Sample of urine taken from a bitch will not breach the provisions of sub rule (d) of this definition.
- (b) Ethanol as evidenced by the presence of ethyl glucuronide and ethyl sulphate at or below a concentration of 20 micrograms per millilitre in a Sample of urine taken from a Greyhound will not breach the provisions of sub rule (d) of this definition.

**Qualifying Trial** means a trial to be performed by a Greyhound to the satisfaction of the Stewards pursuant to Rule 38.

**Race** means the competitive pursuit of a Lure by two (2) or more Greyhounds in a Greyhound race and includes a Heat, Consolation Race, Semi-Final or Final.

**Racecourse** has the meaning given to that term in the Constitution.

**Racecourse Investigator** means a person appointed or approved by the Board to carry out the duties of a Racecourse Investigator pursuant to these Rules.

**Registered** has the meaning given to that term in the Constitution.

**Reserve Greyhound** means a Greyhound listed as a reserve for a Race.

**Rules** means these Regulations, as amended from time to time.

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<sup>1</sup> Modified 1 August 2018

**Rules of Racing** means Rule 1 and Rules 18 to 111 inclusive including any amendments which may be made from time to time.

**Safety Sensitive Activity** means an activity associated with Races or racing which is of the type that is specified by the Association in a published policy to be a safety sensitive activity.

**Sample** means a specimen of saliva, urine, perspiration, breath, blood, tissue, hide, hair, or any other excretion product or body fluid taken from a Greyhound or person.

**Satisfactory Trial** means a trial required to be performed by a Greyhound to the satisfaction of the Steward or Authorised Person pursuant to Rule 38.

**Semi Final** means the competitive pursuit of a Lure by two (2) or more Greyhounds by which the eligibility of Greyhounds to start in a Final is determined.

**Southern Region** means the South Island of New Zealand, and Stewart Island.

**Starter** means the person appointed by a Club or by the Stewards pursuant to Rule 48.

**Steward** has the meaning given to that term in the Constitution.

**Steward in Charge of the Meeting** means a Steward designated by the Board or the Integrity Service Provider to be in charge of the Meeting.

**Stud Book** means the official record of all Greyhounds registered in Australia and New Zealand.

**Stud Master** means any person having under his/her charge, care or control of a male Greyhound registered under these Rules for the purposes of breeding.

**Suspend** has the meaning given to that term in the Constitution.

**Swabbing Official** means a person approved by the Board and/or the Integrity Service Provider to take the required specimens from a greyhound in accordance with the official swabbing/testing procedure.

**Trainer** means a person who, for fee, reward or any consideration trains a Greyhound and includes an Owner Trainer.

**Trains** means the preparation of a Greyhound for racing or trialling and training has a corresponding meaning.

**Trials** means a Meeting at which only training or Satisfactory Trials and/or Qualifying Trials are conducted under the control of a Club.

**Totalisator Club** means a Club for the time being holding a betting licence issued under section 45 of the Act and registered under these Rules.

**Totalisator Meeting** means a Meeting at which a totalisator is in operation.

**Totalisator Racing Betting** has the same meaning as section 5 of the Act.

**Veterinarian** means a Veterinarian registered under the Veterinarians Act 1994.

**Warn Off** means to direct that a particular person shall not be permitted to enter or remain on any part of the ground or premises where a Greyhound Meeting or trial is being held. Warning off and Warned off shall have a corresponding meaning.

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**Welfare Code** means the Animal Welfare (Racing Industry Greyhounds) Code of Welfare 2013, promulgated by the Board pursuant to Rule 5.1(c) as updated from time to time.

## **2. CONSTRUCTION**

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- 2.1** In these Rules unless the context or subject matter otherwise indicates or requires:
- (a)** words importing the singular include the plural and vice versa;
  - (b)** words importing any gender include the other genders;
  - (c)** words importing persons include all bodies and associations corporate or unincorporated;
  - (d)** any reference to these Rules or to a statute, ordinance, code or other law includes any rules, orders, regulations, instruments or other sub-ordinate legislation made under it and consolidations, amendments, re-enactments or replacements or any of them (whether of the same or any other legislative authority having jurisdiction);
  - (e)** expressions cognate with expressions defined in the definitions section shall be construed accordingly.

## **3. COMMENCEMENT**

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- 3.1** These Rules may be cited as the New Zealand Greyhound Racing Rules and shall come into operation on the date specified on the front page of these Rules. All previous rules of racing are hereby repealed
- 3.2** Except as expressly (or by necessary implication) provided in the Rules, all persons, things and circumstances appointed or created by or under any of the repealed rules or existing or continuing under any of such rules immediately before the commencement of these Rules, shall under and subject to these Rules, continue to have the same status operation and effect as they respectively would have if such rules had not been so repealed.
- 3.3** In particular and without affecting the generality of the foregoing paragraph such repeal shall not disturb the continuity of status operation or effect of any rule order application, determination, decision, direction, reconstitution, licence, permit, registration, authority, consent, certificate, exemption, approval, disapproval, appointment, nomination, condition, term, notice, fee, liability, or right, made, affected, issued, granted, given, presented, passed, fixed, accrued, incurred or acquired or existing or continuing by or under any of such rules before the commencement of these Rules.

## **4. APPLICATION**

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- 4.1** These Rules shall apply to and be binding on:
- (a)** Members (including its officers, employees and individual members);
  - (b)** any Licensed Person, Official and Steward;
  - (c)** the Association (including its directors, officers and employees);

- (d) all Judicial Committees and Appeals Tribunals; and
- (e) every person whose association with the Association brings them within the scope of the Constitution.

## 5. SPECIFIC POWERS OF THE BOARD

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5.1 The Board shall have the following Powers in relation to these Rules:

- (a) To license or register persons under these Rules;
- (b) Subject to Rules 66 to 73, to Suspend, deregister, Disqualify or Warn Off as it deems necessary in the best interests of Greyhound racing or its related activities in New Zealand;
- (c) To promulgate, implement and uphold the Welfare Code relating to the safety and welfare of Greyhounds;
- (d) To determine fees payable in respect of all appeals and other applications made to, and all licences, consents, registrations and other documents issued by the Association;
- (e) To file an information or informations by lodging the information sheet with a person appointed by the Judicial Control Authority from time to time;
- (f) To disqualify either permanently or temporarily any Greyhound which, in the opinion of the Board, has been used for, or in connection with an Offence, or which has been entered or Nominated to run, or allowed to run in a Race or Satisfactory Trial under a fraudulent description, or failed to pursue the Lure during the Race or Satisfactory Trial provided that this power may not be exercised to change the placings. An Owner or Trainer of a Greyhound may seek a review, by a Judicial Committee, of any decision made under this Rule in accordance with Rule 66.2.
- (g) To exclude from participation in Greyhound racing, any Greyhound which is not Registered in accordance with these Rules or an Approved Registration Authority.
- (h) To prescribe conditions for all Registrations of Persons and Greyhounds including conditions for leasing of Greyhounds, the form of lease, registration of leases and Rules governing the rights and obligations of parties to such leasing arrangements.
- (i) To prohibit any Person from participating or being employed in an honorary capacity, or for reward or remuneration in Greyhound racing, either as an Official or employee of a Club, where such action is necessary for the proper conduct of Greyhound racing.
- (j) By notice in writing to any Person Registered under these Rules, the Board may prohibit such Person taking part in any Greyhound Race, Meeting or Satisfactory Trial held by any Greyhound racing Club which is not Registered under these Rules.
- (k) To exercise all other powers, duties and obligations contained in these Rules.

- (l) To appoint from time to time such number of Stewards for the purposes of these Rules as it thinks fit (but, in any case, not fewer than two), and (except where the Board has appointed an Integrity Service Provider) to pay such salary or other remuneration for services as it determines;
- (m) To appoint from time to time such number of Assistant Stewards for the purposes of these Rules as it thinks fit, and (except where the Board has appointed an Integrity Service Provider) to pay such salary or other remuneration for services as it determines (such Assistant Stewards to have the same duties, rights and obligations as Stewards, except to the extent that these Rules otherwise provide);
- (n) To appoint from time to time such number of Racecourse Investigators for the purposes of these Rules that it thinks fit, and (except where the Board has appointed an Integrity Service Provider) to pay such salary or other remuneration for services as it determines;
- (o) Notwithstanding any other provision of these Rules the Board may agree with any Integrity Service Provider to provide through its staff the carrying out of any function and the exercise of any power reserved to a Steward or Racecourse Investigator under these Rules.

Provided that:

- (i) The staff of the Integrity Service Provider have first been appointed as Stewards and/or Racecourse Investigators pursuant to these Rules.
  - (ii) The agreement requires the Integrity Service Provider to ensure that its staff at all times carry out the services in accordance with these Rules.
- (p) Where any member of the Board has reasonable cause to suspect an Offence is about to, or may take place, or has taken place, at any Meeting, Race or Trial the Chairman may authorise any such member for the purpose of preventing or detecting an enquiry into such Offence to (subject to the laws of trespass):
- (i) Enter and inspect any land, track, building, or other place in or about which such Meeting, Race or Trial is being held or is about to be held or is being conducted by any Clubs;
  - (ii) Make, alter or vary all or any of the arrangements for the conduct of such Meeting, Race or Trial;
  - (iii) Require the secretary of the Club conducting such Meeting, Race or Trial production of all books, particulars of entry or Nomination and or documents relating to the Meeting, Race or Trial of any Greyhound Nominated or entered or present at the Meeting, Race or Trial;
  - (iv) Order any examination of any Greyhound for the purposes of ascertaining its age or identity for any other purpose;

- (v) Order the scratching or withdrawal of any Greyhound from a Race or Trial;
- (vi) Order the removal of any Muzzle or rug;
- (vii) Remove at any time during the hours of Racing the Judge, Steward or Stewards or other Officials and act in his/her or their stead or appoint a substitute or substitutes for him/her or them;
- (viii) Appoint any Official necessary in his/her opinion for the proper conduct of the Meeting, Race or Trial if he/she is of the opinion that the Club Committee or other governing body of the Club has failed or neglected to do so;
- (ix) Take possession and detain for the purposes of enquiry for a period not exceeding 14 days the Greyhound which in the opinion of such member of the Board there are reasonable grounds for believing or suspecting the omission or intention or attempt to commit an Offence;
- (x) Enquire into or direct the Steward or Stewards to enquire into whether there has been committed or attempted to commit an Offence.

## **6. RACECOURSE INVESTIGATORS**

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- 6.1** Subject to these Rules the Racecourse Investigators shall have the following powers:
- (a) Excluding or removing from Racecourses all Persons prohibited from having admission thereto, by or under these Rules; or generally
  - (b) Taking such steps as may be reasonably practicable to prevent undesirable persons from having any connection with, or influence on, Racing and Meetings and any Registered Persons;
  - (c) Investigate and report on any matter, which the Board may require him/her to investigate;
  - (d) Enter onto any land occupied by any Licensed Person for the purpose of conducting a kennel inspection or the examination of any Greyhound in respect of which there is cause to suspect an Offence has been, or is being committed;
  - (e) Investigate and report on any matter which a Steward has requested him/her to investigate;
  - (f) Investigate any matter, which in his/her opinion, calls for investigation by him/her; and
  - (g) Request the Stewards or Club Committee to investigate any matter which in his/her opinion called for investigation by the Stewards and/or Club Committee, and the Stewards or Club Committee shall investigate such matter.
- 6.2** The Racecourse Investigator shall report the results of any investigation conducted by him/her to the Board.

- 6.3** The Board shall consider the results of any investigation conducted by a Racecourse Investigator and may conduct an Enquiry in to any person or body it considers there is reasonable cause to suspect of having committed an Offence.
- 6.4** Every person to whom these Rules apply agrees not to take any action or proceedings seeking damages against a Racecourse Investigator, the Association, a Club or an Integrity Service Provider (or any person authorised by any of them to act under the Rules or any employee or agent of any of them) where the alleged cause of action arose by reason of, or as a consequence, of the exercise of any powers conferred by the Rules.
- 6.5** Neither a Racecourse Investigator, Club, the Association or Integrity Service Provider (nor any person authorised by any of them to act under the Rules nor any employee or agent of any of them) shall be liable in damages to an Owner, Owner Trainer or Trainer or to any other person subject to the Rules, by reason of the exercise of powers conferred by the Rules in good faith.

## **7. RACECOURSE INVESTIGATORS RESPONSIBLE TO BOARD**

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- 7.1** Every Racecourse Investigator shall, within seven days after the conclusion of each Meeting officially attended by him/her, furnish to the Board a report on the Meeting with respect to the matters coming within the scope of his/her duties.
- 7.2** Every Racecourse Investigator shall be under the supervision and control of the Board and shall obey all orders and instructions given by the Board from time to time with reference to the carrying out of the duties of his/her office provided that where the Board has appointed an Integrity Service Provider every Racecourse Investigator shall be under the supervision and control of the Integrity Service Provider.
- 7.3** In addition to exercising and performing the particular powers, duties and functions specified, all Racecourse Investigators shall make themselves conversant with the Rules and from time to time report to the Board any improper conduct of any Licensed Person or Person and report any other matters which, in their opinion, might influence the Board in granting or refusing or suspending or withdrawing Licences or Registrations.

## **8. ADMITTANCE TO RACECOURSES**

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Every Racecourse Investigator shall at all times be admitted free to all Racecourses in New Zealand and to every part thereof and in the performance of his/her duties, shall have the right of entry into any room in any building thereof.

## **9. INDEMNIFICATION**

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Except where the Racecourse Investigator is employed by an Integrity Service Provider every Racecourse Investigator shall be indemnified out of general account against any legal proceedings instituted against him/her in respect of any act or thing done by him/her in the course and within the scope of his/her duties under these or in obeying any order or instruction of the Board.

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**10. ASSISTANT RACECOURSE INVESTIGATOR**

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Where for any reason, any Racecourse Investigator is unable to attend any Meeting, the Steward shall be deemed to be an assistant Racecourse Investigator or (except where the Board has appointed an Integrity Service Provider), the Board or the Chairman may appoint any fit person to be an assistant Racecourse Investigator for such Meeting, and every such assistant shall, for the purpose of that Meeting, be deemed to be a Racecourse Investigator.

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**11. POWERS OF THE STEWARDS**

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**11.1** Unless otherwise provided in these Rules:

- (a)** a Meeting shall be deemed to commence at 7:30 a.m. on the morning of the day on which the first Race is appointed to be run and conclude at 12:00 midnight on the day of the last Race of the Meeting; and
- (b)** the powers of the Stewards to investigate any matter or thing relating to or arising out of the conduct at a Meeting shall continue for four (4) months after the Meeting or for such further time as the Board may allow.

**11.2** Subject to these Rules, the Stewards may make, alter or vary an arrangement for the conduct of a Meeting or a Race.

**11.3** Subject to these Rules, and in particular Rule 11.1, the Stewards shall have the power to control and regulate the Meeting and without prejudice to the generality of that power shall have further powers to:

- (a)** inquire into any matter or thing in connection with a Meeting under their control;
- (b)** require the attendance and the giving of evidence by any Person who is subject to these Rules or who, in the opinion of the Stewards, may have knowledge of any of the matters which are the subject of an information or an objection under these Rules;
- (c)** require, obtain production of and examine all books, documents and other printed materials relating to a Meeting;
- (d)** enter all lands, booths, buildings, kennels, stands, enclosures and all other places used for the purpose of a Meeting;
- (e)** control and regulate, take cognisance of, inquire into and adjudicate upon (to the extent permitted by these Rules) the conduct of Officials, Owners, Trainers, Handlers, Greyhounds and any Person participating in or associated with a Meeting;
- (f)** determine any objections lodged under Rules 65.1(a) and 65.1(b);
- (g)** order the examination of a Greyhound drawn in a Meeting for the purpose of ascertaining its age or identity or for any other purpose connected with these Rules;
- (h)** require any Owner or Trainer to satisfy them that he/she or any Greyhound Nominated by him/her is not subject to any disability or restriction or Penalty under these Rules or any other Rules of the Board;



- (i) remove at any time during a Meeting any Official and to appoint a substitute for any such Official;
- (j) appoint any Official necessary to the proper control, regulation or conduct of a Meeting if in their opinion the Committee/Club Board of the Club has failed or neglected to do so;
- (k) acting on veterinary advice order the withdrawal of a Greyhound from a Meeting at any time before the start if in their opinion the Greyhound is unfit to run;
- (l) order the scratching or withdrawal of a Greyhound from a Race;
- (m) extend the starting time for any Race where in their opinion exceptional circumstances make such action necessary or desirable;
- (n) use, if they think fit, any device or method approved by the Board or Stewards (including, without limitation, photography, video and other image recording devices) to assist them in obtaining evidence of an Offence;
- (o) expel or exclude a Person from a Meeting;
- (p) charge a Person for an Offence;
- (q) exercise all such powers as may be conferred upon them by the Board;
- (r) order the removal of any muzzle or rug;
- (s) where circumstances prevent the conduct or continued conduct of the Meeting, declare that the Meeting be abandoned. Where circumstances prevent the conduct of the Meeting and the Steward(s) is/are not present at the premises of the Club the Secretary of the Club shall endeavour to contact the Steward(s) or the duty Steward or an Officer of the Board to make a determination on the matter and where such Steward(s) or duty Steward or an Officer of the Board is/are unavailable the Club Committee of the Club may declare that the Meeting be abandoned;
- (t) delegate any of their powers under these Rules to an Official by a written instruction signed by the Chief Executive or Chief Steward;
- (u) determine any act, matter or thing that arises but is not provided for by the Rules;
- (v) after the hearing of any objections lodged under Rules 65.1(a) and 65.1(b), amend the placings determined by the Judge or declare the race void;
- (w) disqualify from winning any Race or being placed in any Race, or for any term, any Greyhound liable to be Disqualified or Suspended under these Rules;
- (x) recommend to the Board that a particular Person or Persons should be Warned Off;
- (y) enter onto any land occupied by any Licensed Person for the purpose of conducting a kennel inspection or the examination of any Greyhound in

respect of which there is cause to suspect an Offence has been, or is being, committed.

- 11.4** Subject to these Rules the Stewards shall have the power to investigate any matter or thing relating to these Rules including (without limitation) the following:
- (a)** To enter and inspect any land, track, building, vehicle or other place in, or about which such Meeting, Race, or Trials are being held, or is about to be held, or has been conducted by any Club.
  - (b)** To enter and inspect any land, track, building, vehicle or other place in which a Greyhound is being kept.
  - (c)** To appoint any Official necessary in his/her opinion to the proper conduct of the Meeting, Race, or Trial, if he/she is of the opinion that the Committee, or other governing body of the Club, has failed to, or neglected to do so.
  - (d)** To take possession and detain for purposes of inquiry for a period not exceeding fourteen (14) days, any Greyhound in respect of which there are reasonable grounds for believing or suspecting the omission or intention or attempt to commit an Offence.
  - (e)** To inquire into whether there has been committed, intended to commit, or attempted to commit, any Offence.
- 11.5** Every person to whom these Rules applies agrees not to take any action or proceedings seeking damages against a Steward, the Association, a Club or an Integrity Service Provider (or any person authorised by any of them to act under the Rules or any employee or agent of any of them) where the alleged cause of action arose by reason of, or as a consequence, of the exercise of any powers conferred by the Rules or Constitution.
- 11.6** Neither a Steward, Club, the Association or Integrity Service Provider (nor any person authorised by any of them to act under these Rules nor any employee or agent of any of them) shall be liable in damages to an Owner, Owner Trainer or Trainer or to any other person subject to the Rules, by reason of the exercise of powers conferred by the Rules in good faith.

## **12. RESTRICTIONS ON STEWARDS AND OFFICIALS**

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- 12.1** Unless the Steward(s) agree(s), no person who is an Owner, Trainer or Handler of a Greyhound competing at a Meeting, shall be permitted to:
- (a)** act as an Official in relation to that Race; or
  - (b)** act in any Official capacity in the kennel area at the Club's course, or as a Steward or Veterinarian, at the Meeting.
- 12.2** No Official shall directly or indirectly engage in any betting transaction at a Meeting at which he/she officiates, or is assisting, in one of the following positions:
- (a)** Stipendiary Steward;
  - (b)** Kennel Official;
  - (c)** Judge;

- (d) Starter;
- (e) Veterinarian;
- (f) Swabbing official;
- (g) Lure driver;
- (h) Track Curator; and
- (i) Photo finish and timekeeper

**12.3** A Steward shall not act or be present at a hearing or determination of a matter in which he/she is pecuniarily interested or affected (unless otherwise directed by a Judicial Committee), nor shall a Steward determine any objection or matter in which he/she is involved in a personal, as opposed to an official, capacity.

**12.4** A Steward shall not:

- (a) engage directly or indirectly in a business connected with the sale, lease, breeding or management of a Greyhound; or
- (b) be directly or indirectly interested in the Ownership of a Greyhound.

### **13. STEWARD(S) TO REPORT TO THE BOARD**

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The Steward(s) shall notify the Board and the Club Committee of the Club holding the Meeting in writing of all relevant details of the Meeting within three (3) working days of the conclusion of the Meeting.

### **14. CONTROL OF PERSONS TO BE ADMITTED TO RACECOURSES**

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The separate Rules made pursuant to section 34 of the Act to control or prohibit the admissions of persons to Racecourses are set out at the Fourth Schedule and form part of these Rules.

### **15. CONDUCT OF ENQUIRIES BY THE BOARD**

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**15.1** Where the Board has reason to believe that a Person or Club to whom these Rules apply has committed an Offence, the Board may conduct an Enquiry before deciding whether or not to file an information under Rule 66 or where the Board has appointed an Integrity Service Provider requesting the Integrity Service Provider to file an information under Rule 66.

**15.2** The Board may delegate its powers under this Rule to a committee and for the purposes of this Rule reference to the Board will include a reference to any committee approved by the Board to conduct the Enquiry.

**15.3 In conducting an Enquiry the Board may:**

- (a) formulate a draft information in writing setting out the Offence and deliver it to the Person or Club concerned;
- (b) provide the Person or Club concerned with an opportunity to make written submissions in response to the draft information;

- (c) provide the Person or Club concerned with an opportunity to be heard by the Board in relation to his/her submissions, if that Person or Club so desires; and
- (d) wait until it has read any written submissions or heard any oral submissions from the Person or Club concerned before making a determination as to whether or not it will file an information under Rule 66 or if the Board has appointed an Integrity Service Provider to request the Integrity Service Provider to file an information under Rule 66.

## **16. NOTIFICATION OF PENALTIES**

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In the event of the Board notifying any Club of the imposition of a Disqualification against any Person, or Greyhound, or the Warning Off of any Person, the Club so notified shall forthwith put such Disqualification or Warning Off into effect at Meetings and Racecourses under its control in the same way if such Disqualification or Warning Off had been imposed by that Club, or its Club Committee or a Steward.

## **17. SERVICE OF NOTICES**

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### **17.1**

- (a) A Person named as a Defendant in an information filed pursuant to Rule 66 or in a Notice of Objection laid pursuant to Rule 65 shall be served with a copy of the information or objection. Where:
  - (i) an objection is laid pursuant to Rule 65.1(c); or
  - (ii) an information is filed under Rule 66.1(a) and is not a Minor Infringement Offence; or
  - (iii) an information is filed under Rule 66.1(a) and the Defendant pleads not guilty to a Minor Infringement Offence or objects to the penalty for a Minor Infringement Offence; or
  - (iv) the Steward refers the information to the Executive Officer of the Judicial Control Authority; or
  - (v) an information is filed under Rule 66.2;

the Defendant will be advised of the date, time and place of hearing by the Registrar of the Judicial Committee.

- (b) Where the hearing of a Notice of Objection under Rule 65.1(a) or 65.1(b) is to take place during a meeting the following shall apply:
  - (i) The Defendant shall be deemed to have been served when service of the Notice of Objection and advice of the date, time and place of hearing is effected upon the person in apparent control of a Greyhound to which the objection relates; or
  - (ii) If, following reasonable efforts to serve the Notice of Objection (in the manner set out in Rule 17.1(b)(i) above) the person in apparent control of the Greyhound cannot be located, the Defendant shall be deemed to have been served with a copy of

the Notice of Objection and advised of the date, time and place of hearing, if advice of the Person, Body and/or Greyhound involved and the date, time and place of hearing is given over the public address system.

- (c) Where a Defendant pleads guilty to a Minor Infringement Offence and accepts the penalty for a Minor Infringement Offence as set out in the Sixth Schedule to these Rules, the Defendant shall confirm an address for service at the time of signing the information sheet and any penalty decision, under Rule 66.3, shall become effective 48 hours after the Association posts the information sheet endorsed by the Judicial Committee to that address for service.

**17.2** Where the circumstances set out in Rule 17.1(a)(i) to 17.1(a)(v) apply, the information shall be served on the Defendant in any of the following ways:

- (a) By being delivered to him or her personally or being brought to his or her notice if he or she refuses to accept it; or
- (b) Being left for the Defendant at his or her place of residence with a person appearing to reside there and appearing to be of, or over the age of, 16 years; or
- (c) Being sent by courier or registered letter addressed to the Defendant at his or her last known or usual place of residence, or at his or her last known or usual place of business; or
- (d) Being sent by facsimile at his or her last known facsimile number or the facsimile number at his or her place of business and there being no indication of incomplete transmission; or
- (e) Being sent by email at his or her last known email address and when acknowledged by the recipient by return email or otherwise in writing except that return emails generated automatically shall not constitute acknowledgment; or
- (f) Being served on his or her training partner by any of the above methods, if he or she is part of a training partnership; or
- (g) By compliance with Rule 17.1(b); or
- (h) In the case of a Club:
  - (i) by delivering it to the president or secretary of the Club personally; or
  - (ii) by leaving it with some person apparently over the age of 21 and apparently employed by the Club at the office of the Club; or
  - (iii) by forwarding it by courier or registered letter addressed to the president or secretary of the Club at the offices of the Club.

**17.3** Any information, notice or other document served in accordance with this Rule 17 shall be served at least six (6) days before the Person is required to appear.

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**RULES FOR THE CONDUCT OF GREYHOUND RACE MEETINGS****18. MEETING SCHEDULES**

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- 18.1** All Totalisator and Non Totalisator Meeting schedules shall be submitted to the Association for approval prior to publication in the official publication of the Association.
- 18.2** The Chief Executive, or nominee, shall consider the Meeting schedule and may approve the same if satisfied that all of the provisions of these Rules relating to content, Nominations, Field selection, Minimum Stake Schedule, grading and recognised Races have been complied with.
- 18.3** All Meeting schedules shall be subject to the Rules, and the interpretation thereof shall be determined by the Association. Any such determination shall be final and no correspondence shall be entered into.
- 18.4** Before approving any Meeting schedule the Chief Executive, or nominee, may require such further information as he/she thinks fit, or require amendments to be made.
- 18.5** In approving any Meeting schedule the Chief Executive, or nominee, may impose such conditions as he/she thinks fit.
- 18.6** The Chief Executive may, in his/her discretion, refuse to approve any Meeting schedule submitted for approval under this Rule.
- 18.7** No approved Meeting schedule or any of the conditions thereof shall be altered by any Club, or Official, without the approval of the Chief Executive or nominee.
- 18.8** No Meeting schedule shall be submitted for approval declaring a Race or Races of combined classes, except with the prior approval of the Association.
- 18.9** All Meeting schedules submitted shall include:
- (a)** Day and date of meeting;
  - (b)** Venue;
  - (c)** First Race start time (if known);
  - (d)** Closing date for Nominations;
  - (e)** Time of draw;
  - (f)** Contact details for draw;
  - (g)** Distances available;
  - (h)** Level of Prize Money payable (if applicable);
  - (i)** Level of nominations fees payable (if applicable);
  - (j)** List of Feature Races (if applicable) including any Consolation Race, with Race conditions specified in detail;
  - (k)** Any special conditions (if applicable);

(l) Name of Secretary and contact details.

## 19. NOMINATIONS

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- 19.1** All Nominations are to be received by the Association in accordance with the closing time as determined by the Association.
- 19.2** Nominations can be made in an approved manner as determined by the Board from time to time in compliance with all Rules relating to Nominations.
- 19.3** (a) Only a Trainer who is Registered by the Association or an Approved Registration Authority shall enter or Nominate a Greyhound in any Race, Qualifying Trial or Satisfactory Trial conducted by a Club.
- (b) No person shall enter, Nominate or permit to be entered or Nominated, a Greyhound in any Race or Trials conducted by a Club unless he/she is Registered by the Association or an Approved Registration Authority.
- 19.4** Any person who is Disqualified shall not enter or Nominate or Race any Greyhound during the period of such Disqualification.
- 19.5** The Nominator of a Greyhound is liable for the payment of any monies due to the Club in respect of the Nomination.
- 19.6** A Greyhound may be Nominated for more than one Race on the programme for which it is eligible, but preference for a start must be indicated at time of Nomination.
- 19.7** If a Greyhound is Nominated for or races in a Race for which such Greyhound is not eligible, the Nominator of such Greyhound shall be liable to a fine of up to \$100 for each Offence and such Greyhound shall be Disqualified from its original placing and all Prize Money earned and any Nomination fees paid shall be forfeited. Where such Greyhound is Disqualified, the Club shall make the appropriate placings of the other Greyhounds affected accordingly.
- 19.8** Any Greyhound correctly Nominated for any Race is entitled to fulfil such engagement, provided that prior to the closing of Nominations for the Race, the said Greyhound has not won a Race of the same class as that of the Nominated Race resulting in the re-grading of the said Greyhound.
- 19.9** If a scheduled Race is a Feature Race Nominations for this must be specified at the time of Nomination.
- 19.10** <sup>2</sup>A Greyhound shall not be nominated for a Race to be conducted before the Greyhound attains the age of 16 months.
- 19.11** A greyhound shall not be eligible to compete in more than one (1) totalisator event over any two (2) day period.

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<sup>2</sup> Modified 1 August 2018

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**20. RE-OPENING OF NOMINATIONS**

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- 20.1** Nominations for any Meeting or specific Races at any Meeting may be re-opened only with the approval of the Chief Executive or nominee under such conditions as he/she so determines.
- 20.2** Where the closing of Nominations is so extended, those Greyhounds Nominated in the period of extension shall have the same rights to selection for any Race as any Greyhounds Nominated prior to the original scheduled closing time for Nominations.
- 20.3** Greyhounds which have previously been Nominated for a Meeting, but which have been re-graded between the official advertised closing time of Nominations for the Meeting and the extended closing time of Nominations for the Meeting, shall be permitted to run out Nominations in the class for which they were eligible prior to the extension of Nomination closing time.
- 20.4** Any Greyhound not previously Nominated for a Meeting by the official advertised closing time of Nominations, but which is Nominated during the extended Nomination closing time, shall for Nomination purposes, be graded as at the amended Nomination closing time.

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**21. NOMINATION FEE**

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- 21.1** No Club may charge a Nomination fee in respect of each Greyhound entered for a Totalisator Race, other than a Race for which early entry and/or sustaining payments are required and which has been approved by the Association.
- 21.2** A Club may charge a Nomination fee in respect of each Greyhound entered for a Non-Totalisator Race. Such fee shall not exceed an amount determined by the Association.

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**22. FIELD SELECTION**

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- 22.1** Clubs shall have the right:
- (a)** To select Fields on form from the Nominations received.
  - (b)** To ballot out with the right of re-entry up to two Greyhounds.
  - (c)** To run Heats to decide starters and reserves for the Final of a Race provided that finalists are decided by placings in qualifying order from each Heat.
  - (d)** Notwithstanding sub-clause (c) of this Rule, where a Club has installed a photo finish electronic timer any number of Heats may be run provided that finalists are decided by placings in qualifying order from each Heat (e.g. 7 heats, seven winners plus the fastest 2nd placed Greyhound). Under this Rule the maximum number of starters (8) must be allowed to qualify for a quarter-final, Semi-Final or Final.
  - (e)** To divide Nominations for any Race into divisions. Under this Rule, each division becomes an individual Race of that class.
  - (f)** To cancel a scheduled Group or Feature race at a Totalisator Meeting if less than eight (8) Nominations are received.



- 22.2** For the purpose of the administration of Rule 22.1 a Club may by resolution of a majority of its members in general meeting prescribe the performance criteria by which Nominated Greyhounds in each Race in the ensuing year are to be assessed for inclusion in the Box Draw provided that any such performance criteria established by a Club shall not supersede these Rules. A notice setting out the performance criteria adopted by the Club to select Greyhounds for inclusion in draws shall be displayed in the Club's kennel block and the secretary's office.
- 22.3** All Club selection panel proceedings shall be held in closed committee.
- 22.4** If insufficient Nominations are received for a scheduled single class Race (i.e. 8 nominations), Clubs shall be permitted to combine any two consecutive classes, excepting C0 sprint/middle distance, and the highest graded Greyhounds shall have selection preference over the lower graded Greyhounds. The Prize Money payable for a combined Race shall not be less than that prescribed for the highest eligible class.
- 22.5** Where Nominations allow a Club to select more than one Field of the same class and distance (including any heats to determine semi-finalists or finalists), the Club shall ensure that any Greyhounds registered in the same ownership and/or Trainer shall not be selected in the same Race, unless the number of Greyhounds registered in the same ownership and/or Trainer is such that separation as provided by this Rule is not practicable. Races with combined classes do not apply under this Rule.
- 22.6** <sup>3</sup>C0/C0d Races shall not be combined with any other classes.
- 22.7** Where Heats are run for Totalisator Meetings, Clubs may select reserves for the final based on placings in the Heats or times registered in the Heats. Each reserve Greyhound may be drawn by the Club as a starter in one other Race on the programme, but the said Greyhound shall not be permitted to compete in both Races. The Feature Race shall take preference.
- 22.8** In Invitation Races all classes have equal rights for inclusion.
- 22.9** In all Age Races the highest graded Greyhounds shall have preference in selection.
- 22.10** Where a Greyhound is Nominated for a Race which is greater than its current classification, the said Greyhound will be considered for selection only after Greyhounds of higher classification have been selected.
- 22.11** Qualifying Trials shall be classed as Races and may be used as a guide to selecting C0 races.
- 22.12** <sup>4</sup>Any Greyhound included in a Field which does not obtain a Race start shall be entitled to run a trial, during the course of the Meeting or at the conclusion of the Meeting subject to the approval of a Steward.
- 22.13** Where in relation to any Race to which Rule 22.1(d) applies, and during one or more of the heats or semi-finals, either:
- (a)** two or more Greyhounds have identical times; or
  - (b)** The timing system fails to function;

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<sup>3</sup> Modified 1 August 2018

<sup>4</sup> Modified 1 August 2018

a ballot shall be conducted by the Stewards to determine which of the Greyhounds so affected shall be included in the semi-final or final field (as the case may be). Persons in control of all of the Greyhounds involved will be allowed to view the ballot.

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## **23. CONSOLATION RACES**

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- 23.1** Greyhounds must have competed in a Heat in order to be eligible for a Consolation Race.
- 23.2** Greyhounds must be expressly Nominated for a Consolation Race in order to be selected for a Consolation Race.
- 23.3** Greyhounds shall be selected for Consolation Races based on the order of placings in the Heats and/or Semi-finals, regardless of anything elsewhere in these Rules or in Club selection criteria.

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## **24. MINIMUM STAKE SCHEDULE**

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- 24.1** Every Totalisator Meeting schedule submitted under Rule 18 for publication in the official publication of the Association shall stipulate the amount of Prize Money payable in respect of class Races and other Feature Races scheduled. The amount of Prize Money advertised must comply with the Minimum Stake Schedule and winning percentages as published from time to time by the Association.

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## **25. DEDUCTIONS FOR GROUP RACES AND FEATURE RACES**

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- 25.1** Where a Club conducts a Group Race or Feature Race, the Club shall deduct an amount of 5% of the Prize Money up to a maximum deduction of \$1,000 and render that amount to the Breeder of the first eligible Greyhound past the post. To be eligible:
- (a)** the Greyhound must have been whelped in New Zealand; and
  - (b)** the litter must have been registered by the Association; and
  - (c)** If no eligible Greyhounds are entered, no bonus shall be deducted.
- 25.2** Notwithstanding sub-clause 1 of this Rule, where a Club conducts the NZ Sires' Produce Stakes, the Club shall deduct an amount of 5% of the Prize Money up to a maximum of \$1,000 and render that amount to the Stud Master of the winner at the time of service. To be eligible, the stud dog of the winner must have been New Zealand based at the time of service or when the semen was collected in the case of Artificial Insemination.

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## **26. GRADING**

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- 26.1** Each Greyhound shall have two classes categorised by Race distance and Race type:
- (a)** Sprint/middle distance class:
    - (i)** A sprint distance Race is any race less than 457 metres,

(ii) A middle distance Race is any race from 457 metres to 599 metres;

(b) Distance class – a distance Race is any race 600 metres or more.

**26.2** Classes:

Sprint/Middle Distance	Distance
Class 0 (C0)	Maiden distance (C0d)
Class 1 (C1)	Class 1 distance (C1d)
Class 2 (C2)	Class 2 distance (C2d)
Class 3 (C3)	
Class 4 (C4)	
Class 5 (C5)	

**26.3** A Greyhound's grading shall be its classification at the time stipulated for the closing of Nominations.

## **27. RACE TYPES**

### **27.1 Sprint/middle distance races:**

- (a) CLASS 5 (Open) – This is a Race for Greyhounds graded at Classes 1-5 provided that the highest graded Greyhounds shall have preference in selection.
- (b) CLASS 4 – This is a Race for Greyhounds graded at Classes 1-4 provided that the highest graded Greyhounds shall have preference in selection.
- (c) CLASS 3 – This is a Race for Greyhounds graded at Classes 1-3 provided that the highest graded Greyhounds shall have preference in selection.
- (d) CLASS 2 – This is a Race for Greyhounds graded at Classes 1-2 provided that C2 Greyhounds shall have preference in selection.
- (e) CLASS 1 – This is a Race for Greyhounds graded at Class 1 only.
- (f) CLASS 0 (Maiden) – This is a Race for Greyhounds graded at Class 0 only.

### **27.2 Distance races:**

- (a) CLASS 2 DISTANCE – This is a Race for Greyhounds graded at Classes C0d, C1d and C2d, provided that the highest graded Greyhounds shall have preference in selection.
- (b) CLASS 1 DISTANCE – This is a Race for Greyhounds graded at Classes C0d and C1d, provided that C1d Greyhounds shall have preference in selection.
- (c) CLASS 0 DISTANCE – This is a Race for Greyhounds graded at C0d only.

**27.3 Age races:**

- (a) CLASSIC RESTRICTED AGE – This is a Race for Greyhounds which are whelped between 1 July and 30 June (inclusive) in the year preceding the event. Penalty free except for C0/C0d.
- (b) CALENDAR RESTRICTED AGE – This is a Race for Greyhounds which are whelped between 1st January and 31st December (inclusive) in the year prior to the year preceding the Race. Penalty free except for C0/C0d.
- (c) SPECIAL CONDITIONED AGE RACE – This is a Race for Greyhounds in which eligibility is restricted by age parameters with special conditions relating to wins, Prize Money earned and any other matters permissible. Penalty free except for C0/C0d.

**27.4** INVITATION RACE – This is a Race approved by the the Chief Executive or his/her delegate as being an Invitation Race to which a Club may invite any Greyhound graded at C1 and above to compete. All classes have equal rights for inclusion. Invitation Races are penalty free.

**27.5** NEW ZEALAND BREEDERS' INCENTIVE SCHEME RACES – These are Races for the New Zealand Bred Greyhounds graded at C0/C0d and above. The highest graded Greyhounds shall have preference in selection. Penalty free except for C0/C0d.

**27.6** A Club may schedule a Grade Race restricted by sex, or divide a Grade by sex, if stipulated as a Special Condition in the programming schedule published by the Association in the Association magazine.

**28. GRADING PENALTIES**

**28.1** Subject to the provisions of Rules 28 to 32, a Greyhound shall be re-graded to the next classification upon winning one Totalisator Race in any grade except for C1 where a Greyhound must win two Totalisator Races before being re-graded to C2.

**28.2** Subject to the provisions of Rule 34.3, a Greyhound competing in and winning any Race higher than its grade at a Totalisator Meeting shall be re-graded from its assessed class at time of Nomination to the next highest class.

**28.3** The winner of a combined class Race at a Totalisator Meeting shall be re-graded from its assessed class at time of Nomination to the next highest class.

**28.4** Any Greyhound winning a sprint Race at a Totalisator Meeting shall also be re-graded over the middle distance class. Conversely, any Greyhound winning a middle distance Race at a Totalisator Meeting shall also be re-graded over the sprint distance class.

**28.5** Any Greyhound winning a distance Race at a Totalisator Meeting shall not be re-graded over sprint or middle distance categories, excepting that where a Greyhound with a classification of C0 subsequently wins a C0d race at a Totalisator Meeting, such Greyhound shall be re-graded to C1.

**28.6** Any C1 Greyhound having downgraded from C2 shall be re-graded up to C2 upon winning one Totalisator race.

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**29. GRADING PENALTIES SPECIFIC TO AGE RACES**

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- 29.1** Should any Greyhound with a classification of C0 subsequently win a classic restricted age, calendar restricted age or special conditioned Age Race at a Totalisator Meeting, such Greyhound shall be re-graded to C1.
- 29.2** Should any Greyhound with a classification of C1, C2, C3, C4 or C5 subsequently win a classic restricted Age Race or a calendar restricted Age Race or special conditioned Age Race at a Totalisator Meeting such Greyhound shall not be re-graded.

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**30. GRADING PENALTIES SPECIFIC TO GROUP RACES/FEATURE RACES**

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Any C0/C0d Greyhound winning a Heat, Final or Consolation Race of any Group Race or Feature Race at any Totalisator Meeting shall be subject to re-grading, except that where a C0/C0d Greyhound wins a Heat and the Final or Consolation Race it shall be re-graded to C1/C1d.

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**31. GREYHOUND OF THE YEAR**

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The New Zealand Greyhound of the Year shall at the end of the racing season be selected by a panel of seven (7) representatives from New Zealand Greyhound racing media and/or Greyhound racing race commentators. The seven (7) personnel shall be appointed by Greyhound Racing New Zealand. A majority of the panel must agree on the winner.

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**32. GRADING PENALTIES SPECIFIC TO NEW ZEALAND BREEDERS' INCENTIVE SCHEME**

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- 32.1** Should any Greyhound with a classification of C0/C0d subsequently win a Heat or Final of a New Zealand Breeders' Incentive Scheme Race at a Totalisator Meeting, such Greyhound shall be re-graded to C1/C1d.
- 32.2** Should any Greyhound with a classification of C1, C2, C3, C4 or C5 subsequently win a Heat or Final at a Totalisator Meeting, such Greyhound shall not be re-graded.

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**33. DEAD-HEAT**

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- 33.1** Any Greyhound Dead-Heating for first place at a Totalisator Meeting shall be deemed not to have won a Race and shall be regarded as a non-winner for the purpose of re-grading.
- 33.2** Where two or more Greyhounds Dead-Heat for first place or a minor placing in a Race comprising Heats and/or Semi Finals the right of the Greyhound concerned to further participate in such Race shall, where necessary, be decided by ballot.
- 33.3** If two or more Greyhounds Dead-Heat in a Totalisator Race, the Greyhounds concerned shall not run off, and the owners of the Greyhounds shall divide all Prize Money and other payments or benefits equally between them.
- 33.4** If a Dead-Heat is declared for second place in a Totalisator Race, there shall be no third place and the owners of the Greyhounds which ran the Dead-Heat shall divide the Prize Money allocated for second place as well as any Prize Money for third place equally.

- 33.5** If a Dead-Heat is declared for third place in a Totalisator Race, there shall be no fourth place and the owners of the Greyhounds which ran the Dead-Heat shall divide the Prize Money allocated for third place as well as any Prize Money for fourth place (if any) equally.
- 33.6** If a Dead-Heat is declared for second place in a Totalisator Race in which the winner is Disqualified:
- (a)** the Greyhounds which ran the Dead-Heat shall be deemed to have run a Dead-Heat for first place and shall divide equally the Prize Money for both first and second place.
  - (b)** the Owner of the Greyhound which is placed fourth shall receive the Prize Money allocated for third place.
- 33.7** Where the Owners or Trainers of Greyhounds which run a Dead-Heat cannot agree as to which one of them is to receive a prize which cannot be divided, the Steward shall determine the question by lot. If necessary, the Steward shall determine what sum of money, if any, is to be paid by the Owner who takes the indivisible prize to the other Owner.

#### **34. DOWNGRADING**

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- 34.1** Any Greyhound graded C2 and above which has competed three consecutive times in sprint/middle distance grade Races without receiving Prize Money for running 1st, 2nd or 3rd on one of these three occasions shall be downgraded one class.
- 34.2** Any Greyhound graded C2d which has competed three consecutive times in distance grade Races without receiving Prize Money for running 1st, 2nd or 3rd on one of these three occasions shall be re-graded down one class to C1d.
- 34.3** There shall be no Penalty or re-grading upwards, or benefit toward downgrading, applied to any Greyhound running out Nominations following such downgrading other than if such Greyhound won such a Race, in which case the Greyhound shall be re-graded from the down-graded class.

#### **35. GRADING OF GREYHOUNDS FROM OVERSEAS**

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- 35.1** Owners of all imported Greyhounds must provide the Chief Executive with an official race record and meet all other conditions as prescribed from time to time by the Board in respect of a Greyhound which has raced overseas prior to Nominating the said Greyhound for any Race.
- 35.2** The grading of all imported Greyhounds shall be determined by the Chief Executive or his/her appointee, and shall be subject to the policy for calculating such grading as established from time to time by the Board.

#### **36. DISQUALIFICATION FROM A RACE**

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- 36.1** Where after running in a Race a Greyhound placed by the Judge is Disqualified pursuant to these Rules it shall be regarded as having not competed and the placings altered accordingly.
- 36.2** Where an information is filed or objection is laid which may affect the placing of any Greyhound in any Race, the Greyhound against which a breach of these Rules is alleged and the Greyhound claiming to be entitled to the placing, shall be liable to

the grading Rules which would have applied to the placings of the Race if no such information was filed or objection was laid.

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## 37. RECOGNISED EVENTS

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- 37.1 Group Race:** This is a Race of national importance which consistently attracts the best eligible Greyhounds from all parts of New Zealand. The allocation of Group Races shall be reviewed annually by the Board. A schedule of Group Races must be finalised for the season ahead by the Association and distributed to Clubs by 31 July each year.
- 37.2 Feature Race:** This is a Race of regional significance which attracts the better performed Greyhounds in that region. The allocation of Feature Races shall be reviewed annually by the Board. Scheduled Feature Races must be finalised for the season ahead by the Association and distributed (as part of the Group Race Schedule) to Clubs by 31 July each year. A local Club feature race that is not shown on the annual schedule produced by the Association does not constitute a Feature Race under these Rules.
- 37.3** Any Totalisator Club running an Oaks and/or Derby must ensure that such Races are classified as at least a Feature Race and must pay stake money to at least the level of a Feature Race as set by the Board before August 1 each season. Oaks races shall be contested only on restricted age female greyhounds, and Derby races by restricted age male greyhounds as defined in Rule 27.3.

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## 38. TRIALS

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### Qualifying Trials

- 38.1** A Greyhound must have completed and met the conditions of a Qualifying Trial and its racing papers endorsed to that effect by a Steward before being Nominated to Race. If this requirement is not complied with, the Nominator shall be liable to a fine not exceeding \$1,000.00.
- 38.2** Qualifying Trials may be conducted over a sprint or middle distance, being the distance normally raced at the Racecourse on which the Qualifying Trial is conducted.
- 38.3** A Qualifying Trial must comprise a minimum of four starters of comparative grade (i.e. either unqualified Greyhounds that are also attempting to qualify or C0 Greyhounds only).
- 38.4** A Greyhound shall qualify if, in the opinion of the Steward, the Greyhound's racing conduct is considered satisfactory and it has met the qualifying times applying to the track and distance as set by the Board after consultation with Club officials and RIU Stewards and as published in the Association's magazine.
- 38.5** No Greyhound shall compete in more than one Qualifying Trial in any one day.
- 38.6** Notwithstanding Rule 38.4, a Greyhound shall not qualify, regardless of meeting the conditions of the Qualifying Trial, if such Greyhound's Certificate of Registration was not in order or if any transfer or lease had not been registered with the Association at the time of qualifying.
- 38.7** Immediately after any Qualifying Trials, the secretary of the Club conducting the Qualifying Trial must forward to the Association a full list of the starters in each

Qualifying Trial including details of placed Greyhounds, times recorded (including notification of method of timing – electronic timing or hand timing), distance of the Qualifying Trial and margins.

- 38.8** Complete identification of a Greyhound is to be undertaken at a Qualifying Trial and the Certificate of Registration is to be certified by a Steward or an Authorised Person.

#### **Satisfactory Trials**

- 38.9** <sup>5</sup>Where a Greyhound fails to perform to the satisfaction of the Stewards or an Authorised Person, the Stewards or the Authorised Person may, after considering any submission made by the Trainer or person in charge of the Greyhound, order that the Greyhound undergo one or more Satisfactory Trials and/or such action as they deem necessary before being eligible to compete in or be nominated for any Race. No appeal shall lie in respect of an order made to undergo one or more Satisfactory Trials.

- 38.10** Where a Greyhound is ordered pursuant to these Rules to undergo a Satisfactory Trial the Greyhound shall not be permitted to compete in or be nominated for any Race until there has been compliance with the following provisions:

- (a)** The Trainer of the Greyhound shall make application to a Club that the Satisfactory Trial be conducted.
- (b)** The Club upon receipt of such application shall make the necessary arrangements and shall advise the Trainer accordingly.
- (c)** The Satisfactory Trial shall be conducted with a field of Greyhounds as determined by the Stewards over a similar distance or distance approved by the Stewards. For clearance at all venues the Satisfactory Trial may be performed at any venue.
- (d)** The Satisfactory Trial shall be completed in the presence of and to the satisfaction of a Steward or Authorised Person.

#### **Training Trials**

- 38.11** Training trials shall be conducted by a Club or an organisation approved by the Association at a venue determined by the Club or Authorised Person or the approved organisation.
- 38.12** No Greyhound shall compete in more than one Training trial in any one day.
- 38.13** Training trials are deemed to be unofficial and so are not required to be recorded and results are not required to be forwarded to the Association.

### **39. BOX DRAW**

- 39.1** The method of the conduct of the Box Draw shall be such as the Board from time to time directs.
- 39.2** Where there are less than 8 Greyhounds eligible to compete in a Race at the time the Box Draw is to be carried out, the following boxes shall be left vacant:

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<sup>5</sup> Modified 1 August 2018



<b>Number of Eligible Greyhounds Competing</b>	<b>Box number(s) to be left vacant</b>
7	5
6	3, 6
5	3, 5 and 7
4	2, 4, 6 and 8
3	2, 4, 6, 7 and 8
2	2, 4, 5, 6, 7 and 8

**39.3** A Greyhound other than a Reserve Greyhound, drawn to start from a box number specified in column 1 of the table to this Rule shall wear the numeral and rug colour specified in column 2 and column 3 respectively of the table opposite the box number so specified.

**39.4** If a Reserve Greyhound becomes eligible to compete in a Race as a consequence of a withdrawal of a Greyhound drawn to compete in the Race, it shall wear the numeral and rug colour specified in columns 2 and 3 of the table below and shall start from the box number which was drawn for the Greyhound which it has replaced in the Race.

<b>Box Number</b>	<b>Numeral</b>	<b>Rug Colour</b>
1	1	Red
2	2	Black and white stripes
3	3	White
4	4	Blue
5	5	Yellow
6	6	Green
7	7	Black
8	8	Pink
Reserve	9	Green and White stripes
Reserve	10	Red White and Blue

**39.5** A Greyhound drawn as a Reserve Greyhound may be included in the draw at the appointed scratching time as approved by the Board, but no other alteration is permitted, unless where a Greyhound which qualifies for a Race, is Disqualified or withdrawn from the Race for any reason prior to the Race, and the following provisions shall apply:

- (a)** The Greyhound that is subsequently declared to qualify for the Race shall replace the Disqualified or withdrawn Greyhound in the Race; and
- (b)** If the replacement Greyhound replaces the Disqualified or withdrawn Greyhound after the Box Draw there shall be no redraw of boxes for the Race and the replacement Greyhound shall start in the box drawn by the Disqualified or withdrawn Greyhound.

**39.6** Notwithstanding any other Rule, the Board:

- (a)** Shall have the power to add or remove any Greyhound from any Race for any reason whatsoever and on such terms and conditions as the Board determines;
- (b)** In exercising its powers pursuant to Rule 39.6(a) may make such decisions with respect to the redrawing of any Race as the Board determines;

- (c) Without limiting Rule 39.6(b), may cancel any Box Draw previously conducted and order a new Box Draw to be conducted for any Race if in the opinion of the Board such action is deemed warranted.
- 39.7** One or two Reserve Greyhounds may be included for a Race and shall be subject to the same conditions and penalties which apply to the other Greyhounds in the Race.
- 39.8** Where a Greyhound is a Reserve Greyhound for more than one Race and a withdrawal occurs in more than one Race, the Greyhound shall be placed in the Race with the first withdrawal subject to Rule 39.9 of this Rule.
- 39.9** A Greyhound listed as a Reserve Greyhound for a Group, Feature or special Race, may also be included in another Race on the same programme. If the Greyhound is required to compete in the Group, Feature or special Race, for which it is a Reserve Greyhound, it shall be withdrawn from the other Race.
- 39.10** For the purposes of Rule 40.3 it shall be deemed a valid reason for the withdrawal of a Greyhound after the Box Draw, if the Greyhound is drawn as a Reserve Greyhound and is usually kennelled at a place outside a radius of 100kms from where the Meeting is being held and is withdrawn before the Greyhound is included in the draw pursuant to Rule 39.5. The Trainer of the Greyhound is responsible for contacting the Club as soon as practicable to confirm the withdrawal and immediately he/she is aware that it is not the intention to fulfil the Greyhound's engagement. For the purpose of this Rule, a Greyhound can only be withdrawn within 48 hours of the start of the Meeting.

#### **40. WITHDRAWAL AFTER BOX DRAW**

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- 40.1** The Nominator of any Greyhound which, in accordance with these Rules, is to be withdrawn from a Race, shall notify the secretary of the Club for which such Greyhound is to be withdrawn of such withdrawal not later than 7.30am on the day of the Meeting.
- 40.2** Where a Greyhound is stood down due to suffering an injury and the Owner or Trainer of the Greyhound has not produced a Veterinarian's Certificate to the Club to the satisfaction of the Steward by midday on the day preceding any Meeting for which the Greyhound is registered, the Greyhound will be scratched from any Race at that Meeting that it is entered in.
- 40.3** If a Greyhound is withdrawn without valid reason after the Box Draw, or after qualifying for a Semi Final or Final of a Totalisator Race, the Owner or Trainer of the Greyhound shall be guilty of an Offence.
- 40.4** When more than one Totalisator Meeting is held on the same day, being drawn into a field at one Totalisator Meeting, (whether as a result of competing in qualifying Races or otherwise) shall not constitute a valid reason for withdrawal of the Greyhound from the Race at another Totalisator Meeting. Such Greyhound shall incur a 28 day suspension effective from the day following the Meeting.
- 40.5** If a Greyhound is drawn into a Field at a Totalisator Meeting and holds an engagement at a Non-Totalisator Meeting, the Greyhound can be withdrawn from the Non Totalisator Meeting without Penalty except where such non Totalisator Race is a qualifying Race for a totalisator Group or Feature Race.
- 40.6** Notwithstanding Rule 40.5 a Greyhound which has had a trainer change between Nomination and race day may be withdrawn by the new trainer without penalty.

- 40.7** A Greyhound which has been included in the Box Draw for a Meeting or after qualifying for a Semi Final or Final at a Totalisator Race and is not presented to Race, shall be Suspended for 28 days unless permission has been granted by the Stewards for the Greyhound to be withdrawn, or the reason for the non-attendance is submitted in writing to the Stewards of the day who may then reconsider the Penalty. An Owner or Trainer of a Greyhound may seek a review, by a Judicial Committee, of any decision under this Rule in accordance with Rule 66.20.
- 40.8** The 28 day period within which the Greyhound not presented to Race shall be Suspended, shall commence immediately on and from the date when the Greyhound was not presented to Race unless the Stewards of the day otherwise direct. The Suspension period shall end at 11.30pm on the 28th day of the Suspension period.
- 40.9** Any person who races a Greyhound in contravention of the Suspension period provided for in this Rule commits a breach of these Rules shall be subject to the Penalties set out in these Rules.
- 40.10** No Greyhound, which in the opinion of the officiating Veterinarian or the Stewards or an Authorised Person is In Season, shall be allowed to be kennelled or compete in a Race.
- 40.11** No Greyhound which the Owner or Trainer knows, or has reason to believe is In Season, shall Race within 28 days of such knowledge.
- 40.12** Where evidence is produced to the satisfaction of the Stewards that a Greyhound concerned was not In Season (provided that such evidence may not be produced earlier than 10 days after the Penalty was imposed) the Stewards may cancel any Penalty imposed under Rule 40.11 where it was first thought a Greyhound was In Season. This Rule may only be applied if a Veterinarian's Certificate was supplied to the Stewards at the time of the application of the Penalty under Rule 40.11.
- 40.13** Any Greyhound which is withdrawn through injury or illness after publication of the Box Draw, or after a Heat or a Semi Final or Final of a Totalisator Race, shall incur a ten day stand down from the date of the withdrawal. The Nominator must produce to the Club within two working days of the start of the Meeting:
- (a)** A Veterinarian's certificate if a Totalisator Meeting. The Veterinarian's certificate must be in the following prescribed form:
    - (i)** Identification of the Greyhound by name and ear brand and/or micro-chipping;
    - (ii)** A detailed medical description of the specific injury or illness for each dog scratched. A statement that a Greyhound is "unfit to race" will not be sufficient.
    - (iii)** Date and time of Veterinarian's inspection.
    - (iv)** The Veterinarian's suggested period of stand down from racing, or period of recuperation.
  - (b)** A Veterinarian's certificate or a declaration by the Nominator stating the condition of the Greyhound if a Non Totalisator Meeting.

- 40.14** The 10-day stand down may be varied by:
- (a)** A Steward at a Totalisator Meeting on production of the Greyhound to the officiating Veterinarian on the day, or on production of a Veterinarian certificate by another approved Veterinarian.
  - (b)** A Steward or Authorised Person at a Non Totalisator Meeting on the production of the Greyhound to them in the absence of a Veterinarian.
- 40.15** Any Greyhound which is not produced for inspection by the officiating Veterinarian or Steward or an acceptable Veterinarian certificate is not produced within 48 hours of the start of a Totalisator Meeting or in respect of a Non Totalisator Meeting a declaration stating the condition of the Greyhound is not produced within 48 hours of the start of the Meeting shall incur a 28 day suspension from the date of withdrawal.
- 40.16** Where the withdrawal of a Greyhound has been ordered or permitted, Nomination fees shall be refunded.
- 40.17** Where a Greyhound has been Nominated for a Race and in the opinion of a Steward:
- (a)** the Greyhound is owned by a Person other than the Registered Owner;
  - (b)** the Greyhound is trained by a Person other than the Registered Trainer;
  - (c)** the Greyhound is being domiciled or kept otherwise than at the registered address of the Registered Trainer;
  - (d)** the Greyhound is being kept in circumstances which have resulted in, are resulting in or may result in detriment being caused to the Greyhound; or
  - (e)** uncertainty exists as to:
    - (i)** the identity of the Owner or Trainer of the Greyhound;
    - (ii)** the identity of the Greyhound;
    - (iii)** the identity of the person in whose care or control the Greyhound is;
    - (iv)** whether the Greyhound is domiciled or kept at the registered address of the Registered Trainer thereof; or
    - (v)** whether the Greyhound is being kept in circumstances which have resulted in, are resulting in or may result in detriment being caused to the Greyhound;
- the Steward may order that the Greyhound be withdrawn from the Race.
- 40.18** A Steward shall not make an order pursuant to Rule 40.17 unless he/she has communicated or endeavoured to communicate either personally or by telephone with the Registered Owner and the Registered Trainer of the Greyhound and given such Registered Owner and Registered Trainer the opportunity to show cause why such order should not be made. No appeal shall lie in respect of any order made pursuant to this Rule.

- 40.19** A Greyhound withdrawn from a Race pursuant to Rule 40.17 shall be prohibited from competing in any Race until such time as the Steward is satisfied that the basis upon which such withdrawal was made no longer exists.
- 40.20** The Steward(s) may order any Greyhound to be withdrawn from any Race where he/she/they has reason to believe that there has been, or may have been, committed an Offence in relation to the Greyhound.

**41. PROCEDURE PRIOR TO MEETING**

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- 41.1** Prior to the commencement of kennelling for a Meeting and as often as thereafter may be necessary throughout the Meeting the Stewards shall:
- (a)** Inspect the kennel building and associated areas for cleanliness, security and suitability for the containment of Greyhounds;
  - (b)** Inspect the surface, fixtures and fittings of the track for safety and operational suitability for racing purposes;
  - (c)** Inspect and test racing equipment for safety and operational suitability for racing purposes; and
  - (d)** Ensure that all equipment is of a type approved by the Board.
- 41.2** The Club shall provide to the Steward(s) the following certified check weights – 20 kilograms and either 10 kilograms or 5 kilograms.
- 41.3** The Steward(s) shall ensure that the weighing instrument is checked for accuracy using the check weights prior to commencement of weighing of Greyhounds presented for kennelling.
- 41.4** Where the Stewards are satisfied with the results of an inspection or a test conducted under Rule 41.1 they shall issue a certificate to that effect to the Club secretary or his/her duly appointed deputy of the Club conducting the Meeting or Trials.
- 41.5** If the Stewards are not satisfied with the results of an inspection or a test conducted under Rule 41.1, they shall notify the Club secretary or his/her duly appointed deputy forthwith who shall take immediate steps to remedy the matter.

**42. UNAUTHORISED PERSON NOT TO ENTER KENNEL OR HANDLE GREYHOUNDS**

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- 42.1** A Person shall not enter the kennel area without the permission of the Stewards on the day or night of a Meeting.
- 42.2** A Person shall not handle a Greyhound competing at any Meeting unless he/she is a Handler.
- 42.3** Any Handler who permits an unauthorised person to lead or handle a Greyhound drawn to compete at any Meeting shall be guilty of an Offence.
- 42.4** When the Owner or Trainer of a Greyhound is not present at any Meeting which that Greyhound is entered to compete, a letter signed by the Trainer or Owner of the Greyhound requesting authority for another person to be in charge of the Greyhound must be submitted to the Stewards prior to kennelling such Greyhound.

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The Stewards may refuse such authority and may order the withdrawal of the Greyhound from the Race.

- 42.5** Where a letter of authority is unable to be produced in accordance with Rule 42.4, the Stewards may accept a written statement of responsibility from the Person in charge of the Greyhound.

**43. GREYHOUNDS AND OTHER ANIMALS EXCLUDED**

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- 43.1** No Greyhound other than those drawn to compete in a Race shall be allowed on the Racecourse, or Track or in the kennel area without the permission of the Steward(s).

- 43.2** No other animal shall be allowed on the Racecourse without the permission of the Steward(s).

**44. PRESENTATION FOR RACING**

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- 44.1** The Handler of a Greyhound competing at a Meeting shall present the correct Greyhound to the Stewards at or before the time specified in Rule 44.2.

- 44.2** Unless otherwise specified, a Greyhound competing at a Meeting conducted by a Club shall be in the hands of the Stewards not later than sixty (60) minutes before the advertised starting time of the first Race of that Meeting.

- 44.3** The Club may, with the approval of the Board, provide for competitors in the first five Races to be kennelled in the first half of the hour prior to one hour of the first Race and that competitors in the second five Races be kennelled in the second half of the hour.

- 44.4** The Club shall provide for competitors to be kennelled in shifts at a dual Greyhound/harness or galloping meetings, or at Meetings where more than 10 Races are programmed, or at Meetings of more than 3 hours duration from closure of kennels, provided that all other kennelling Rules are complied with. No greyhound shall be required to be kennelled for more than three hours prior to the scheduled start time of the Race for which the Greyhound is entered.

- 44.5** The Steward(s) at the Meeting or Qualifying Trial may in his/her/their discretion alter the kennelling time referred to in Rule 44.2, if he/she/they deems such action necessary.

- 44.6** Where the Handler of a Greyhound fails to produce the Greyhound at or before the time specified in Rule 44.2, the Handler shall be guilty of an Offence.

- 44.7** A Greyhound not produced in accordance with Rule 44.2 shall not be allowed to compete in the Race for which it has been drawn and shall be suspended for 28 days commencing on the date on which the failure to comply with Rule 44.2 occurred, provided however that the Steward or Board may revoke or vary such Penalty.

- 44.8**
- (a)** A Greyhound shall not be permitted to compete in any Race unless the Certificate of Registration and weight record of the Greyhound identifying the Greyhound and certifying that it is eligible to compete, is produced to the Stewards for the purposes of identification at the time of kennelling

**(b)** Where the certificate of Registration and weight record is not produced the trainer shall be guilty of an offence.

**44.9** Notwithstanding the provisions of Rule 44.8(a) and 44.8(b), if the Certificate of Registration and weight record of the Greyhound is not produced and no reserve Greyhounds are eligible to re-enter the field, then the Stewards shall permit the Greyhound to start provided that all matters related to identification are noted. The Trainer shall cause to be delivered to the Club within two working days the Certificate of Registration and weight record for the Greyhound and the Club shall be permitted to withhold all Prize Money won until totally satisfied.

**44.10** A Greyhound shall not be examined for ear branding and/or a microchip until after the comparison has been made and the particulars contained in or endorsed on the Certificate of Registration at the time of presentation for kennelling, and an ear brand and/or micro-chip shall not be acceptable as the only sufficient indication as to the identity of the Greyhound.

**44.11** Where any variation is found between the particulars contained on the Greyhound's Certificate of Registration and the particulars appearing in the official Race program, these variations shall be reported to the secretary of the Club and announced to the public.

**44.12** Where the Stewards are satisfied that the Certificate of Registration produced in respect of a Greyhound Nominated for a Race is the Certificate of Registration issued for such Greyhound, but the description contained thereon is inadequate, misleading or deficient, the Stewards shall not alter such Certificate of Registration but shall cause a copy of the Greyhound's actual identification markings to be prepared and shall forward such markings and the Greyhound's Certificate of Registration to the Board or Approved Registration Authority for correction and re-issue.

The Board will:

**(a)** publish the Gear List in the Association's magazine or on the Association's website from time to time; and

**(b)** establish and maintain a Gear Register.

**44.13** No Greyhound may, in connection with kennelling, presentation for racing or competing in a Race, wear any gear other than Permitted Gear nor, subject to the provisions of this Rule, be kennelled or compete in a Race without the gear recorded in the Gear Register for the Greyhound being applied.

**44.14** Subject to clause 44.15, every Trainer of a Greyhound shall give notice, in the manner prescribed by the Board from time to time, of that gear to be applied to the Greyhound (being gear in accordance with the Gear List) or that gear to be removed from the Greyhound (being gear registered in the Gear Register for any Greyhound), no later than the close of Nominations for the Race in which the Greyhound is Nominated. The notified gear shall be subject to the approval of the Stewards, and where approval is granted, the Stewards shall record such gear to be applied to or removed from the Greyhound in the Gear Register for the applicable Greyhound, and the Greyhound shall from the relevant Race have applied to or removed from it, the gear so notified and approved.

**44.15** Without limiting the provisions of this Rule, where either the gear proposed to be applied to the Greyhound is not in accordance with the Gear List, or the Trainer has not provided notice in accordance with clause 44.14, the Trainer of a Greyhound

may apply to the Stewards at any time prior to the Race for approval to apply to the Greyhound gear (including gear not on the Gear List) or remove from the Greyhound gear recorded on the Gear Register. The Steward may grant approval to apply to or remove from the Greyhound the gear requested. In respect of any approval given by a Steward, the Steward will ensure that the approved gear to be applied to or removed from the Greyhound is recorded on the Gear Register and the Greyhound shall from the relevant Race have applied to or removed from it, the gear so approved.

- 44.16** Where a Greyhound requires veterinary assistance at a Meeting including the bandaging and strapping of the Greyhound, such assistance shall be carried out by, or under the supervision of the officiating Veterinarian, an Authorised Person or a Steward.
- 44.17** A Greyhound competing in a Race shall not wear blinkers unless the Greyhound has completed a Satisfactory Trial in blinkers and the Trainer has obtained the prior approval of the Stewards prior to the close of Nominations.
- 44.18** After the identification of a Greyhound produced to compete at a Meeting, the Official carrying out the identification shall retain the Certificate of Registration issued in respect of the Greyhound and the Certificate of Registration shall not be returned until after the completion of the Race.
- 44.19** When a Greyhound is presented in accordance with Rule 44 the Steward(s) shall cause the Greyhound to be examined by an officiating Veterinarian or Authorised Person in order to determine that the Greyhound is fit to compete and, in the case of the Greyhound being a bitch, is not In Season. If in the opinion of the officiating Veterinarian or Authorised Person a Greyhound is In Season the Greyhound shall be withdrawn from the Race.
- 44.20** Any injury or Illness detected by the Veterinarian or Authorised Person at the time of kennelling shall be notified to the Stewards by way of a Certificate of Incapacitation, which shall contain a recommended period of incapacitation. Such Greyhounds shall be withdrawn from the relevant Race and subject to Rule 56.5 shall not be eligible to compete in any Race during the recommended period of incapacitation.
- 44.21** Any Greyhound withdrawn from a Race under Rule 44.20 due to Illness shall be removed from the kennels immediately.
- 44.22** A Greyhound which fails to fulfil its engagement after kennelling has closed shall have the recorded weight of that Greyhound deleted from its weight card.
- 44.23** Where the Veterinarian or Steward or Authorised Person suspects that a Greyhound is suffering from a skin complaint of a kind which may be transmitted to other Greyhounds or is infested with parasites or is otherwise in an unclean condition, the Greyhound shall be removed from the kennels and shall not be allowed to compete in a Race until:
- (a)** a certificate from a Veterinarian has been furnished to the Chief Steward, his/her deputy or to the Board, by the Owner or Trainer of the Greyhound certifying that the skin complaint is not of a kind which can be transmitted to another Greyhound or that the Greyhound is no longer suffering from a skin condition or in an unclean condition; or
  - (b)** it is no longer infested with parasites, and a clearance has been issued by the Chief Steward or the Board.



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**45. WEIGHING**

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- 45.1** The Board shall issue a weight record for each Greyhound in accordance with the policy prescribed by the Board.
- 45.2** A Greyhound's weight record shall be produced at every Meeting in which the Greyhound is competing or where required at Heats.
- 45.3** The Greyhound shall not compete in a Race unless the weight record is produced provided however that if the Stewards are satisfied that there are acceptable reasons for the failure to produce the weight record card then the Greyhound may Race.
- 45.4** Where a weight record has been issued in respect of a Greyhound, the Trainer of that Greyhound shall be guilty of an Offence if the weight record is not produced on demand when the Greyhound is presented to compete in a Race.
- 45.5** Where a Greyhound is permitted to compete without the production of a weight record under Rule 45.3:
- (a)** The Greyhound's weight record must be presented to the Stewards within two (2) working days of the date of the relevant Race, and;
  - (b)** The Greyhound shall be ineligible to compete in any other Race until the weight record has been presented to the Stewards for endorsement.
- 45.6** A Greyhound shall be weighed, without its lead or collar but with its approved racing Muzzle on, on each occasion that the Greyhound is presented for a Race.
- 45.7** At any time during kennelling, upon request by the Owner/Trainer, Trainer or Handler of a Greyhound competing in a Race, the scales shall be checked by the Stewards with the check weights provided pursuant to Rule 41.2.
- 45.8** The weight of the Greyhound determined in accordance with Rule 45.6 shall be recorded in kilograms and tenths:
- (a)** in the weight record of the Greyhound; and
  - (b)** in the records kept by the Board.
- 45.9** The onus shall be on the Handler of the Greyhound to ensure that the weight recorded on the weight record is that declared by the Official weighing the Greyhound.
- 45.10** The Steward(s) shall, prior to the relevant Race, cause details of the weight of each Greyhound to be:
- (a)** prominently displayed; or
  - (b)** announced by public broadcast system.
- 45.11** Where the weight of a Greyhound recorded at a Meeting varies by more than one and a half (1.5) kilograms from the weight recorded in a Race in which it last performed that Greyhound shall be permitted to compete in the current Race but the Trainer of the Greyhound shall be guilty of an Offence unless permission has been granted under Rule 45.12.

- 45.12** Where a Greyhound is presented for a Race and such Greyhound is competing for a Trainer other than the Trainer at its last start the Stewards shall waive any Penalty that would otherwise be imposed for any weight variance. Permission shall be granted by Stewards for a Greyhound recording a weight variance of more than one and a half (1.5) kilograms to start in a Race provided that such Greyhound has not performed in any Race during the preceding 28 days, and no fine shall be imposed. For the avoidance of doubt, the day of the dog's last start shall be counted as a day for the purposes of the 28 days.

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**46. KENNELLING**

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- 46.1** Each Greyhound shall be allotted a separate kennel.
- 46.2** Unless authorised by the Board, a Club shall ensure no Greyhound is allowed to enter the kennel area unless the Handler is in possession of the appropriate pass with the kennel allocation recorded on it.
- 46.3** No Person shall be permitted to remain in the kennel building once his/her Greyhound is kennelled. No Person shall be permitted to re-enter the kennel building until so permitted by the Stewards.
- 46.4** The Greyhound whilst kennelled shall at all times be kept so that only Persons authorised to do so shall have physical access to such Greyhound.
- 46.5** No Person may remove a Greyhound from its allotted kennel or the kennel building prior to the Greyhound having competed in a Race for which it was presented unless authorisation is obtained from the Steward(s).
- 46.6** A Steward, in the exercise of his/her discretion, may prohibit the introduction to the kennel building of:
- (a)** Any rug, towel, bedding or other items which is excessive in quantity or dirty, offensive or infested with parasites;
  - (b)** Any preparation or substance.
- 46.7** No Person shall in any manner excite or attempt to excite any Greyhound in the kennel building.
- 46.8** No Greyhound shall be permitted to be kennelled with any apparatus on its head other than a Muzzle or head gear approved by the Board.
- 46.9** Any Greyhound to be kennelled must wear a Muzzle unless approval has been obtained from the Steward(s).
- 46.10** Where a Greyhound is kennelled without a Muzzle, the matting or bedding to be placed in the kennel must be approved by the Steward(s).
- 46.11** No person shall cover the door of a kennel with any type of material.

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**47. PREPARATION FOR RACING**

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- 47.1** A Greyhound shall be retrieved from its allotted kennel by the Handler under the supervision of a person authorised by the Stewards at the time as displayed in the kennels, so as to allow:

- (a) The identity of the Greyhound to be further verified;
  - (b) The Greyhound to be further examined by an officiating Veterinarian or a person authorised by the Stewards in order to determine that the Greyhound is fit to compete and, in the case of a bitch, is not In Season if required;
  - (c) The Appropriate Race Rug to be placed on the Greyhound;
  - (d) The Greyhound to relieve itself;
  - (e) Any item or substance, with the approval of a Steward, to be applied to the Greyhound prior to leaving the kennels;
  - (f) The Greyhound be paraded before the public;
  - (g) The examination by an Official to ensure that the Muzzle and the Appropriate Race Rug have been placed on the Greyhound securely so as to prevent its dislodgment during the running of the Race.
- 47.2** If the Handler of a Greyhound engaged to compete in a Race fails to appear at the kennels at the appointed time to retrieve the Greyhound, the Stewards may order the withdrawal of the Greyhound and the Handler shall be guilty of an Offence.
- 47.3** No person handling a Greyhound whilst it is being paraded before the public pursuant to Rule 47.1(f) shall communicate excessively with any Person outside the Parade Area.
- 47.4** The Handler of a Greyhound engaged to compete in a Race shall where required ensure that another Handler is in attendance at the catching area prior to the commencement of the Race for the purpose of catching the Greyhound.
- 47.5** Where the Steward(s) is/are of the opinion that the Person handling a Greyhound is, by reason of intoxication, illness or any other cause, incapable of properly handling the Greyhound he/she/they shall order that the Greyhound be handled by another Person. The determination of the Steward(s) on the matter is final and any person failing to comply with such order shall be guilty of an Offence.
- 47.6** Where an order given pursuant to Rule 47.5 is not complied with the Steward(s) shall order the Greyhound to be withdrawn from the Race.
- 47.7** No Person shall carry or assist the Greyhound from the Parade Area to the starting point
- 47.8** The Steward or such Person designated to act as a Parade Official shall cause the Greyhounds to be removed from the Parade Area at a time so as to ensure that the Greyhounds shall arrive at the starting point prior to the advertised starting time of the Race.
- 47.9** If the Parade Official is unable to compel the Handler of a Greyhound to obey his/her orders, he/she shall report the matter to the Stewards.
- 47.10** A Greyhound must at all times whilst on the Racecourse wear a Muzzle acceptable to the Stewards.
- 47.11** Every club must give trainers the right to stir up their Greyhounds pre-Race.

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**48. STARTER**

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- 48.1** Races shall be started by the Starter appointed by the Club or the Stewards.
- 48.2** The Starter may give all such orders and take all such measures as he/she considers necessary to ensure a fair start.
- 48.3** When the Greyhounds arrive at the starting boxes for a Race they shall be deemed to be in the Starter's hands.
- 48.4** If the Starter is unable to compel the Handler of a Greyhound which is in the Starter's hands to obey his/her orders, he/she may delay the start and shall report the matter to the Stewards.
- 48.5** After Greyhounds engaged in a Race are placed in the Starter's hands, the Starter shall order that any nose straps, head checks, lead, collar or parade rugs worn by the Greyhounds be removed.
- 48.6** Where the Starter is of the opinion that a Handler of a Greyhound is having difficulty in placing it in the starting boxes, he/she should seek or render such assistance as is necessary to place the Greyhound in its starting position.
- 48.7** If the Handler of a Greyhound hinders or attempts to hinder the Starter from carrying out his/her duties pursuant to Rule 48.6, the Handler shall be guilty of an Offence.
- 48.8** Where a Handler refuses to place a Greyhound in the appropriate starting box as directed by the Starter or a Steward, the Stewards shall withdraw the Greyhound from the Race and the Handler shall be guilty of an Offence.
- 48.9** The Starter shall be responsible for ensuring that:
- (a)** Unless directed otherwise by the Stewards, Greyhounds are to be placed in the starting boxes in odds and evens order, that is, numbers 1-3-5-7 followed by numbers 2-4-6-8;
  - (b)** The doors of the starting boxes are securely fastened after all the Greyhounds have been placed therein and no Greyhound is visibly held or caught by doors;
  - (c)** Neither he/she nor any other person attracts the attention of any Greyhounds once they have been placed in the starting boxes;
  - (d)** Races are started without undue delay by signalling to the Lure Driver to immediately activate the Lure.
- 48.10** Where the Stewards have declared a Greyhound difficult to place in a starting box, the Stewards shall order that the Greyhound be placed in a starting box prior to other Greyhounds in future Races, and shall cause the Certificate of Registration of the Greyhound to be endorsed "to be boxed first" until such time the Stewards are satisfied that the Greyhound is no longer difficult to place in a starting box.
- 48.11** The endorsement referred to in Rule 48.10 shall be cancelled if the Stewards are satisfied that the Greyhound is no longer difficult to place in a starting box.
- 48.12** Once a Greyhound has been placed in a starting box, its position in the box shall not be allowed to be corrected by any Person.

- 48.13** Where a Greyhound turns in its box and does not, in the opinion of the Stewards, take a competitive part in the Race, then before it can start in a Race it shall be required to complete a "Satisfactory Trial", on such conditions as the Stewards, in their sole discretion require. The trial must not be conducted on the same day as the Greyhound turned in its box. Repeated offences by a Greyhound (which for the purposes of this clause shall mean to turn more than once in 7 consecutive starts) shall result in the Greyhound being stood down for a period of 7 days.

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**49. LURE DRIVER**

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- 49.1** The Board shall approve a person to be a Lure Driver.
- 49.2** A Club shall have not less than 2 Lure Drivers in attendance at a Meeting and the Stewards may allocate the Races for which any Lure Driver shall drive the Lure.
- 49.3** A Club shall not employ a person in the capacity of Lure Driver for a Meeting unless that person has been approved by the Board.
- 49.4** The Board may, without assigning a reason, withdraw the approval of a person to be a Lure Driver by notice in writing.

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**50. STARTING POINT**

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- 50.1** A disc or other mark to denote the starting place of the Lure shall be placed at a position not exceeding 100 metres behind the starting boxes as to ensure that the Lure reaches the starting boxes approximately 7 seconds after being set in motion.
- 50.2** The gates of the starting boxes shall open instantaneously upon the Lure reaching the starting point. If in the opinion of the Steward(s), the automatic mechanism is failing to operate effectively, he/she/they may order that the gate be opened manually by the Starter upon the Lure reaching the starting point.
- 50.3** Where an automatic starting device is not in operation, the point at which the Starter elects to start Races shall be painted on the running rail or indicated by a disc.

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**51. LURE DISTANCE**

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- 51.1** The Lure shall be controlled so as to be positioned at all times during the running of a Race at a distance of not less than 5 metres and no greater than 8 metres ahead of the leading Greyhound. However, the Steward(s) may permit a variance to such distance if he/she/they is/are satisfied that as a consequence of such variance no Greyhound has been substantially inconvenienced in running so as to affect the outcome of the Race.
- 51.2** Where the Stewards are of the opinion that the outcome of a Race has been affected by the positioning of the Lure, the Stewards may declare the Race to be a "No Race".

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**52. NO RACE - FALSE START**

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- 52.1** Should there be an occurrence of any human intervention, mechanical or other defect which has the effect of preventing a Race from being completed or there are other circumstances arising which warrant such action being taken, the Stewards may declare the Race to be a False Start or a No Race.

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- 52.2** Rule 52.1 shall not apply where a Greyhound Mars or fails to pursue the Lure with due commitment during the running of a Race.
- 52.3** Where the Stewards declare, or are considering whether to declare, a Race to be a False Start or No Race, they shall cause a warning signal to be given and an announcement to be made over the public broadcast system.
- 52.4** Where the Stewards have declared a Race to be a No Race or False Start an approved signal shall be displayed and an announcement shall be made over the public broadcast system.
- 52.5** In the event of a False Start, the officiating Veterinarian shall inspect all Greyhounds. A restart will be approved by the Stewards providing the Veterinarian passes 50 % or more of the Field fit to start.
- 52.6** A Race declared to be a False Start or No Race shall be postponed or abandoned and shall not be re-started if, in the opinion of the Steward(s) (acting on the advice of the officiating Veterinarian or an Authorised Person and in consultation with the Trainer or Handler of the Greyhound), the re-starting of the Race would be detrimental to the welfare of the Greyhounds or, any other circumstance warrants the postponement or abandonment of the Race.
- 52.7** Where a Race is abandoned pursuant to Rule 51.2 and/or Rule 52.6 and such abandoned Race is a Heat or Semi-Final of a Race, the Race shall be re-run as soon as practical either on the day or at a time to be agreed by Stewards, the Club, and connections of the affected Greyhounds. If, in the opinion of Stewards, a re-run is not possible then the Chief Executive or his/her appointed nominee shall, in his/her sole discretion, determine the Greyhound or Greyhounds, as the case may be, which shall be eligible to compete in the Semi-Final or Final.
- 52.8** A determination conducted pursuant to this Rule will render any Greyhound ineligible to be a Reserve Greyhound if times are a factor in the selection of Reserve Greyhounds.
- 52.9** If, in the opinion of the Stewards, a Greyhound which does not finish in the first three placings was prevented from taking an effective part in a Race owing to the mechanical failure of starting boxes, or is denied a fair start and such occurrence materially prejudiced the chances of that Greyhound (but not where the Greyhound is slow away by its own accord), the Stewards may declare such a dog to be a non-starter.

### **53. JUDGING**

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- 53.1** The Board shall approve persons to act as Judges at Meetings.
- 53.2** A Club shall have a Judge in attendance at a Meeting.
- 53.3** The placings in a Race shall be decided only by the Judge, or in his/her absence by the Assistant Judge, but only if he/she occupies the Judge's box at the time when the Greyhounds pass the finishing line.
- 53.4** The Board or Stewards may authorise the use, and the acceptance of any results, of any method or device (including, without limitation, photography, video and other image recording devices) to assist the determination of placings of Greyhounds in a Race.

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- 53.5** Where the Judge or the Assistant Judge are not in the Judge's box at the time the Greyhounds pass the finishing line then the Steward(s) or his/her/their nominee shall assume the role of Judge and may determine the placings.
- 53.6** The Judge, his/her assistant or the Steward(s) or his/her/their nominee, as the case may be, shall record the placings of all Greyhounds in a Race according to the order in which their noses have reached the finishing line.
- 53.7** If a Greyhound refuses to follow the Lure or leaves the track, the Judge shall decide the result of that Race after conferring with the Steward(s).
- 53.8** In a Race in which the margin between placed Greyhounds is of 1/2 length of one Greyhound or less the Judge shall determine the placings with the aid of any method or device pursuant to Rule 53.4.
- 53.9** Subject to Rule 53.10, the Judge shall immediately, on determining the placings of Greyhounds, advertise such placings.
- 53.10** The Steward(s) may cause the "All Clear" to be given for the winner, or the winner and second place getter after the Judge has determined the placings for the winner or the winner and the second place getter and prior to the Judge determining the placings of the remaining Greyhounds.
- 53.11** The decision of a Judge that a Greyhound has won or has been placed shall be final provided that the Judge may correct any mistakes before giving the "All Clear" for the Race.
- 53.12** The Judge in consultation with the Stewards, or the Stewards, may correct any mistakes after the "All Clear" has been given.
- 53.13** No such correction made after "All Clear" has been given shall have any effect on betting transactions which shall be settled on the basis of the placings existing at the time that "All Clear" was given.
- 53.14** The timing of all Races shall be carried out by the Judge or Assistant Judge or any other person authorised by the Board or Stewards for that purpose and determined using .01 of a second as the basic unit of measurement and for the purposes of these Rules .066 of a second shall be the equivalent of one body length of a Greyhound.
- 53.15** Where a Greyhound starts from an incorrect box position, it shall be Disqualified from the Race. The Judge on being notified of such Disqualification shall amend his/her determination of the placements.
- 53.16** The entitlement of Prize Money (save as otherwise provided for in these Rules) shall be determined on the basis of the placings existing at the time that the "All Clear" was given.
- 53.17** Where for any reason (including, without limitation, as a result of a correction of a mistake pursuant to Rule 53.12) a Greyhound is Disqualified and another eligible Greyhound thereby becomes the winner or a place-getter in the Race, the Owner or Trainer of the latter Greyhound is entitled to recover from the Owner or Trainer of the Disqualified Greyhound any Prize Money, or other prize in relation to that Race awarded by the Club conducting the Meeting, and if the Owner or Trainer of the Disqualified Greyhound refuses or otherwise fails to return any Prize Money or prize in relation to the particular Race within fourteen (14) days after the

Disqualification of the Greyhound, the Owner or Trainer of the Disqualified Greyhound shall be declared a Defaulter and shall be placed in the Defaulters List.

- 53.18** A Club is not responsible for the recovery of any Prize Money or prize by the Owner or Trainer of the replacement Greyhound from the Owner or Trainer of the Disqualified Greyhound.

**54. PRIZE MONEY AND AWARDS MAY BE WITHHELD**

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- 54.1** Where:

- (a) an information is filed or an objection is laid; or
- (b) any action is taken or is about to be taken which could lead to an information being filed or an objection being laid, and the result of that information or objection could affect the result of a Race;

the Stewards may direct the Club conducting the Race to withhold the payment of any Prize Money or other award to any Greyhound which is or could be concerned pending the outcome of the information or objection.

- 54.2** The Association or the Club conducting a Race is authorised to pay any Prize Money to the Trainer of a Greyhound unless specifically instructed in writing by the Trainer to do otherwise.

- 54.3** <sup>6</sup>All Prize Money will be paid by electronic funds transfer into the recipients nominated account, unless the Association believes that special circumstances exist which justify a contrary payment method.

- 54.4** Any dispute between the Trainer and/or the Owner or any other third party regarding payment of the Prize Money shall be resolved between those parties without reference to the Association and/or the Club.

**55. MARRING AND FAILING TO PURSUE**

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- 55.1** Where a Greyhound:

- (a) Mars the running of any other Greyhound during a Race; or
- (b) Fails to pursue the Lure in a Race;

the Stewards may impose the following periods of suspension:

- (c) in the case of a first offence, twenty-eight (28) days and until the completion of a Satisfactory Trial; or
- (d) in the case of a second offence under Rule 55.1 (which for clarity need not be the same offence as the first offence under that subsection), three (3) months and until the completion of a Satisfactory Trial, or
- (e) in the case of a third or subsequent offence, under Rule 55.1 (which for clarity need not be the same offence as the first offence under that subsection), twelve (12) months and until the completion of a Satisfactory Trial.

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<sup>6</sup> Modified 1 August 2018



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- 55.2** Where a Greyhound fails to pursue the Lure as provided under Rule 55.1, the Greyhound shall be examined by the officiating Veterinarian or Authorised Person.
- 55.3** For the purposes of this Rule, “seriously injured” means an injury which the Veterinarian or Authorised Person concludes will result in a period of incapacitation of 21 days or more.
- 55.4** Where a Greyhound is found not to be seriously injured upon an examination pursuant to Rule 55.2, the Owner or Trainer of the Greyhound may, within 72 hours after the completion of the Meeting at which the Greyhound failed to pursue the Lure, apply to the Stewards seeking a re-examination at a time to be agreed by the Stewards.
- 55.5** Where a Greyhound is found to be seriously injured upon an examination pursuant to Rule 55.2 or re-examination pursuant to Rule 55.4, a certificate shall be produced to the Stewards by the Veterinarian or Authorised Person detailing the injury. The Stewards shall not endorse the Greyhound’s Certificate of Registration and shall not impose a Suspension pursuant to Rule 55.1 but shall order the Greyhound to undergo a Satisfactory Trial before it is eligible to compete in any Race.
- 55.6** Where a Greyhound is found by the Stewards to have engaged in Marring or has failed to pursue the Lure during a Race the Stewards shall, subject to Rule 55.5, endorse the Certificate of Registration of the Greyhound with the particulars of the offence.
- 55.7** Where the Certificate of Registration of a Greyhound contains an endorsement under Rule 55.6 for Marring or failing to pursue the Lure and that Greyhound competes in ten (10) Races, without again having its Certificate of Registration endorsed for another offence under Rule 55.1, the Chief Executive or his/her appointed nominee may, upon application by the Owner or Trainer of the Greyhound, cancel the endorsement. Only one (1) application may be made pursuant to this Rule in respect of a Greyhound.
- 55.8** Where the endorsement is cancelled pursuant to Rule 55.7 the Chief Executive or his/her appointed nominee shall, upon the Certificate of Registration of the Greyhound concerned being produced, cause “Cancelled” to be stamped across the endorsement.
- 55.9** Where the Chief Executive or his/her appointed nominee causes “Cancelled” to be stamped over an endorsement pursuant to Rule 55.8 then that one cancelled endorsement shall not be treated as a prior offence for the purpose of determining the length of the period of Suspension to be imposed on a subsequent offence under Rule 55.1.
- 55.10** Where a Greyhound is Suspended pursuant to Rule 55.1 and is required to complete a Satisfactory Trial the Satisfactory Trial shall not be carried out on the day of the offence and shall be in a field of four which shall not be a Qualifying Trial or Race.
- 55.11** An Owner or Trainer of a Greyhound may seek a review of any decision under Rule 55.1, by the Judicial Committee, in accordance with Rule 66.20.

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**56. GREYHOUNDS SUFFERING AN INJURY OR ILLNESS**

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- 56.1** Where a Greyhound is withdrawn from, or injured during an Race the officiating Veterinarian or Authorised Person or, in their absence, the Steward(s), may at his/her/their discretion issue a Certificate of Incapacitation imposing the period of incapacitation commencing on the day on which the Greyhound is withdrawn from, or is injured in, any Race conducted by a Club.
- 56.2** The Stewards shall cause the original Certificate of Incapacitation to be handed to the Owner, Trainer or Handler, where practicable, and shall forward a copy of the Certificate of Incapacitation to the Board with a report of the Steward(s).
- 56.3** Where it is not practicable for the Certificate of Incapacitation to be handed to the Owner, Trainer or Handler the Certificate of Incapacitation shall, within three (3) working days after the conclusion of the Meeting be forwarded to the Owner or Trainer of the Greyhound concerned by prepaid ordinary post to the last known address of the Owner or Trainer, and shall be deemed to have been received by the addressee in the ordinary course of post.
- 56.4** Subject to Rule 56.5, an Owner or Trainer shall not permit the Greyhound named in a Certificate of Incapacitation under this Rule to compete in any Race or Satisfactory Trial during the period of incapacitation.
- 56.5** Where a Greyhound is prohibited pursuant to Rules 40.10, 44.19, 44.20 and 56.1 from competing in any Race, the Trainer may:
- (a)** subsequent to the day that a Certificate of Incapacitation is issued pursuant to Rules 44.20 and 56.1; or
  - (b)** in the case of a prohibition under Rule 40.10 or 44.19 subsequent to the day that a Veterinarian or Authorised Person's gives his/her opinion that a Greyhound is In Season
- apply to a Steward(s) that the Greyhound be examined by an officiating Veterinarian or Authorised Person in the presence of a Steward in order to determine whether at the time the Greyhound is free of injury or is not In Season as the case may be. A Trainer shall be permitted to make only one such application.
- 56.6** If the Greyhound is found not to be suffering an injury or is not In Season upon an examination pursuant to Rule 56.5, the restriction imposed pursuant to Rules 44.19, 44.20 and 56.1 shall be removed immediately.
- 56.7** If the Greyhound is found to be suffering an injury or is In Season upon an examination pursuant to Rule 56.5, the restriction imposed pursuant to Rules 44.19, 44.20 and 56.1 shall continue to have effect.
- 56.8** Where:
- (a)** A Greyhound is examined by the officiating Veterinarian at a Meeting and is found to be suffering from an illness or condition which affects or may affect its central or peripheral nervous system, its respiratory system or any part of those systems, or which in the opinion of that Veterinarian may cause erratic behaviour or unsatisfactory performance of the Greyhound in, or otherwise affect the true running of, a Race; or
  - (b)** The Board is notified at the hearing of an information or an objection or appeal that the Greyhound has such an Illness or condition;

the Stewards shall order the Greyhound to be prohibited from competing in a Race until such time as a Veterinarian is satisfied that the Greyhound ceases to have any such Illness or condition.

- 56.9** Where a Greyhound is prohibited from competing in an Race pursuant to Rule 56.8, the Owner or Trainer may apply in writing to the Chief Steward for a further examination of the Greyhound by a Veterinarian. Before such examination, the Greyhound shall be required to complete a Satisfactory Trial in the presence and to the satisfaction of a Steward. Upon completion of a Satisfactory Trial, the Greyhound shall be examined by a Veterinarian approved by the Chief Steward or another Steward authorised by him/her. If the Veterinarian's examination indicates that the Greyhound is in good health, he/she shall issue a certificate to that effect and the prohibition under Rule 56.8 shall cease to have effect immediately.
- 56.10** Where a Greyhound is examined by the officiating Veterinarian at a Meeting or Satisfactory Trial or Qualifying Trial and is found to have or suspected of having impaired vision in one or both eyes, the Stewards shall order the Greyhound to be prohibited from competing in a Race until such time as:
- (a) a specialist veterinary ophthalmologist, approved by the Board, examines the Greyhound and certifies that the Greyhound's vision is adequate to allow the Greyhound to see the Lure; and
  - (b) the Greyhound has completed a Satisfactory Trial.
- 56.11** <sup>7</sup>Every Owner Trainer or Trainer under these Rules shall report to the Stipendiary Steward as soon as practicable anything which might have had any bearing in the past running of the Greyhound or may have any bearing on the future running of the Greyhound which comes to their attention.

## **57. RACING AFTER WHELPING**

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- 57.1** A Greyhound which has whelped a litter shall not be Nominated for a Race to be conducted within 16 weeks after the date of the whelping and until it has run a Satisfactory Trial in the presence of the Stewards pursuant to Rule 38.10.
- 57.2** Where a Greyhound whelps a litter, the Owner or Trainer of the Greyhound shall, when next Nominating the Greyhound for a Meeting, notify the Board the details of such an occurrence.
- 57.3** Any person who fails to comply with Rule 57.2 shall be guilty of an Offence.

## **58. AUTHORITY TO CONDUCT AUTOPSY**

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- 58.1** If a Greyhound dies either before, during or after a Race, and a Veterinarian is unable to determine the cause of the death of the Greyhound without performing an autopsy, then an autopsy shall be performed by a Veterinarian in the presence of a Steward authorised by the Steward(s).
- 58.2** Where an autopsy has been carried out pursuant to Rule 58.1 a certificate and/or report signed by any person who purports to be a Veterinarian shall be, without proof of the signature thereon, for the purpose of any proceedings pursuant to these Rules, prima facie evidence of the matters contained therein.

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<sup>7</sup> Added 1 August 2018

- 58.3** For the purposes of Rule 58.1:
- (a)** the Stewards may take possession of and detain a Greyhound for such period and under such conditions as the Stewards may think proper; and
  - (b)** no liability shall lie against the Club, the Board or their servants or agents for any loss or damage howsoever sustained.

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**59. AUTHORITY TO TEST**

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- 59.1** The Stewards may, or the RIU may direct the Stewards, to carry out or cause to be carried out such test or tests as they shall deem necessary in relation to:
- (a)** A Greyhound which has been entered for, or has competed in, a Race; or
  - (b)** A Greyhound at any other time for the purposes of this Rule.
- 59.2** For the purposes of this Rule:
- (a)** the Stewards may take possession of and detain a Greyhound for such period and under such conditions as the Stewards may think proper; and
  - (b)** no liability shall lie against the Club, the Board or their servants or agents for any loss or damage howsoever sustained.
- 59.3** The Owner or Trainer of a Greyhound detained pursuant to Rule 59.2 a shall, within three (3) days of receipt of written notice from the Board that the Greyhound is ready for collection:
- (a)** pay the Board an amount determined by the Board in its sole discretion for the costs incurred by the Board in detaining the Greyhound for the purposes of this Rule; and
  - (b)** collect the Greyhound from the custody of the Board.

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**60. SWABBING/TESTING PROCEDURE**

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- 60.1** Where the Stewards have requested or instructed a Veterinarian to take specimens for the purposes of testing a Greyhound under Rule 59.1, the Veterinarian shall be entitled to take from the Greyhound such specimen or specimens of its excreta, urine, blood, saliva or other body substance and to carry out such tests as the Veterinarian shall think fit.
- 60.2** Where a Veterinarian is unavailable at the time when the Stewards may require specimen or specimens of a Greyhound to be taken, a Steward or a Swabbing Official may only take a specimen of the excreta, urine or saliva from a Greyhound.
- 60.3** A Steward or Veterinarian or an Authorised Person carrying out a test or taking a specimen pursuant to this Rule shall not be liable for any loss, damage or injury arising out of, or occurring during the taking of the specimen.
- 60.4** The Owner, Trainer or a person representing the Owner or Trainer of a Greyhound shall be given the opportunity to be present at any examination, the taking of a specimen or when an autopsy is carried out, unless otherwise directed by the Stewards.

**60.5** All Totalisator Clubs shall provide a well-lit, clean, maximum security room with facilities for washing hands and equipment and for completing documentation pertaining to swabbing procedures. During the preparation of the swabbing equipment the Owner, Trainer or Handler of the Greyhound shall be given the opportunity to be present and to observe all stages of the swabbing procedure.

**60.6** All Swabbing, testing and taking of Samples under this clause shall be conducted in accordance with procedural requirements determined by and approved by the Board from time to time.

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**61. PROHIBITED SUBSTANCES**

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**61.1** The Owner, Trainer or Person in charge of a Greyhound Nominated to compete in a Race, shall produce the Greyhound for the Race free of any Prohibited Substance.

**61.2** Any Person who administers, attempts to administer or causes to be administered, aids or abets any person to administer, or has any prior knowledge of a Prohibited Substance being administered to a Greyhound for the purpose of affecting its performance or behaviour in any Race or preventing it from starting in a Race shall be guilty of an Offence.

**61.3** Without limiting any of the provisions of these Rules, the Owner and Trainer or person for the time being in charge of any Greyhound brought onto the Racecourse of any Club for the purposes of engaging in any Race which is found on testing, examination or analysis conducted pursuant to these Rules to have received a Prohibited Substance shall be severally guilty of an Offence.

**61.4** Any Greyhound which competes in a Race and is found to be the recipient of a Prohibited Substance shall be Disqualified from that Race.

**61.5** Without limiting any of the provisions of these Rules, the Owner and Trainer and person for the time being in charge of any Greyhound which is found on testing, examination or analysis conducted pursuant to these Rules to have received a Permanently Banned Prohibited Substance shall be severally guilty of an Offence.

**61.6** When a Sample taken from a Greyhound has been found to contain a Permanently Banned Prohibited Substance the Greyhound shall be disqualified from any Race or any benefit derived from a Trial or test for which it was nominated at the time the Sample was taken.

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**62. OFFENCES**

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**62.1** Any person (including an Official) commits an offence if he/she:

- (a)** contravenes any of these Rules;
- (b)** fails to comply with any conditions to which his/her registration as an Owner, Trainer or Handler is subject or with any conditions to which the registration of any Greyhound owned by him/her or under his/her care or custody is subject;
- (c)** corruptly accepts, or offers to accept, offers or gives any money, share in a bet or other benefit in connection with Greyhound racing;

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- (d)** being an Owner, Trainer, Handler or person having Official duties in relation to Greyhound racing, makes a false or misleading statement in relation to an investigation, examination, test or inquiry, or makes or causes to be made a falsification in a document in connection with Greyhound racing or the registration of a Greyhound;
  - (e)** being an Owner, Trainer, Handler or a person having Official duties in relation to Greyhound racing refuses or fails to attend or to give evidence or produce a document or other thing at a hearing held under these Rules when directed by the Board, Stewards or the Club Committee of a Club to do so;
  - (f)** uses improper, insulting or offensive language in either written or spoken form towards, or in relation to:

    - (i)** a Steward;
    - (ii)** the Club Committee, or a member of a Club Committee;
    - (iii)** the Board, or a member of the Board; or
    - (iv)** any other person having official duties in relation to Greyhound racing;
  - (g)** assaults, obstructs, impedes, abuses, threatens or insults the Board, any member of the Board, a Club, any member of a Club Committee, any Steward, any member of a Judicial Committee and any member of the Appeals Tribunal or any other Official;
  - (h)** prevents, attempts to prevent, interferes with or attempts to interfere with the carrying out of any identification, examination, test, autopsy, analysis, inquiry or investigation under these Rules;
  - (i)** being the Owner, Trainer or Nominator of a Greyhound, or a Person having an interest in a Greyhound, Nominates or runs that Greyhound in a Race under a fraudulent, misleading or deceptive description;
  - (j)** registers, attempts to register or causes to be registered a Greyhound of which he/she is not the Owner, or which he/she is not otherwise entitled so to register under these Rules, in a name other than that of the Owner, or by way of a false or fraudulent document, statement or representation;
  - (k)** falsely or fraudulently registers, attempts to Register or causes to be Registered himself or herself or another person under these Rules, or by way of a false or fraudulent document, statement or representation;
  - (l)** being a Person who is not registered with the Board or an Approved Registration Authority as a Trainer, acts or holds himself out as a trainer of a Greyhound entitled or intended to compete in a Race;
  - (m)** attempts or conspires with another person to commit a breach of these Rules;
  - (n)** knowingly aids, abets, counsels or procures a person to commit a breach of these Rules;

- (o) has, in relation to a Greyhound or Greyhound racing, done a thing, or omitted to do a thing which is negligent, dishonest, corrupt, fraudulent or improper, or constitutes misconduct;
- (p) disobeys or fails to comply with the lawful order of a Steward or other Person having Official duties in relation to Greyhound racing;
- (q) commits or omits to do any act or engages in conduct which is in any way detrimental or prejudicial to the interest, welfare, image, control or promotion of Greyhound racing;
- (r) alters (including by addition, amendment or deletion), duplicates or falsifies any document issued by the Board without the authority of the Board;
- (s) wilfully Nominates, causes to be Nominated or to compete in a Race a Greyhound which he/she knows to be Disqualified, or the Owner, Trainer or Nominator of which he/she knows to be Disqualified or Suspended;
- (t) uses an assumed name or a name other than his/her own in relation to Greyhound racing without permission of the Board or an Approved Registration Authority;
- (u) uses for breeding purposes Greyhounds which have been Disqualified from being used for those purposes;
- (v) takes part in or is in any way associated with:
  - (i) a Meeting which has not been approved by the Board under these Rules; or
  - (ii) a Meeting conducted otherwise than by a registered Club under these Rules;
- (w) makes any statement which is to his/her knowledge false either orally, by print, in writing, by electronic means or by any combination thereof to a member of the Board, Steward, Racecourse Investigator, Appeals Tribunal, a Judicial Committee, Veterinarian or an Official in the execution of his/her duty;
- (x) does or attempts to do any act or causes to be done any act for the purposes of affecting the performance or behaviour of any Greyhound in any Race or preventing it from starting in a Race;
- (y) being a Handler of a Greyhound fails to comply with the Board's dress standards;
- (z) tampers with any rug, Muzzle or other item used on a Greyhound, or uses any substance or item to affect the performance of a Greyhound or Greyhounds;
- (aa) either by himself/herself or in conjunction with any others publishes, communicates or sends or causes to be published, communicated or sent to the Judicial Committee or any Appeals Tribunal or to any member or officer thereof any statement, comment, or expression of opinion upon any question which is to be judicially decided by such Judicial Committee or

Appeals Tribunal with intent corruptly to influence or affect the decision thereof;

- (bb)** after being summoned to attend to give evidence before a Judicial Committee or an Appeals Tribunal or to produce to a Judicial Committee or Appeals Tribunal any paper, document, record or thing, without sufficient cause:

  - (i)** fails to attend in accordance with the summons; or
  - (ii)** refuses to be sworn or give evidence, or refuses to answer any questions that the person is lawfully required by the Judicial Committee or Appeals Tribunal to answer concerning the proceeding; or
  - (iii)** fails to produce any such paper, document, record or thing.
- (cc)** acts in contravention of or fails to comply with any provision of these Rules or any Rules made thereunder, or any policy, notice, direction, instruction, guideline, restriction, requirement or condition given, made or imposed under these Rules;
- (dd)** fails to comply with any policy, restriction or guideline punishable by a fine of \$300.00 or less.
- (ee)** being a Registered person or person associated with greyhound racing, associates with a Disqualified Person for the purposes of Greyhound racing.

**62.2** A Club commits a breach of these Rules if:

- (a)** it contravenes any of these Rules;
- (b)** it fails to give effect to any decision, order or direction made or given by the Board or a Steward pursuant to its or his/her powers and notified to it in writing by the Chief Executive or any other Official of the Board; or
- (c)** it obstructs or impedes the Board, any member of the Board, any Steward or any other Official of the Board acting under the Act or these Rules, and shall be guilty of an Offence and liable to a Penalty.

**62.3** An Offence under these Rules may be classified as a Minor Infringement Offence where:

- (a)** the Offence is a breach of one of the Rules set out in the Sixth Schedule (which shall be an Additional Rule Appended to these Rules); and
- (b)** the person who has committed the Offence has not committed more than two (or such higher number as may be determined by the Steward from time to time in the Steward's discretion) breaches of that Rule in the period 120 days immediately preceding, and including, the date that the Offence has been committed.

**62.4**

- (a)** A Steward or Racecourse Investigator may require a Handler, or any other Licensed Person who has carried out, is carrying out, or is likely to carry out, a Safety Sensitive Activity at a Racecourse, to supply a Sample at a



time and such place nominated by the Steward or Racecourse Investigator. If so, such Handler, or any other Licensed Person must comply with such a requirement. Any Handler, or any other Licensed Person who has carried out, is carrying out, or is likely to carry out, a Safety Sensitive Activity at a Racecourse acting in contravention of this Rule shall be reported to Association by the Steward or Racecourse Investigator dealing with the breach and the Association shall consider whether, in addition to any penalty which may be imposed by the Judicial Committee, such person's Licence should be revoked, varied or suspended (including having conditions imposed on it), under Rule 107 of these Rules.

- (b)** A Handler, or any other Licensed Person who has carried out, is carrying out, or is likely to carry out, a Safety Sensitive Activity at a Racecourse who, having been required by a Steward or Racecourse Investigator to supply a Sample in accordance with this Rule must not have a Sample which is found upon analysis to contain any controlled drug as defined in the Misuse of Drugs Act 1975 or other illicit substance and/or its metabolites, artefacts or isomers.
- (c)** A Handler who handles or presents themselves to handle a Greyhound at a Race meeting must not have a breath alcohol level greater than;

  - (i)** 150 micrograms of alcohol per litre of breath, if that person is younger than 20 years of age;
  - (ii)** 400 micrograms of alcohol per litre of breath, if that person is 20 years of age or older.
- (d)** If a Handler has supplied a Sample in accordance with Rule 62.4(a), and such Sample or Samples is or are found upon analysis to contain any controlled drug as defined in the Misuse of Drugs Act 1975 or other illicit substance and/or its metabolites, artefacts or isomers, then:

  - (i)** that person shall be notified in writing of the finding of that analysis as soon as reasonably practicable; and
  - (ii)** that person's Registration shall be automatically withdrawn from the date of the written notice until the Judicial Committee issues a substantive decision in relation to any information filed against that person in relation to that Sample or Samples.
- (e)** If:

  - (i)** no information against that Handler is filed within 21 days of the written notice referred to in Rule 62.4(d)(i) being served on that person; and
  - (ii)** that Handler has subsequently provided a further Sample (being the same type as the first Sample provided, e.g. urine) and such Sample is found upon analysis not to contain a controlled drug as defined in the Misuse of Drugs Act 1975 or other illicit substance and/or its metabolites, artefacts or isomers;

then that person's Registration shall be reinstated.
- (f)** If, in the opinion of the Association, the hearing of an information against a Handler in relation to a Sample or Samples referred to in this Rule is not

held in a timely way as a result of delays or omissions on the part of the informant, then the Association may reinstate that person's Registration on such terms and conditions as the Association sees fit.

- (g) The above provisions shall take effect notwithstanding anything to the contrary in the provisions of Rule 83.

### **63. PENALTIES**

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- 63.1** Any Person found guilty of an Offence under these Rules shall be liable to:
- (a) a fine not exceeding \$10,000.00 for any one (1) Offence except a luring/baiting Offence under Rule 86; and/or
  - (b) Suspension; and/or
  - (c) Disqualification; and/or
  - (d) Warning Off.
- 63.2** Any Club found guilty of an Offence under these Rules shall be liable to, in the sole and absolute discretion of the Board or the Stewards:
- (a) a fine not exceeding \$10,000.00 for any one (1) Offence except a luring/baiting Offence under Rule 86; and/or
  - (b) Suspension of its affiliation to the Association; and/or
  - (c) cancellation of its affiliation to the Association; and/or
  - (d) formal reprimand.
- 63.3** Unless the Board otherwise permits, a fine imposed under these Rules shall be paid to the Board within fourteen (14) days of the date upon which the Person fined is notified of the Penalty imposed upon him/her, or in the event of an appeal, when the fine is upheld either in whole or in part, within fourteen (14) days of the date when the fine is upheld.
- 63.4** Any Registration with the Board held by a person who is Disqualified will be automatically cancelled.
- 63.5** Unless the Board in special circumstances otherwise directs, a person who has been Disqualified is not:
- (a) entitled to retain any registration certificates held by the person; or
  - (b) permitted to transact any business affecting the registration of persons or Greyhounds with the Board; or
  - (c) to enter any enclosure or other portion of a Racecourse or any lands occupied or used in connection with a Racecourse during any Race, whether acting as agent or otherwise; or
  - (d) to have any of the rights or privileges conferred by any registration under these Rules; or

- (e) eligible to otherwise participate in or associate with Greyhound racing (including the breeding of Greyhounds), and any Greyhound which has been Nominated by the Disqualified Person or in the Disqualified Person's name, or of which the Disqualified Person is wholly or partly the Owner or which is proved to the satisfaction of the Board to be under the Disqualified Person's care, custody or training, is prohibited from competing in any Race conducted by a Club; or
- (f) to train or care for or assist with the training or care of any Registered Greyhound.

**63.6** Unless the Board in special circumstances otherwise directs, when a Greyhound has been Disqualified the Disqualified Greyhound is prohibited from competing in any Race conducted by a Club or from being used for breeding Greyhounds.

**63.7** Unless the Board in special circumstances otherwise directs, when a Person has been Suspended, any Greyhound, which has been Nominated by the Person or in the Person's name, or of which the person is wholly or partly the Owner or which is under the Person's care, custody or training, is prohibited from competing in any Race conducted by a Club during the period of Suspension.

#### **64. DEFAULTERS**

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**64.1** A list to be known as the 'Defaulter's List' shall be kept in the office of the Chief Executive of the Association and shall be regularly published in the official publication of the Association.

**64.2** Any Person who owes arrears to the Association or a Club or any other racing authority such as Thoroughbred Racing NZ, Harness Racing New Zealand or any affiliated member of Greyhounds Australasia may be placed on the Defaulter's List.

**64.3** Every entry made in the Defaulter's List shall state the name of the Person and the name of the Greyhound (if any) to which the arrears relate, to whom the arrears are due and the amount of such arrears.

**64.4** The Board may from time to time transmit to any authority copies of the Defaulter's List.

**64.5** Any person recorded in the Defaulter's List shall, if licensed, be Disqualified until such time as the arrears have been paid.

**64.6** Any Greyhound owned or trained by a Person recorded in the Defaulter's List shall not be eligible to be entered for or to start in any Race.

**64.7** <sup>8</sup>The Suspension and/or ineligibility referred to in Rules 64.5 and 64.6 shall not take effect until seven clear days after the Defaulter's List is publicly notified.

#### **65. NOTICE OF OBJECTION**

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**65.1** An objection may be made against any Greyhound in respect of any Race on the following grounds:

- (a) That one or more Greyhounds is not entitled to be placed in the Race in accordance with the Judge's decision provided that no objection may be

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<sup>8</sup> Modified 1 August 2018

made in relation to the Judge's decision about placing under Rules 53.11 or 53.12;

- (b) That by reason of any breach of these Rules, the Race should be declared void;
- (c) Any objection on the grounds of mis-statement or omission in any entry, or on the ground that the Greyhound which competed was not the Greyhound Nominated, or that such Greyhound was not qualified under the conditions of the Race, or that the Greyhound concerned was Disqualified, or that the name of the Owner or Trainer of such Greyhound is on the List of Defaulters, or is Disqualified, may be lodged in writing with the secretary of the Club within fourteen (14) days of the conclusion of the Meeting.

**65.2** Objections under Rule 65.1 can be lodged verbally by the Owner, Trainer or Handler of some other Greyhound engaged in the Race or the Stewards. Such objection shall, subject to Rule 65.1(c), be lodged with the Stewards within three minutes of the Judge having confirmed the placings. The Stewards will issue a receipt noting the time the lodgement was received and which will serve as confirmation that the objection has been made.

**65.3** Any party affected by a decision of the Stewards under Rules 65.1(a) and 65.1(b) (if not prohibited by clause 21(2) of the Third Schedule of the Racing Act 2003) shall be entitled to seek a review of that decision in accordance with Rule 66.20.

## **66. FILING OF INFORMATIONS**

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### **66.1**

- (a) An information may be filed against any Person, Body and/or Greyhound in respect of any incident, matter or thing occurring, arising or taking place during the course of a Meeting, by any Steward or Racecourse Investigator who has reasonable cause to believe that an Offence has been committed.
- (b) An information filed pursuant to Rule 66.1(a) shall be filed with the Executive Officer of the Judicial Control Authority and shall be in the form prescribed by the Judicial Control Authority.

### **66.2**

- (a) Otherwise than during a Meeting an information may be filed by a Steward or Racecourse Investigator by filing it with the Executive Officer of the Judicial Control Authority and shall be in the form prescribed by the Judicial Control Authority from time to time provided that where the Board has appointed an Integrity Service Provider the consent of the operations manager or the chairman (or in the chairman's absence his nominee) of the Integrity Service Provider has first been obtained.
- (b) An information filed pursuant to Rule 66.2(a) shall be lodged within six months of the facts alleged in the information being brought to the knowledge of a Steward or Racecourse Investigator.

**66.3** For information filed pursuant to Rule 66.1(a) the Stewards shall administer the following process:

- (a) The Stewards shall identify whether the information is a Minor Infringement Offence;

- (b) If the information is a Minor Infringement Offence, the Stewards shall ascertain the Defendant's plea to the information;
- (c) If the Defendant pleads guilty to a Minor Infringement Offence and accepts the penalty set out in the Sixth Schedule to these Rules, then:
  - (i) the Stewards shall ensure that the Defendant signs the information sheet prescribed by the Judicial Control Authority from time to time; and
  - (ii) the Stewards shall electronically transmit the information sheet to the Executive Officer of the Judicial Control Authority on the next working day; and
  - (iii) Upon a Judicial Committee approving and endorsing the information sheet, the Registrar of the Judicial Committee shall return the endorsed information sheet to the Association for service on the Defendant.
- (d) The endorsement of the Judicial Committee referred to in Rule 66.3(c) shall be treated as if the Judicial Committee had considered the information sheet and made a decision upon it, except that there shall be no right to appeal the imposition of the Penalty to the Appeals Tribunal. The Penalty imposed by the Judicial Committee shall be a fine of the amount(s) specified for the first or second offence of the applicable Rule(s) set out in the Sixth Schedule to these Rules.
- (e) If a Defendant pleads not guilty to an information for a Minor Infringement Offence, or does not accept the Penalty set out in the Sixth Schedule to these Rules, the Stewards shall forward the information to the Executive Officer of the Judicial Control Authority for hearing by a Judicial Committee.
- (f) If an information is not a Minor Infringement Offence, the Stewards shall refer the information to the Executive Officer of the Judicial Control Authority for hearing by a Judicial Committee.
- (g) The Stewards may, at their discretion, elect to refer any information to the Executive Officer to the Judicial Control Authority for hearing by a Judicial Committee whether or not the information involves a Minor Infringement Offence.

**66.4** For objections under Rule 65.1(a) or 65.1(b) the following provisions shall apply:

- (a) The Stewards shall conduct any hearing as they see fit;
- (b) Where for any reason the Stewards are not able to conduct any hearing, the hearing shall be conducted by any Person specified by the Steward(s);
- (c) The Stewards or such other Person conducting any hearing may in his or her discretion admit any evidence he or she deems relevant whether admissible in a Court of law or not;
- (d) The hearing may be recorded and evidence given may, at the discretion of the Stewards or such other person conducting the hearing, be committed to writing;

- (e) If the outcome of the hearing may affect the dividends payable in respect of any Greyhound or Greyhounds in any Race on that date, the hearing shall be concluded on that day and shall not be adjourned to any later date. Any decision of the Stewards or such other person conducting the hearing into the objection is declared to be final.
- 66.5** The Judicial Committee shall have jurisdiction to hear and determine all proceedings referred to it pursuant to these Rules and the following provisions shall apply:
- (a) The Judicial Committee shall conduct any hearing as it thinks fit;
- (b) The Judicial Committee may, in its discretion, admit any evidence it deems relevant whether admissible in a Court of law or not;
- (c) The hearing may be recorded and evidence given may, at the direction of the Judicial Committee, be committed to writing;
- (d) The hearing may be adjourned to such a time and place and upon such conditions as the Judicial Committee thinks fit, provided that, the adjourned hearing must commence within four weeks of the information being filed unless all the parties to the proceedings otherwise agree or, due to exceptional circumstances, the Judicial Committee otherwise orders.
- (e) The Third offence for the Minor Infringement Table carries the option for the RIU Stewards to impose another fine at the level documented in 2nd offence or to refer to the JCA.
- (f) Without prejudice to the generality of the foregoing the judicial committee may conduct any hearing in relation to a Minor Infringement Offence by teleconference with the Steward and the defendant.
- 66.6** Where at any hearing before the Judicial Committee under these Rules, the Defendant does not appear and the Judicial Committee is satisfied that the information or objection has been served, the hearing may proceed in the absence of the Defendant and evidence of a fact or opinion which may be given orally may also be given by way of affidavit.
- 66.7** Where at any hearing before the Judicial Committee under these Rules, only the Defendant appears, the Judicial Committee may dismiss the information or objection or adjourn the hearing subject to Rule 66.5(e).
- 66.8** The Judicial Committee, of its own motion or on the application of any party to any proceedings before it, shall have the power to require (by way of summons) any person to appear before it, to answer any question put to that person and to produce to it any papers, documents, records or things referred to in such summons.
- 66.9** Every Person after being summoned to attend to give evidence before the Judicial Committee or to produce to the Judicial Committee any papers, documents, records or things:
- (a) Shall attend in accordance with the summons;

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- (b) Shall not refuse to be sworn or to give evidence or refuse to answer any questions that the person is lawfully required by the Judicial Committee or any member of it to answer concerning the proceeding;
- (c) Shall produce any such paper, document, record or thing.
- 66.10** Following any hearing commenced before it under these Rules, the Judicial Committee shall determine the proceeding. It may find any Offence proved, or dismiss the information or objection, either on the merits or without prejudice to its again being laid, or make such other order as it thinks fit.
- 66.11** On finding an Offence proved the Judicial Committee may impose any penalty and/or affect any remedy provided by these Rules. In imposing a Penalty or affecting any remedy provided in these Rules, the Judicial Committee, may have regard to such matters as it considers appropriate and, in imposing any Penalty, may order that the whole or any part of any fine imposed be paid to any person it thinks fit.
- 66.12** On the determination of any information or objection, the Judicial Committee may order all or any of the costs and/or expenses of any party to the proceedings of and incidental to the hearing of the information or Notice of Objection be paid by such person or body as it thinks fit and may fix any amount by way of such costs and expenses. Such amount if unpaid shall be deemed arrears and may be placed on the Defaulter's List by the Board.
- 66.13** Decisions of the Judicial Committee, including any penalty imposed, shall be notified in the following manner:
- (a) For informations under Rule 66.3(c) by electronic transmission to the Association;
- (b) For all other matters, to the Chief Executive of the Association.
- 66.14** Decisions of the Judicial Committee shall:
- (a) Be committed to writing and endorsed by the Judicial Committee;
- (b) State the Rule or Rules under which any person is penalised;
- (c) Be communicated to every person penalised and the Chief Executive of the Association as soon as practicable;
- (d) If it involves a Penalty for an information or objection other than a Minor Infringement Offence, be notified in the official Greyhound publication unless the Judicial Committee otherwise directs.
- 66.15** The Judicial Committee may, if it thinks fit, reserve any decision and in that case may deliver it at any adjourned hearing or subsequent sitting of the Judicial Committee or may draw up its decision in writing and send it to the Registrar.
- 66.16** When a written decision is sent to the Registrar he shall deliver it in such manner as the Judicial Committee directs, or failing such direction, as he thinks fit.
- 66.17** Subject to any right of appeal pursuant to these Rules, the decision of the Judicial Committee shall bind all bodies and persons.

- 66.18** Everybody which and every person who is affected by such decision shall forthwith do all that it is necessary for it to do for the purpose of giving full effect to such decision.
- 66.19** It shall be the duty of all bodies or persons subject to these Rules to investigate and report to the Judicial Committee upon all matters which it indicates in its decision are proper subjects for investigation by any such body or person.
- 66.20** The Judicial Committee may review any decisions made under, and Rules 5.1(f), 40.7, 65.3, 113.2 and 115.1 or as expressly provided for in these Rules. A party who seeks a review of any decision under these Rules shall, no later than 4pm on the 14th day after and exclusive of the day on which the decision is given, lodge a written notice with the Executive Officer of the Judicial Control Authority.
- 66.21** Where there is a right of review, the Board or the Stewards shall advise the Owner or Trainer of their rights to seek a review under Rule 66.20 and shall offer to assist them with lodging the written notice referred to in Rule 66.20 and shall also offer to forward that notice to the Executive Officer of the Judicial Control Authority on the Owner or Trainer's behalf.
- 66.22** The lodging of a written notice for review under Rule 66.20 shall not constitute a stay of any decision but any Owner or Trainer may have a right to apply for a stay at the time of their lodging the written notice under Rule 66.20.

## **67. JUDICIAL COMMITTEE AND APPEALS TRIBUNAL**

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- 67.1** Notwithstanding any other provision of these Rules, the common Rules of practice and procedure for the Judicial Committee and Appeals Tribunal set out in the seventh schedule shall apply to all proceedings of the Judicial Committee and Appeals Tribunal.
- 67.2** Any other Rule or Rule (including, but not limited to, and Rules 17, 62-73) touching or concerning any matter covered by the Rules set out in the seventh schedule shall only apply to the extent that such Rule or Rule is not inconsistent with the Rules set out in the seventh schedule.

## **68. APPEALS**

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- 68.1** No appeal shall lie against:
- (a)** Any decision declared to be final in these Rules;
  - (b)** Any decision to file or not to file or withdraw an information;
  - (c)** Any decision made by the Stewards during the currency of a Meeting that a Greyhound should or should not be Disqualified or placed after another Greyhound on account of something which happened during the running of a Race and any findings relating thereto;
  - (d)** Any decision made by the Stewards to which clause 21 of the Third Schedule to the Act applies;
  - (e)** Any decision of the Stewards, Judicial Committee, Racecourse Investigator or Committee of a Club where no Disqualification, Suspension is imposed or where any fine imposed is less than \$100.00, except with leave of the Board;



- (f) Any decision of the Stewards in respect of any matter in connection with the start or running of the Race over a wrong distance or a decision to declare a No Race including the decision whether to postpone or abandon the Race;
- (g) Any decision of the Starter.

**68.2** Subject to Rule 68.1 hereof:

- (a) Where on the determination of any information by the Judicial Committee, the Judicial Committee in the decision:
  - (i) find, or do not find an Offence proved;
  - (ii) make an order or decline to make an order;
  - (iii) impose any Penalty or decline to impose any Penalty;the Stewards filing the information or the Defendant may appeal to the Appeals Tribunal against the decision of the Judicial Committee.
- (b) The appeal may be against the findings of the Judicial Committee, and/or the Penalty and/or the order or any and in the case of an order for the payment of costs, the appeal may be against the order or the amount of the costs ordered to be paid, or both;
- (c) No appeal against a finding shall be lodged until the Judicial Committee's decision in respect of Penalty has been given;
- (d) Any party to any decision given, not being a decision of the Judicial Committee, who is aggrieved by such decision given under these Rules, may appeal that decision to the Appeals Tribunal;
- (e) No appeal shall be lodged by the Steward filing the information or Racecourse Investigator unless:
  - (i) Where the Board has not appointed an Integrity Service Provider the consent of the Chief Executive or in his/her absence his/her nominee has first been obtained.
  - (ii) Where the Board has appointed an Integrity Service Provider the consent of the operations manager or the chairman (or in the chairman's absence his nominee) of the Integrity Service Provider has first been obtained.

**69. TIME FOR FILING OF APPEAL**

- 69.1** Any Person who wishes to appeal against a decision in respect of any matter which arose on the day of a Race (whether or not it was finally concluded on that day) must, not later than 4.00 pm on the third working day after and exclusive of the date on which the decision was given, file with the Registrar of the Judicial Control Authority a notice of appeal and a filing fee of \$250.00. The notice and the filing fee must both reach the Registrar of the Judicial Control Authority by that time.

- 69.2** <sup>9</sup>Any Person wishing to appeal against any other decision in respect of which an appeal may be brought under these Rules must, by 4.00 pm on the fourteenth day after the penalty is known and exclusive of the day on which the decision was given, file with the Registrar of the Judicial Control Authority a notice of appeal and a filing fee of \$250.00. The notice and the filing fee must both reach the Registrar of the Judicial Control Authority by that time.
- 69.3** Notwithstanding the foregoing provisions of Rules 69.1 or 69.2 hereof, where a decision is given by the Judicial Committee and the reasons for that decision are reserved, the time for filing an appeal shall run from the day on which the reasons for the decision are given.
- 69.4** Where the appellant is a Steward or a Racecourse Investigator no filing fee shall be required to be paid.
- 69.5** The notice of appeal shall be signed by the appellant or his/her authorised agent and shall set out in full the grounds of the appeal and no ground not so set out shall be argued at the hearing of the appeal except by special leave of the Appeals Tribunal granted on such terms and conditions as it thinks fit.
- 69.6** Where an appeal is to be heard expeditiously any time limits, conditions or requirements in these Rules relating to appeals, may be waived, abridged or amended by order of the Appeals Tribunal or its Chairman.

## **70. TRANSMISSION OF NOTICE OF APPEAL TO A STEWARD**

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Where an appeal is against a decision of the Judicial Committee the Registrar of the Appeals Tribunal shall as soon as possible send a copy of the notice of appeal to every respondent, the Association and any other person to whom the Appeals Tribunal directs a copy to be sent.

## **71. SETTING DOWN APPEAL FOR HEARING**

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- 71.1** As soon as possible after the Registrar of the Appeals Tribunal has received the notice of appeal the Registrar shall consult with the Chairman of the Appeals Tribunal concerning a date and place for the hearing of the appeal.
- 71.2** The Registrar of the Appeals Tribunal shall thereafter notify the parties to the appeal, and any other person who or body which was sent a copy of the notice of appeal, of the date, time and place appointed for the hearing.
- 71.3** The Registrar of the Appeals Tribunal shall also give notice of the date, time and place fixed for the hearing of the appeal to such other bodies and/or persons as the Chairman of the Appeals Tribunal directs.
- 71.4** Any Person who has an interest in the subject matter of the appeal, has not been Nominated as a respondent thereto and considers that it or he/she ought to have been so Nominated or to have been present at the proceeding in respect of which the decision appealed against was made may, before the date on which the appeal is to be heard, apply to the Chairman of the Appeals Tribunal, through the Registrar thereof, for permission to be present at the hearing of the appeal and/or to be heard thereat and, if such application is granted by the Chairman, shall be entitled to be present and/or to be heard to the extent permitted by the Chairman. The decision

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<sup>9</sup> Modified 1 August 2018

of the Chairman in respect of any such application is declared to be final and subject to no appeal under these Rules.

- 71.5** Every Person whose application is granted by the Chairman pursuant to Rule 71.4 of this Rule shall be notified by the Registrar of the Appeals Tribunal of the date, time and place appointed for the hearing.

## **72. PROCEDURE ON APPEAL**

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- 72.1** The Appeals Tribunal will be appointed by the Judicial Control Authority.
- 72.2** The Appeals Tribunal may conduct the hearing of the appeal in such a manner as it thinks fit and may adjourn the hearing of the appeal from time to time on such terms and conditions as it thinks fit.
- 72.3** The appellant may elect not to appear at the hearing but instead may make written submissions to the Appeals Tribunal. An appellant who makes this election acknowledges and accepts the limitations and effect this approach will have on his/her case.
- 72.4** All appeals shall, except when and to the extent that the Appeals Tribunal otherwise directs, be by way of rehearing based on the evidence adduced at the hearing conducted by the persons or body whose decision is appealed against.
- 72.5** The Appeals Tribunal shall have the same jurisdiction and authority as the Judicial Committee or other persons or body appealed from, including powers as to amendment, and shall have power to receive such further evidence, if any, as it thinks fit. Except by special leave of the Appeals Tribunal no appellant shall argue or be permitted to argue any ground of appeal not set out in the notice of appeal.
- 72.6** If the appellant fails to appear at the time fixed for hearing of the appeal the Appeals Tribunal may dismiss the appeal or proceed with the hearing or adjourn it to such time and place and on such conditions (if any) as it thinks fit.
- 72.7** At the hearing of the appeal each party and any other person or body permitted by the Appeals Tribunal to be heard at the hearing shall be entitled to have legal representation by counsel or a lay advocate approved by the Appeals Tribunal.
- 72.8** An appellant may withdraw his/her appeal by giving written notice to the Registrar of the Appeals Tribunal of his/her abandonment or orally to the Appeals Tribunal on the day of hearing.
- 72.9** Upon receiving notice that an appellant wishes to abandon his/her or its appeal the Registrar of the Appeals Tribunal shall invite the respondent and any other person or body who has been granted permission to be heard at the hearing of the appeal to forward to him/her written submissions concerning the costs and expenses incurred by that party in connection with the appeal.
- 72.10** At the time of that invitation the Chairman of the Appeals Tribunal shall fix a time by which any such submissions shall be received by him/her and by the appellant.
- 72.11** A copy of any such submissions shall be forwarded to the appellant by the person or body making them.
- 72.12** An appellant who or which receives a copy of any submissions relating to the costs and expenses connected with his/her or its appeal may, within such time as is fixed

by the Chairman of the Appeals Tribunal, make a written reply to any such submissions.

**72.13** When all submissions intended to be made and any reply by the appellant have been received, or in the absence of any reply the time fixed for the reply has passed, the Appeals Tribunal shall then decide:

- (a) whether the appellant shall be granted leave to withdraw his/her appeal; and
- (b) if so what costs and expenses should be paid by the appellant in connection with the appeal and to whom;

and may make orders accordingly. Without limiting the generality of the foregoing provisions of this sub-Rule, orders may be made for the payment of all or part of the costs and expenses of any party to the appeal, and other body or person granted permission to be heard at the hearing by direction of the Chairman of the Appeals Tribunal, the Association and/or any employee or officer thereof, the Stewards, Judicial Committee and the Appeals Tribunal and members thereof.

**72.14** Any amount ordered by the Appeals Tribunal to be paid in respect of the costs and expenses in connection with an appeal which is abandoned shall, if unpaid within 14 days after and exclusive of the date on which that amount was ordered to be paid, be deemed to be arrears and may be placed on the Defaulter's List by the Board.

### **73. POWERS OF APPEALS TRIBUNAL ON APPEAL**

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**73.1** In its decision the Appeals Tribunal may:

- (a) uphold the decision appealed from and dismiss the appeal;
- (b) set aside the decision appealed from;
- (c) amend the decision appealed from (within the limits imposed by these Rules) and, if it thinks fit, quash any Penalty imposed and either impose any Penalty (whether more or less severe) which the Tribunal, body or person whose decision is appealed against could have imposed or deal with the appellant in any other way in which the Tribunal, body or person whose decision is appealed from could have dealt with the appellant on the decision as so amended.

**73.2** In the case of an appeal against Penalty, the Appeals Tribunal may:

- (a) confirm the Penalty and dismiss the appeal; or
- (b) if the Penalty (either in whole or in part) is one which the Tribunal imposing it had no jurisdiction to impose, or is one which is manifestly excessive or inadequate or inappropriate, either:
  - (i) quash the Penalty and impose such other Penalty permitted by these Rules (whether more or less severe) in substitution therefore as the Appeals Tribunal thinks ought to have been imposed or deal with the appellant in any other way that the Judicial Committee could have dealt with him/her on finding the information proved; or



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- 73.11** Where a decision imposing a term of Disqualification or Suspension is stayed pending determination of an appeal and that appeal is subsequently dismissed or with leave of the Appeals Tribunal is abandoned then, in exercising its powers under Rule 73, the Appeals Tribunal shall impose a term of Disqualification or Suspension commensurate with that originally imposed or so much of it as has not been served.
- 73.12** Notwithstanding anything to the contrary in these Rules express or implied, but subject to Rule 73.13, any Person who has been Disqualified for at least 12 months, or who owns a Greyhound which has been Disqualified other than for a Race, may apply in writing to the Appeals Tribunal for a cancellation of the remainder of the Disqualification.
- 73.13** Notwithstanding the provisions of Rule 73.12 no person Disqualified for life shall make any such application until the expiration of 5 years from the date of the imposition of the Disqualification.
- 73.14** No Person Disqualified for a term shorter than life shall make an application under Rule 73.12 until the expiration of 12 months from the date of the imposition of this Disqualification.
- 73.15** An application by the Owner of a Greyhound Disqualified other than for a Race may be made at any time after the expiration of 3 months from the date of the imposition of the Disqualification of the Greyhound.
- 73.16** If an application made pursuant to Rule 73.12 is dismissed the applicant may not make any further application until at least 12 months have elapsed since the date on which the first-mentioned application was dismissed.
- 73.17** The Appeals Tribunal or its Chairman may direct that any application under Rule 73.12 should be served on such body or Person as it or he/she shall specify and every such body or Person on which a copy of the application is served shall be entitled to appear and be heard on the hearing of the application.
- 73.18** The Appeals Tribunal may order that all or any of the costs and expenses of any party to an application under Rule 73.12, any Person or body on whom the application was directed by the Appeals Tribunal or its Chairman to be served, the Association or any Official or employee thereof, the Stewards or Judicial Committee and the Appeals Tribunal be paid by the applicant and may fix an amount by way of such costs and expenses. Such amount if unpaid shall be deemed arrears and may be placed on the Defaulter's List by the Board.
- 73.19** No information, penalty, decision, order, document, process or proceeding shall be quashed, set aside or held invalid by an Appeals Tribunal by reason only of any defect, irregularity, omission or want of form unless the Appeals Tribunal is satisfied that there has been a miscarriage of justice.
- 73.20** The decision of the Appeals Tribunal shall be final, shall bind all bodies and Persons and shall not be subject to any appeal under these Rules.
- 73.21** The Appeals Tribunal may order on determination that any fee paid on the filing of an appeal be refunded or returned to the appellant. Where the Appeals Tribunal refuses or fails to make such order the filing fee lodged shall forfeit to Association.
- 73.22** The Appeals Tribunal, of its own motion or on the application of any party to any proceedings before it, shall have the power to require (by way of summons signed by the Chairman or another member of the Appeals Tribunal) any person to appear

before it, to answer any question put to that person and to produce to it any papers, documents, records or things referred to in such summons.

**73.23** Every person who after being summoned to attend to give evidence before an Appeals Tribunal or to produce to the Appeals Tribunal any papers, documents, records or things:

- (a) shall attend in accordance with the summons; and
- (b) shall not refuse to be sworn or to give evidence or refuse to answer any questions that the person is lawfully required by the Appeals Tribunal or any member of it to answer concerning the proceeding; or
- (c) shall produce any such paper, document, record or thing.

#### **74. BETTING EXCHANGES**

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**74.1** No Licensed Person shall place or have placed on his/her behalf a transaction with a betting exchange on any Greyhound race run in Australia or New Zealand.

**74.2** No person present on the grounds of a Racecourse at a time when it is lawful for betting to take place at the Racecourse shall:

- (a) Access any web site maintained by or on behalf of any betting exchange;
- (b) Access any web site displaying transactions or offer of bets relating to any betting exchange operations;
- (c) Use any device to display transactions or offer of bets relating to any betting exchange operations;
- (d) Otherwise contact, communicate or conduct transactions with any betting exchange.

**74.3** Rule 74.2 shall not in any way limit the Stewards in the exercise of their powers under these Rules. A person shall not offer to or accept bets or facilitate the making of bets, or assist in the exchange of bets in relation to Greyhound Race where the form of betting would allow a person who was not a Licensed or Registered bookmaker to wager with another person who was not a Licensed or Registered bookmaker in relation to the outcome of a Greyhound Race.

#### **75. REGISTRATION OF PERSONS**

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**75.1** Every:

- (a) Owner, Owner/Trainer, Trainer or Handler of a Greyhound to be used for Racing; and
- (b) Stud Master, Breeder, or Litter Master of a Greyhound to be used for breeding pursuant to these Rules; and
- (c) Owner or Operator of a rearing and/or schooling establishment for Greyhounds

shall apply to the Association to be Registered.

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- 75.2** Every application for Registration pursuant to Rule 75.1 shall be in the prescribed form and shall be accompanied by:
- (a)** Prescribed fee; and
  - (b)** Evidence of good character and relevant experience as the Board may require; and
  - (c)** Proof of identity of the applicant.
- 75.3** Every applicant for Registration pursuant to Rule 75.1 must:
- (a)** Undertake such educational courses as may be determined by the Board from time to time; and
  - (b)** Demonstrate to the satisfaction of the Board a competency standard recognised by the Board in relation to the applicable Registration; and
  - (c)** Do such other things as reasonably required by the Board from time to time.
- 75.4** The Board shall consider all such applications and may request additional information if required.
- 75.5** If the Board consents to the application it shall issue a licence to the applicant which shall be evidence of registration.
- 75.6** Trainers and/or Owner Trainer Licences shall only be issued upon approval of kennel facilities by the Board and are not transferable to a different address. When a Trainer and/or Owner Trainer intends to move their kennels to a different address they must notify the Association and apply for a change to the license conditions recording the new address. Such change will be subject to a satisfactory kennel inspection by the Integrity Service Provider.
- 75.7** No person under the age of 18 shall own, train or be part of a syndicate that owns a Registered Greyhound.
- 75.8** Registration shall not be issued to any person:
- (a)** who is or has been an illegal bookmaker or an illegal bookmaker's clerk or agent;
  - (b)** who is excluded from entering a Racecourse pursuant to Rules made under section 34 of the Racing Act 2003;
  - (c)** who is undergoing a period of disqualification imposed under these Rules or by Another Racing Authority;
  - (d)** whose name appears in the Defaulters' List or a list of arrears for Another Racing Authority;
  - (e)** who the Board considers to be unsuitable to hold registration for reasons of integrity, competence or otherwise; and/or
  - (f)** any registration issued to a person who subsequently comes within any of the provisions of Rule 75.8(a) to 75.8(d) is automatically revoked.



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**76. RESTRICTIONS ON TRAINING, KEEPING OR TRANSFERRING OF GREYHOUNDS**

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**76.1** No Licenced Person may train, or keep (unless retired as a pet) any Greyhounds at any property or premises of a person who has been Disqualified, Warned Off, Suspended or declared to be a Defaulter, during that person's period of disqualification, warning off, suspension or default.

**76.2** No person who has been Disqualified, Warned Off, Suspended, or declared to be a Defaulter, shall be permitted during the period of disqualification, warning off, suspension or default, to transfer ownership or any training responsibilities for any Greyhound, to any other person without the written consent of the Board.

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**77. REGISTERS TO BE KEPT**

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The Association shall keep separate registers of Owners, Owner/Trainers, Trainers, Handlers, Stud Masters, Breeders, Litter Masters and owners and operators of rearing and/or schooling establishments and Greyhounds.

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**78. FEES PAYABLE**

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Registered Owners, Owner/Trainers, Trainers, Stud Masters, Breeders, kennel proprietors or Litter Masters engaged in Greyhound racing and/or Greyhound breeding shall pay such registration fees as are determined by the Board from time to time.

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**79. TERM OF REGISTRATION**

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Unless sooner cancelled by the Association or an Approved Registration Authority, the Registration of an Owner, Owner/Trainer, Trainer, Handler, or such other person required to be licensed under these Rules, shall remain in force for such a period as the Board shall from time to time determine.

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**80. PERSON TO PRODUCE GREYHOUND REGISTRATION LICENCE**

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Every Licensed Person shall produce his/her Certificate of Registration when demanded at any time by an Official or Steward or Racecourse Investigators where he/she may be operating.

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**81. APPLICATION FOR RENEWAL OF REGISTRATION**

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An application for renewal of all such Registrations shall be lodged with the Association on the prescribed form one month before the date of expiry of such Registration. Should an application of renewal of such Registration be not made at the requisite time, the Board may grant such re-Registration on such terms and conditions as it thinks fit.

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**82. POWER TO REFUSE REGISTRATION OF PERSONS**

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Without limitation of its powers the Board may refuse to Register or renew the registration of any person as Owner, Owner/Trainer, Trainer or Handler, if it thinks such refusal is in the interests of Greyhound racing; however, any applicant refused such Registration shall be permitted the right of a hearing.

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**83. POWER TO REVOKE**

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**83.1** Notwithstanding anything herein before mentioned the Board may at any time refuse, revoke, vary or suspend any Licence or Registration granted by it. The registration of any person pursuant to Rule 75.1 or in relation to a lease of a Greyhound may be cancelled by the Association at any time in its absolute discretion if that person:

- (a) is a disqualified person in accordance with these Rules or the official rules of Another Racing Authority;
- (b) is named for the time being in the Arrears List in respect of any entry in such list, or in the list of arrears or other similar list of Another Racing Authority;
- (c) is or has been an illegal bookmaker or an illegal bookmaker's clerk or agent;
- (d) is a person who is excluded from entering a Racecourse pursuant to Rules made under section 34 of the Racing Act 2003;
- (e) is declared bankrupt (in the case of a natural person) or is being wound up or a liquidator or provisional liquidator or a receiver or statutory manager has been appointed in respect of it (in the case of a Legal Ownership Entity).

**83.2** The Association may issue a show cause notice to a Licenced Person directing them to attend a hearing and demonstrate why their Licence should not be cancelled, suspended or withdrawn, or have conditions imposed on it.

Any hearing will be heard by the Chief Executive (or his/her delegate) and a Board Member (who is not a member of the Integrity Committee of the Association). After the hearing the Chief Executive and the Board member will jointly submit a recommendation to the Integrity Committee of the Association as to whether the Licence should be cancelled, suspended, withdrawn, or whether it should be maintained in its current form.

The circumstances in which a show cause notice may be issued include but are not limited to:

- (a) failure to pay debts incurred as a result of participation in the industry as evidenced by a judgement of a court or signed written complaints supported by undisputed evidence of the debt; or
- (b) recommendations from an inquiry by Stipendiary Stewards or Racecourse Investigators; or
- (c) failure to meet conditions of the Licence; or
- (d) any reason that may otherwise be grounds for an immediate cancellation, suspension or withdrawal of, or imposition of conditions on, the Licence; or
- (e) involvement in ongoing racing investigations; or
- (f) a person for whom, in the opinion of the Board, there is reasonable cause to believe may bring Greyhound racing into disrepute.

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**84. COMPLY WITH WELFARE CODE**

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A Licensed Person shall at all times comply with the Welfare Code. In particular, and without limitation, the Licenced Person shall provide proper care and accommodation for the Greyhounds under his/her control and such accommodation shall be subject to the approval of the Association and be open to inspection by Officials or Stewards or Racecourse Investigators at any time.

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**85. DUTIES OF PERSONS KEEPING GREYHOUNDS**

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**85.1** <sup>10</sup>Greyhounds must remain in the care and control of a Licensed Person at all times unless the Association gives written permission to do otherwise. Greyhounds must not be kept at the premises of, or trained by those who are not Licensed Persons, unless the Association gives written permission to do so.

**85.2** A Licensed Person must ensure that Greyhounds, which are in the Licensed Person's care or custody, are provided with:

- (a) proper and sufficient food, drink and protective apparel/clothing; and
- (b) proper exercise; and
- (c) properly constructed kennels which are adequate in size and which are kept in a clean and sanitary condition; and
- (d) veterinary attention when necessary

in accordance with the provisions of the Welfare Code.

**85.3** A Licensed Person must exercise such reasonable care and supervision as may be necessary to prevent Greyhounds under the Licensed Person's care or custody from being subjected to unnecessary pain or suffering.

**85.4** A Licensed Person must ensure that any Greyhound under the Licensed Person's care or custody does not stray onto any private property without the permission of the Owner or occupier of that property, or stray onto any public place.

**85.5** A Licensed Person must not permit a Greyhound, which is under the person's care or custody to be in or on a public place unless that Greyhound:

- (a) has a securely fixed muzzle on its mouth in such a manner as will prevent it biting a person or animal; and
- (b) is under the effective control of some competent person by means of a leash of leather, or other durable material, which is securely fastened to the collar worn by that Greyhound.

**85.6** A Licenced Person must at all times comply with the provisions of the Dog Control Act 1996 and the Animal Welfare Act 1999.

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**86. <sup>11</sup>OFFENCES RELATING TO LURING AND BAITING**

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<sup>10</sup> Added 1 August 2018

<sup>11</sup> Added 1 February 2018

- 86.1** Only artificial materials are permitted for use as a lure or any other training device for the purposes of training a Greyhound or otherwise being used in connection with Greyhound Racing. Artificial material includes the use of tanned skin products.
- 86.2** No person may:
- (a)** use or allow to be used in connection with Greyhound Racing or training for Greyhound Racing a bird or animal whether dead or alive, and whether as a lure or to excite a Greyhound or otherwise; or
  - (b)** bring or allow to be brought on to grounds where a Greyhound is situated, a bird or animal whether dead or alive which might reasonably be capable of being used as a lure or to excite a Greyhound or otherwise; or
  - (c)** allow a Greyhound, for the purpose of training a Greyhound, to pursue or attack a bird or animal, whether dead or alive.
- 86.3** Any person who has knowledge or suspects an Offence has occurred, is occurring, or is reasonably likely to occur, shall report the matter to the Association immediately.
- 86.4** Any Person found guilty of an Offence under this Rule shall be liable to:
- (a)** a minimum fine of \$10,000.00 for any one (1) Offence; and/or
  - (b)** Suspension; and/or
  - (c)** Disqualification; and/or
  - (d)** Warning Off.
- 86.5** Any Club found guilty of an Offence under this Rule shall be liable to, in the sole and absolute discretion of the Board or the Stewards:
- (a)** a minimum fine of \$10,000.00 for any one (1) Offence; and/or
  - (b)** Suspension of its affiliation to the Association; and/or
  - (c)** cancellation of its affiliation to the Association.

## **87. TRAINERS**

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- 87.1** At least 48 hours prior to Nomination of a Greyhound for a Race or Qualifying Trial every Trainer who has taken over or commenced the training of such Greyhound shall notify the Association. Notwithstanding the provisions of this clause the provisions of Rule 87.2 shall apply to any change of Trainer between the time of Nomination for and the start of any Race. Such notification shall advise the following information:
- (a)** Greyhounds name;
  - (b)** Owner's names;
  - (c)** Trainer's name.

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- 87.2** Any change of Trainer of a Greyhound between the time of its being Nominated for and the start of any Race shall forthwith be notified to the Association. Provided that where any such change takes place during the currency of any Meeting, or within the period of 24 hours immediately preceding the commencement of such Meeting, such notice must be given to a Steward for transmission to the Association and where so given shall operate as notice to the Association.
- 87.3** Any Greyhound domiciled in kennels other than those of its Registered Owner/Trainer and or Registered Trainer in excess of 14 days shall not be entitled to compete or participate in any Race, Qualifying or Satisfactory Trial conducted by a Club, unless permission is first obtained from the Association.
- 87.4** Any Person being the holder of a Trainers licence (public or otherwise) issued by an Approved Registration Authority shall, upon establishing to the satisfaction of the Association that he/she is the holder of such licence and that the licence is current and valid, be entitled to train a Greyhound in New Zealand for a period not exceeding three (3) months, thereafter such person must register as a Trainer with the Association.
- 87.5** The Trainer of a Greyhound is at all times responsible for the welfare and proper care of a Greyhound and shall at all times comply with the Welfare Code. This responsibility cannot be delegated to any other person at any time.
- 87.6** The Trainer of a Greyhound shall be responsible for, and shall make provision for, the proper care and handling of each Greyhound from the time the Greyhound arrives at a Racecourse for a Race, Trials or other Race until the time the Greyhound leaves the Racecourse.
- 87.7** The Trainer shall have the sole power of Nomination, entry or withdrawal of a Greyhound.

**88. HANDLERS**

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- 88.1** No person shall be Registered as a Handler by the Association until they have obtained the age of 13 years and have been granted a Handler's licence by the Association.
- 88.2** Prior to the granting of a Handler's licence by the Association, all applicants are required to be interviewed and to demonstrate that they can handle a Greyhound and understand the basic legal requirements under the Rules.
- 88.3** Between kennelling at the Track and completion of all the post Race activities, a Handler shall be in physical control of no more than one (1) Greyhound at any one time.
- 88.4** Handlers must comply with such other directions as the Board or Stewards may issue from time to time concerning the handling of Greyhounds at tracks.
- 88.5** For the avoidance of doubt, in Rule 88.3:
- (a)** a person shall be considered to be in "physical control" of a Greyhound where that person is controlling or supervising that Greyhound during pre-Race preparations, Races and post-Race activities; and
  - (b)** a Greyhound which is kennelled does not require a person to be in "physical control" of it.

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**89. REGISTRATION OF APPROVED COMPANIES**

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**89.1** Every company which wishes to own a Greyhound is required to be registered under these Rules and shall apply to the Board for Registration as an Approved Company by lodging with the Association a written application in the prescribed form signed by the directors of the company and accompanied by:

- (a) The proposed name of the company;
- (b) Full names and addresses and occupations of all shareholders and directors of the company;
- (c) The appointment of one member of the company to act as its manager;
- (d) The appointment of one other member of the company to act as its assistant manager;
- (e) The address for service of the company;
- (f) The prescribed fee;
- (g) The constitution of the company.

**89.2** The Company Manager shall be deemed to be authorised to act for and to represent the Approved Company and to be responsible for the observation of these Rules.

**89.3** The receipt by the Company Manager of any Prize Money or trophy shall be deemed to be receipt of same by the Approved Company.

**89.4** The Association may refuse to accept any application for Registration of a company or may impose such terms and conditions as it deems fit.

**89.5** For the purposes of these Rules, an Approved Company is not permitted to have a currently disqualified Person as either a director or shareholder.

**89.6** An Approved Company may own or lease more than one Greyhound and may own or lease a Greyhound in association or combination with any individual, Syndicate, Partnership or other Approved Company.

**89.7** The Board shall not have any responsibility for the due observance of these Rules by an Approved Company. Notwithstanding Rule 89.2, any Approved Company who contravenes any of the provisions of these Rules relating to an Approved Company, or fails to comply with these Rules, commits a breach of these Rules. In the event of any breach of these Rules by an Approved Company, a Greyhound owned by that Approved Company may be Disqualified by the Judicial Committee during the continuance of that breach.

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**90. SYNDICATES**

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**90.1** A Greyhound may only be registered in the name of a particular Syndicate if all members of that Syndicate have an interest in that Greyhound in the shares specified in the application to register that Syndicate submitted under Rule 90.4. Accordingly a separate Syndicate must be formed and approved in accordance with Rule 90.4 for each combination of persons or shares holding interests in a Syndicate.

- 90.2** For the purpose of these Rules, any combination of three or more persons may form a Syndicate and any combination of more than three persons shall be deemed to be a member of a Syndicate under these Rules provided that no person who is disqualified under these Rules shall be a member of a Syndicate.
- 90.3** No Greyhound shall be registered in the name of a Syndicate and no lease of a Greyhound to a Syndicate shall be effective unless the Board has approved and registered the Syndicate.
- 90.4** A Syndicate may own or lease more than one Greyhound and may own or lease a Greyhound in association with any other individual, Partnership, Syndicate or Approved Company.
- 90.5** An application to register a Syndicate and its manager shall be effected by lodging a written application with the Association, on the prescribed form, signed by the members and containing the following information:
- (a)** The proposed name of the Syndicate;
  - (b)** The full names, addresses, dates of birth and occupations of each member of the Syndicate;
  - (c)** The number of shares held by every member of the Syndicate and the total number of shares held by the members;
  - (d)** The name of the person appointed by the Syndicate to act as Syndicate Manager;
  - (e)** The appointment of one member of the Syndicate to act as Assistant Manager;
  - (f)** The address for service of the Syndicate; and
  - (g)** A declaration by every member of the Syndicate that he or she is not Disqualified under these Rules.
- 90.6** An application to register a Syndicate shall also be accompanied by:
- (a)** A completed Syndicate Agreement setting out the rights and obligations of the members of the Syndicate and which must make provision for the appointment and removal of the Syndicate Manager and for dispute resolution; and
  - (b)** The prescribed fee.
- 90.7** The Board may refuse to accept any application to register a Syndicate for any reason which it, in its sole discretion, considers sufficient, or it may grant registration on such terms and conditions as it thinks fit. The Board's decision to refuse to register a Syndicate shall be final and not subject to appeal.
- 90.8** No Syndicate name shall be registered or continue to be registered, where any member of the Syndicate is a company or other corporate entity except in the case of:
- (a)** A company or other corporate entity acting as the executor or administrator of a deceased member or as the statutory committee or manager of a member; and

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- (b) An Approved Company under these Rules.
- 90.9** No Syndicate name shall be registered, or used, which has not been approved by the Board.
- 90.10** Notwithstanding anything contained in these Rules, the Board may, at any time and without assigning any reason:
- (a) Cancel a Syndicate's registration; or
- (b) Re-instate a Syndicate's registration (on such terms and conditions as it thinks fit).
- 90.11** The Board shall have complete discretion whether or not to approve the appointment of a Syndicate Manager. The Board may at any time, and without assigning any reason, withdraw its approval of a Syndicate Manager.
- 90.12** The Syndicate Manager shall be deemed to be authorised to act on behalf of the Syndicate and shall be responsible for the Syndicate's observance of these Rules. Notwithstanding this Rule 90.12, the Syndicate Manager does not have the authority to transfer the ownership of any Greyhound owned by the Syndicate under Rule 110 on behalf of the Syndicate and any "Authority to Transfer" ownership must be completed by all members of a Syndicate.
- 90.13** The Syndicate Manager shall at all times be a full member of the Syndicate unless the Board approves otherwise.
- 90.14** The receipt by the Syndicate Manager of any prize money or trophy shall be deemed to be receipt of the same by the Syndicate.
- 90.15** In addition to Rule 90.12, the Syndicate Manager shall take all reasonable steps to ensure that the Syndicate:
- (a) Meets any debts incurred in connection with the racing of Greyhounds;
- (b) Complies with any conditions imposed by the Board at the time of its granting registration; and
- (c) Carries out every obligation imposed upon Owners by these Rules.
- 90.16** Any notice to be given or communication to be made to any Syndicate by the Association shall be deemed to have been duly given or made if given orally to the Syndicate Manager or given in writing and left at or sent by pre-paid post to the registered address of the Syndicate.
- 90.17** Every change in the membership of a Syndicate (including death of a member) shall be notified to the Association within 14 days of the change by the Syndicate Manager completing and lodging the prescribed form with the Association together with the prescribed fee. Any change in Syndicate Manager shall be notified within 14 days of the change by the new Syndicate Manager completing and lodging the prescribed form with the Association together with the prescribed fee.
- 90.18** Every new member of a Syndicate shall sign a declaration to the effect referred to in Rule 90.5(g) above.



- 90.19** Any member of a Syndicate may at any time apply to the Board, in writing, to withdraw the registration of the Syndicate or its Syndicate Manager and the Board may, if it considers it reasonable and proper to do so, cancel the Syndicate's registration or withdraw the Syndicate Manager. The Board may impose any conditions it thinks fit prior to withdrawing the registration of a Syndicate, or withdrawing the Syndicate Manager.
- 90.20** In the event of the termination of a Syndicate, the Syndicate shall give written notice to the Association of the termination.
- 90.21** The Board shall not have any responsibility for the due observance of these Rules by the persons involved in a Syndicate. Notwithstanding Rule 90.12, any person who contravenes any of the provisions of these Rules relating to Syndicates, or fails to comply with these Rules, commits a breach of these Rules. In the event of any breach of these Rules by a member of a Syndicate, a Greyhound owned by that Syndicate may be disqualified by the Judicial Committee during the continuance of that breach.
- 90.22** No Greyhound owned or leased by a Syndicate shall be entered or started in any race while any of the members of the Syndicate are disqualified.
- 90.23** The Syndicate Manager shall notify the Board in writing, if any member is Disqualified and, upon such notification, that member shall be excluded as a member of the Syndicate.

## **91. REGISTRATION OF PARTNERSHIPS**

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- 91.1** A Greyhound may be owned by an individual or two or more individuals. If two or more individuals own a Greyhound they shall register as a Partnership.
- 91.2** A Partnership may own or lease more than one Greyhound and may own or lease a Greyhound in association or combination with any other individual, Syndicate, Partnership or Approved Company.
- 91.3** The members of a Partnership shall apply to register the Partnership by lodging with the Association a written application on the prescribed form signed personally by each proposed member of the intended Partnership and accompanied by:
- (a)** The proposed name of the Partnership;
  - (b)** The full names and addresses and occupations of all members of the Partnership;
  - (c)** The appointment of one member of the Partnership to act as its manager;
  - (d)** The appointment of one other member of the Partnership to act as its assistant manager;
  - (e)** The address for service of the Partnership;
  - (f)** A character reference for the Partnership Manager from a person not being a member of the proposed Partnership;
  - (g)** The prescribed fee.
- 91.4** The Partnership Manager shall be deemed to be authorised to act for and represent the Partnership and to be responsible for the observance of these Rules.

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- 91.5** The receipt by the Partnership Manager of any Prize Money or trophy shall be deemed to be receipt by the Partnership.
- 91.6** The Association may refuse to accept any application for Registration of a Partnership or may impose such terms and conditions as it deems fit.
- 91.7** If a member of a Partnership has been Disqualified the Partnership Manager must notify the Association in writing and upon such notification, such member shall no longer be a member of the Partnership.
- 91.8** No Partnership shall be Registered or continue to be Registered where any member is a company or other corporate entity, except in the case of a company or other corporate entity acting as the executor or administrator of a deceased member as the statutory committee or manager of the member.
- 91.9** Any member of a Partnership may at any time make application in writing to the Association to cancel his/her Registration and if the Association is satisfied that in all respects it is reasonable and proper to cancel such Registration the Association may cancel such Registration.
- 91.10** Notwithstanding anything in these Rules contained, the Board may, at any time and without assigning any reason, cancel the Registration of any Partnership.
- 91.11** Any notice to be given or communication to be made to any Partnership by the Association shall be deemed to have been duly given or made if given orally to the Partnership Manager or if given in writing and left at or sent by pre-paid post to the address for service of the Partnership.
- 91.12** In the event of the termination of a Partnership by its members, notice shall be given in writing to the Association signed by all members.
- 91.13** Every change in the membership of a Partnership (including death of a member) and every change in its Partnership Manager or its address for service shall be notified in writing to the Association within seven days of the change.
- 91.14** The Board shall not have any responsibility for the due observance of these Rules by the persons involved in a Partnership. Notwithstanding Rule 91.4, any person who contravenes any of the provisions of these Rules relating to Partnership, or fails to comply with these Rules, commits a breach of these Rules. In the event of any breach of these Rules by a member of a Partnership, a Greyhound owned by that Partnership may be Disqualified by the Judicial Committee during the continuance of that breach.
- 91.15** In the event of any alleged breach of agreement or dispute arising from alleged non observance of the Rules of a Partnership Registered with the Association, the complainant must report such alleged breach or dispute to the Chief Executive of the Association in writing.

**92. DISPUTE RESOLUTION**

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The Association may, in its absolute discretion at the request of every member of the Partnership wherein an alleged breach of agreement or dispute occurs, appoint a single arbitrator acceptable to each of the parties and in such cases the decision given shall be final and abiding. The arbitration hearing fee of thirty dollars (\$30) plus standard travelling allowance for the arbitrator shall be met equally by each member of the group involved.

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**93. DISPUTES**

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- 93.1** Should it be brought to the notice of the Board that a dispute exists between the members of a Partnership, partners, or Trainer and Owners regarding any Greyhound, it may in its sole discretion and without disclosing any reason for its decision declare that such Greyhound or Greyhounds shall not start in any Race until such dispute has been resolved and all parties to the dispute have informed the Board accordingly. The Association shall not be liable for any loss which may arise from such decision.
- 93.2** Should at any time it be brought to the notice of the Board of any defect existing in the Registration or ancillary documentation of any Greyhound it may direct that such Greyhound shall not be permitted to start in any Race until such defect is rectified to the satisfaction of the Board, or if during a Meeting to the satisfaction of the Steward in Charge of a Meeting.

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**94. ASSOCIATION NOT LIABLE**

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The Association shall not be liable to any Person for loss howsoever arising as a result of an error or inaccuracy in effecting any Registration or amendment to an existing Registration except to the extent that such loss arises from the wilful default or wilful neglect of the Association.

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**95. GREYHOUNDS TO BE REGISTERED**

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- 95.1** All Greyhounds shall be Registered contemporaneously with the ear-branding and micro-chipping of that Greyhound and in any event no later than the date that Greyhound reaches the age of four months.
- 95.2** No Greyhound shall be Nominated for any Race or Qualifying Trial unless Named.

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**96. MARKINGS TO BE CERTIFIED**

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A Marking Steward must endorse all applications for the name of a Greyhound as being correct in markings.

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**97. VACCINATION CERTIFICATES**

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- 97.1** Vaccination Certificates as specified from time to time by the Chief Executive must be supplied at the time of application for Naming.
- 97.2** The Registered Owner shall provide an up to date vaccination certificate for any Registered Greyhound at such time and/or at such intervals as the Board may prescribe.

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**98. APPLICATION TO BE ENDORSED**

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No application for Naming shall be approved unless signed by the Marking Steward.

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**99. TO BE REGISTERED IN COUNTRY/STATE WHERE BORN**

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- 99.1** All Greyhounds must Register in the country or state in which they were whelped. No Greyhound shall be Registered in the name of a person under 18 years of age.

- 99.2** Application for the Registration of the name of a Greyhound whelped in Australia shall be lodged with the secretary of the Greyhound registering authority of the state where such Greyhound was whelped and litter Registered.
- 99.3** Where the Greyhound was whelped in a litter registered in New Zealand the application should be made to the Chief Executive of the Association on the prescribed form and shall be accompanied by the appropriate fee.
- 99.4** Where a Greyhound bred in New Zealand is residing in another state and application to Register a name is forwarded to the Association, such application must be accompanied by a copy of markings certified by an approved identification officer of the state of residence of the Greyhound.
- 99.5** The applicant shall state in his/her application the names he/she desires in order of preference. Should the names selected not be available, the Association and the Australian and New Zealand Greyhound Association, acting in concert, reserve the right to allot a name for the Greyhound being named and such name once allotted, shall stand, except where provided for in Rule 100.

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**100. CONDITIONS OF NAME BEING GRANTED**

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- 100.1** When application is made to name a Greyhound full regard shall be paid to the criteria contained in the following:
- (a) The name has not been previously granted in the past 14 years;
  - (b) The name is not religious or political;
  - (c) The name is not obscene or vulgar even couched in a foreign language;
  - (d) The name is not similar phonetically to one already granted;
  - (e) The name has not more than 16 letters;
  - (f) The name does not indicate the opposite sex to the Greyhound being named;
  - (g) The name is of not more than three words;
  - (h) The name is not difficult in pronunciation;
  - (i) The name is not that of a prominent person (unless written approval is given by the person concerned);
  - (j) The name does not include initials;
  - (k) The name is not a trade name (unless accompanied with evidence from the company approving the name);
  - (l) The name is not that of a prominent Race;
  - (m) The name does not contain the prefix "The";
  - (n) The name does not contain figures.

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**101. MICRO-CHIPPING**

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- 101.1** A Greyhound registered on or after 1 August 2012 shall be ear branded and micro-chipped in accordance with the requirement of the Board.
- 101.2** A NZGRA microchip shall not be implanted in a Greyhound unless the micro-chip has been approved by the Board.
- 101.3** A person shall not implant a micro-chip into a Greyhound unless that person is approved to do so by the Board.
- 101.4** A person shall not remove, attempt to remove, alter or otherwise interfere with a micro-chip implanted in a Greyhound.

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**102. CHANGE OF NAME**

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- 102.1** Application to change a Greyhound's name shall be made to the Chief Executive of the Association in writing and such application shall contain the reason for change of name.
- 102.2** The Association through Greyhounds Australasia may grant the change of name, but in all cases where the change is granted, the Certificate of Registration shall carry the previous name as well as the new name so long as, or so often as the Greyhound remains or becomes registered. The application shall be accompanied by the appropriate fee.
- 102.3** Changes of name will only be granted in exceptional circumstances.

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**103. IF REGISTERED IN ANOTHER COUNTRY**

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- 103.1** Where a Greyhound has been duly Registered in another country not subject to a New Zealand reciprocal interstate or international Registration rights arrangement and New Zealand Registration is sought following importation, it shall be a condition of Registration that the Registration papers issued by the overseas country shall be yielded up to the Association to remain in its custody during such period as it is Registered in New Zealand.
- 103.2** Greyhounds which have not been named and Registered with an Approved Registration Authority shall not be recognised for breeding purposes in New Zealand. Greyhounds which have been previously Registered by a registration authority not approved by the Association, may be used for breeding purposes subject to the required transfer procedures and the Owners successful application for a New Zealand Certificate of Registration. The prescribed Registration fee shall apply in all cases.

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**104. EXPORT CERTIFICATES**

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- 104.1** Any Person intending to export a Greyhound, being a Greyhound the subject of these Rules or to those of an Approved Registration Authority, from Australia or New Zealand to any other country (excluding exports between Australia and New Zealand) must, prior to meeting the Quarantine and Inspection Service requirements of the relevant country, obtain a Greyhound Passport and certified pedigree issued by Greyhounds Australasia for each Greyhound to be exported.

- 104.2** Unless Greyhounds Australasia in special circumstances otherwise directs, a Greyhound Passport and certified pedigree may be issued subject to:
- (a)** The intended export Greyhound having been named and being Registered by an Approved Registration Authority.
  - (b)** The transfer of ownership having been effected by the Approved Registration Authority from the Registered Owner to the intended importer or exporter.
  - (c)** A certificate signed and lodged with Greyhounds Australasia by the previous Registered Owner and the importer and exporter confirming the purpose of export.
  - (d)** Greyhounds Australasia being satisfied that the required application form has been completed in full and the relevant fee received.
  - (e)** The export is in the best interests of the Australasian Greyhound industry.
- 104.3** The relevant fee for each Greyhound Passport including certified pedigree shall be determined from time to time by Greyhounds Australasia, and:
- (a)** As from 1 July 2004 a prescribed Greyhound Passport fee will be payable;
  - (b)** For the purposes of clarity, any naming or transfer of Ownership fee will remain separate and additional to the Greyhound Passport fee.
- 104.4** No Registered Greyhound or Registered litter may be exported without the prior approval of the Chief Executive or his/her delegate. Such approval not to be unreasonably withheld.
- 104.5** Prior approval will be granted by the Chief Executive if he or she is satisfied that the country of export has greyhound welfare practices similar to New Zealand.

## **105. DUPLICATE CERTIFICATE**

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Where a Certificate of Registration has been lost or destroyed the Chief Executive may issue a Certificate of Registration upon receipt of an application in the prescribed form from the Owner of Greyhound and payment of the appropriate fee. The application shall be accompanied by a Statutory Declaration on which is stated the circumstances surrounding the loss, misplacement or destruction of the Certificate of Registration and what efforts have been made, if any, to recover same.

## **106. PEDIGREES**

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Any Person may, on application in writing to the Association, obtain a tabulated pedigree of any Greyhound which has been Registered in New Zealand and upon payment of the appropriate fee.

## **107. CERTIFICATE THE PROPERTY OF ASSOCIATION**

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A Certificate of Registration is issued to enable identification of the Greyhound for breeding, racing and associated purposes and does not necessarily confer upon any person the legal title of Ownership to the Greyhound described therein. The Certificate of Registration remains the property of the Association and must be returned to the Association upon request.

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**108. NOTIFICATION OF DEATH**

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- 108.1** No person may knowingly participate in causing the unnatural death of any Greyhound, other than by accepted euthanasia by a Veterinarian or in a medical emergency.
- 108.2** A Licensed Person may humanely euthanize a Greyhound in an extreme medical emergency provided that the Licensed Person immediately advises the Association in writing of the death and the relevant circumstances.
- 108.3** Within 14 days of the death of any Greyhound the Trainer or where the Greyhound does not have a Trainer, the Owner shall return the Certificate of Registration along with a Veterinarian's certificate certifying the death of the Greyhound.
- 108.4** The Association, or appointed agent, shall have the right to order an autopsy, to confirm cause of death.
- 108.5** Any person found in breach of this Rule or who subject to Rule 108.2 knowingly participates in causing the unnatural death of any Greyhound, other than by accepted euthanasia by a Veterinarian, is subject to a fine of up to \$10,000 and/or permanent disqualification from involvement in any way in Greyhound Racing in New Zealand.

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**109. DE-REGISTRATION OF GREYHOUND**

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- 109.1** <sup>12</sup>The registered Owner shall be responsible for the welfare of every Greyhound of which they are the Registered Owner. A Greyhound may be de-registered provided that the last registered Owner makes acceptable arrangements in accordance with the Greyhound Racing New Zealand deregistration procedures as prescribed by the Board from time to time.
- 109.2** The Owner shall take all reasonable care in selling, gifting or placing a retired Greyhound and the Owner shall provide the full identity and contact details of the new owner on the prescribed form with the necessary declaration completed.
- 109.3** The Association or its Nominated agent shall have the right any time to demand the Greyhound be presented for inspection to confirm its wellbeing.
- 109.4** Where the Registered Owner of a Greyhound resides outside New Zealand the Trainer of the Greyhound shall be jointly and severally responsible with the Owner for the welfare of the Greyhound and for fulfilment of the obligations set out in this Rule.

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**110. TRANSFER OF OWNERSHIP**

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- 110.1** Application to register the transfer of a Greyhound from one person/s to another/others must be made by completing an "Authority to Transfer."

The "Authority to Transfer" must be signed by the Owner and also the intending purchaser and the transfer and the Certificate of Registration and the appropriate fee must be forwarded to the Association office within 14 days from the date of sale as shown on the "Authority to Transfer."

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<sup>12</sup> Modified 1 August 2018

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- 110.2** It shall be the responsibility of the Owner/seller to ensure that the appropriate transfer fee as shown on the “Authority to Transfer” is paid to the Association and no transfer of Ownership will be registered by the Association until payment of the transfer fee is received.
- 110.3** No Greyhound will be able to be Nominated to Race or Race in the name of the new Owner until the “Authority to Transfer”, the Certificate of Registration and appropriate fee has been received and processed by the Association.

## **111. LEASES – RACING AND BREEDING**

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- 111.1** For racing purposes application to register a lease must be completed on a prescribed form.
- 111.2** The completed lease form and the appropriate fee must be forwarded to the Association office within seven days of taking possession of the Greyhound named in the lease agreement.
- 111.3** Only Registered Greyhounds will be subject to leasing.
- 111.4** It is the responsibility of the lessee to return the Certificate of Registration to the office of the Association within seven (7) days of either expiration, cancellation or curtailment of the lease or the date of return of the Greyhound to the lessor.
- 111.5** The lease shall run for as long as agreed by the two parties. If a period is not specified, the lease shall run for a period of twelve months only. A lease will commence from the date of signing.
- 111.6** Premature termination of the lease will only be possible with the agreement and written confirmation to the Association from both parties.
- 111.7** In the case of any breaches or disputes arising under such lease as registered with the Association, the Association shall not be considered responsible for the mediation of such a dispute.
- 111.8** Where the Owner of a Greyhound consents to another person using the Greyhound for breeding purposes, then a completed “Authority to Register” must be lodged with the Association.
- 111.9** Each party to a lease agreement must be a current Licensed Person, partnership or syndicate and must continue to be registered throughout the term of the lease.
- 111.10** The Owner of a Greyhound must be a Licensed Person at all times including at the commencement of, during, and after the term of the lease agreement. The Lessor’s failure to be licensed at any time during the term of the lease or its cessation of the lease, will automatically result in Ownership of said Greyhound transferring into the name of the lessee.

## **BREEDING RULES**

### **STUD DOGS**

- 111.11** Subject to compliance with this Rule, the Board may in its absolute discretion register a Greyhound as a stud sire with the Board.
- 111.12** It is a condition of Registration and retention of Registration under this Rule that the Stud Master be Registered with the Board.



- 111.13** The application for Registration under this Rule must be made by the Owner of the Greyhound on the prescribed form and accompanied by the appropriate prescribed fee.
- 111.14** Subject to any express provision in these Rules to the contrary, the Registration of a Greyhound as a stud sire may expire upon the death of the sire.
- 111.15** Any Registration of any Greyhound as a stud sire is conditional upon:
- (a)** a DNA Fingerprint Analysis being carried out, by an analytical laboratory approved by the Board, on a blood Sample taken from the applicant sire by a Veterinarian or other Authorised Person; and
  - (b)** the Owner of the applicant stud sire paying the prescribed fee for a DNA Fingerprint Analysis; and
  - (c)** a successful fertility test carried out in the preceding thirty (30) days in accordance with the appropriate veterinary procedures as determined by the Board from time to time; and
  - (d)** any costs incurred by any person (including the Board as a result of the application or requirements of this Rule), being paid by the Stud Master.

## **112. STUD SERVICES**

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- 112.1** Services by Registered stud sires shall be by natural methods or by Artificial Insemination. The impregnation of bitches by fresh, chilled or frozen semen shall not be carried out unless prior approval is granted by the Board. Services by Registered stud sires shall only be provided to Greyhounds whose Owners are Registered Breeders.
- 112.2** In granting approval for services by any stud sire to be conducted by means of Artificial Insemination, the Board may take into account the knowledge and expertise of the applicant with respect to artificial insemination procedures.
- 112.3** Any approval granted only extends to a Greyhound in the control of the applicant or other person approved by the Board to conduct Artificial Insemination.
- 112.4** No service by means of the implantation into a bitch of semen by Artificial Insemination shall be carried out unless all conditions and restrictions, as determined by the Board from time to time, have been complied with and shall only be carried out in relation to a Greyhound whose Owner is a Registered Breeder.
- 112.5** No Artificial Insemination service shall be in breach of these Rules governing the admission of Greyhounds into the Stud Book or in breach of the registration procedure for Artificial Insemination as approved by the Board and amended from time to time.
- 112.6** The total number of permitted services of a Registered stud sire to be recorded as being used or available for use in the serving of bitches in Australia shall not exceed fifty four (54) in any three month period.
- 112.7** The total number of permitted services as set out in this Rule shall include natural services and services by Artificial Insemination but will not include any return service to a bitch who has, at her previous service to that stud sire, being the last such service of any type to the bitch, failed to conceive to that stud sire.

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- 112.8** The total number of permitted services as set out in this Rule shall not include Breeding Units which have been collected from the stud sire (in accordance with the AI program requirements) at any time, which are designated specifically for storage or sale in countries other than New Zealand.
- 112.9** Where a Stud Master or Authorised Person provides for the recording of more than the permitted number (54) of services of a Registered stud sire in any three month period, the Stud Master of that sire shall be guilty of an Offence in respect to each additional service in excess of the permitted number under this Rule.
- 112.10** The Board shall have the unrestricted right to publish the number of services by any Registered sire, the number of litters produced from such services and the process of insemination used.
- 112.11** On production of a bitch for mating with a Registered stud sire, it is the duty of the Stud Master to demand the Certificate of Registration of the bitch and the Certificate of Registration of the Owner as a Breeder and to compare the identification particulars stated with the bitch produced for service.
- 112.12** Where the person producing a bitch for service is not the person shown on the Certificate of Registration as the Registered Owner, that person must provide the Stud Master or Authorised Person with a written authority from the Registered Owner of the bitch for the mating to take place.
- 112.13** The authority produced pursuant to Rule shall be retained by the Stud Master or Authorised Person and lodged with the Board.
- 112.14** The Stud Master or Authorised Person shall, if required by an Authorised Person or the Owner of a bitch produced for service, provide the Certificate of Registration of the stud sire.

### **113. ADVERTISING OF STUD SIRES**

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- 113.1** Any weight advertised in relation to a stud sire shall be its last registered racing weight recorded, if any.
- 113.2** Any information concerning the use of false or misleading advertising with regard to a stud sire shall be reported to the Board who may Suspend or Disqualify any stud sire to whom the false or misleading advertising relates. A Person affected by this Rule may seek a review of any decision made under this Rule, by a Judicial Committee, in accordance with Rule 66.20.
- 113.3** Any Person found to have been involved in the use of false or misleading advertising in any respect of a stud sire is guilty of an Offence.
- 113.4** A Stud Master or Authorised Person may apply for re-Registration of a stud sire Suspended or Disqualified pursuant to this Rule by lodging with the Judicial Control Authority conclusive proof of the accuracy of such advertising, or amended proposed advertising.
- 113.5** A Person must not advertise any sire for service or Greyhound for sale or for lease with the representation that the sire or Greyhound has run a specified time unless:
- (a)** it is an official time and the representation indicates that it is an official time; and

- (b) the representation indicates whether it is the winning time of a Race, or the time for a Qualifying Trial or official club trial, only.

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**114. STUD SIRES NOT DOMICILED IN NZ**

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- 114.1** In respect to stud sires which are not domiciled in New Zealand, only those Greyhounds registered with] the relevant board or commission of the country in which such Greyhound is domiciled shall be eligible for participation in the chilled insemination and frozen insemination procedures. However, any such Greyhounds must have the prior approval of the relevant board or commission in its country of domicile to participate in the chilled or frozen insemination procedures.
- 114.2** Stud sires from whom semen is collected for chilling or freezing must be registered under a chilled insemination or a frozen insemination procedure and issued an identification number by the relevant board or commission in the State, Territory or Country in which such Greyhound is domiciled.
- 114.3** All documents and records in respect to the chilled or frozen insemination procedure shall contain the name and identification number of the Greyhound as issued by the relevant board or commission in the State, Territory or Country in which such Greyhound is domiciled.
- 114.4** All documents relating to the collection, chilling, freezing, storage, distribution and insemination of semen of a Greyhound shall be open for inspection by the relevant board or commission in the State, Territory or Country in which such Greyhound is domiciled.
- 114.5** A copy of all documents relating to the collection of semen from a Greyhound shall be forwarded within fourteen (14) days of collection to the relevant board or commission in the State, Territory or Country in which such Greyhound is domiciled.

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**115. EXCLUSION OF A STUD SIRE**

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- 115.1** A Suspension or Disqualification imposed on a stud sire may apply for such period of time as determined by the Board. A person affected by this Rule may apply for a review, by a Judicial Committee, of any decision made under this Rule in accordance with Rule 66.20.
- 115.2** A stud sire Suspended or Disqualified under these Rules shall during the period of the Suspension or Disqualification:
- (a) be deemed to be not registered for stud purposes; and
  - (b) not be transferred into new Ownership unless the Board otherwise directs.

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**116. REGISTRATION OF SERVICE – FORM “C”**

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- 116.1** A Stud Master or Authorised Person shall, within fourteen (14) days of the first service of any bitch taking place, lodge with the Board the prescribed Form “C” with the following particulars:
- (a) name of sire and bitch mated;
  - (b) date of service;
  - (c) Certificate of Registration number of the bitch presented for service;

- (d) colour of the bitch;
- (e) ear brand number and/or micro-chip of the bitch presented for service; and
- (f) name and address of Registered Owner and certificate of registration as a Breeder.

**116.2** An application under 116.1 shall be accompanied by the prescribed fee. The lodgement of the prescribed Form "C" beyond the time limit referred to in 116.1 may be accompanied by an additional fee as determined by the Board from time to time.

**116.3** Where prior approval has been given by the Board for fresh, chilled or frozen semen of a Registered stud sire to be impregnated artificially, as provided by this Part, Registration of service will not be granted unless:

- (a) the prescribed Form "C" is endorsed by at least one person other than the Stud master or Authorised Person as being present and witnessing the service;
- (b) the Owner of the bitch or the Authorised Person representing the Owner as an agent thereof supplies the Stud Master or Authorised Person with a written and signed authority approving the use of artificial insemination;
- (c) the authority pursuant to 116.3(b) above must be attached to the prescribed Form "C" except where the Owner or the Owner's agent is a signatory under 116.3(a);
- (d) where the donor stud sire is quartered at a place distant from that of the bitch to be artificially impregnated, the semen is collected, its container sealed, certified and dispatched under the supervision of a person who is authorised to do so by the relevant board or commission of the jurisdiction in which the stud sire is registered;
- (e) the act of implantation of chilled semen occurs under the supervision of an Authorised Person (AI);
- (f) such service by means of Artificial Insemination did not breach any other provisions of these Rules regarding admission the admission of Greyhounds into the Stud Book.

## **117. REGISTRATION OF AUTHORISED PERSON (AI)**

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**117.1** Any Person who is a Veterinarian or who is registered with the Board may apply to be Registered as an Authorised Person (AI) - ("Applicant").

**117.2** An Applicant must submit a completed Form F.I(2) to the Board to apply to become an Authorised Person (AI).

**117.3** To become an Authorised Person (AI), the Applicant must:

- (a) undertake a Board approved Artificial Insemination course; and/or
- (b) demonstrate, to the satisfaction of the Board, a competency standard recognised by the Board in relation to Artificial Insemination; and/or

- (c) do such other things as reasonably required by the Board from time to time.
- 117.4** A person will be an Authorised Person (AI) only when notified in writing by the Board that the person is an Authorised Person (AI).
- 117.5** An Applicant will be granted provisional approval as an Authorised Person (AI) if he/she has met such of the requirements relating to the Artificial Insemination program as the Board may determine from time to time and is recognised by the Board as a suitable candidate for final approval upon completion of all designated requirements.
- 117.6** An Applicant who has been granted provisional approval as an Authorised Person (AI) is deemed to be an Authorised Person (AI) for the purposes of these Rules and may undertake all activities of the Authorised Person (AI) except that such person is not permitted to inseminate more than 5 bitches until granted final approval as an Authorised Person (AI) in accordance with this Rule.
- 117.7** An Authorised Person (AI) remains Registered as an Authorised Person (AI) for a period of 1 year from the date of the notification in accordance with Rule 117.4. Prior to the end of that period, the Authorised Person (AI) may apply for renewal of Registration as an Authorised Person (AI). To obtain this renewal, the Authorised Person (AI) must satisfy all requirements as notified by the Board.
- 117.8** The Board may withdraw a person's authority to act as an Authorised Person (AI) by written notice to that person if:
- (a) the Board believes that the person is not a fit and proper person to be an Authorised Person (AI);
  - (b) the person has committed an Offence;
  - (c) the conception rate of bitches inseminated by the Authorised Person (AI) under the Artificial Insemination program falls to below 3 out of 5; or
  - (d) for such other reason as the Board thinks fit.
- 117.9** Any costs incurred by any person (including those of the Board as a result of the application of Rule 117.8 shall be paid by the relevant Authorised Person (AI)
- 118. REGISTRATION OF APPROVED FACILITY (AI)**
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- 118.1** An Authorised Person (AI) may apply for a facility to be Registered as an Approved Facility (AI) – ("Facility Applicant").
- 118.2** A Facility Applicant must submit a completed Form F.I (1) to the Board to indicate his/her request for the Registration of the facility as an Approved Facility (AI).
- 118.3** To become an Approved Facility (AI), the facility must upon inspection by a person authorised by the Board, be assessed as being equipped and maintained to a standard recognised by the Board as suitable for Artificial Insemination.
- 118.4** A facility will be deemed to be an Approved Facility (AI) only when the Facility Applicant is notified in writing by the Board that the facility is an Approved Facility (AI).

- 118.5** Once approval is granted, an Approved Facility (AI) remains Registered as an Approved Facility (AI) for a period of 1 year. Prior to the end of that period, application may be made for renewal of its Registration as an Approved Facility (AI). To obtain Registration renewal the Approved Facility (AI) must satisfy any requirements notified by the Board/Commission.
- 118.6** The Board/Commission may revoke the Approved Facility (AI) status of certain premises by notice in writing to the relevant Authorised Person (AI) if:
- (a)** the Board believed that the premises are no longer fit and proper to be Registered as an Approved Facility (AI) for any reason; or
  - (b)** the premises do not comply with the requirements of these Rules or any other relevant Rules; or
  - (c)** the person who has been approved as an Authorised Person (AI) with respect to those premises is no longer an Authorised Person (AI).
- 118.7** Any costs incurred by any person (including those of the Board) as a result of the application of this Rule shall be paid by the relevant applicant for the Approved Facility (AI) or the person who has been Registered with the Approved Facility (AI).
- 118.8** Approval of a facility as an Approved Facility (AI) is not transferable and limited only to the premises the subject of the approval.
- 119. ARTIFICIAL INSEMINATION – GENERAL**
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- 119.1** Notwithstanding anything else in these Rules:
- (a)** No person is permitted to undertake any part of AI unless that person is an Authorised Person (AI).
  - (b)** No part of any Artificial Insemination process is permitted to be undertaken on any premises unless such premises are an Approved Facility (AI).
- 119.2** The Board may allow persons other than Authorised Persons (AI) to undertake a part of Artificial Insemination, and may allow a part of Artificial Insemination to be undertaken from premises other than Approved Premises (AI), but only if the Board first gives its written approval for this to occur and any such approval or approvals may be given on such terms and conditions as it sees fit.
- 119.3** A maximum number of eighteen (18) collections of complete ejaculate per month from a Registered stud sire shall be the regulated maximum standard for all processes of insemination. This maximum number of collections of complete ejaculate shall consist of those collections constituting natural services together with those collected for artificial insemination purposes involving the preparation of Breeding Units.
- 119.4** A stud sire can only be used as part of the Artificial Insemination program if it is Registered as a stud sire with the Board and is also registered under the Artificial Insemination program in accordance with these Rules.
- 119.5** A collection of complete ejaculate from a stud sire may be split into breeding units by an Authorised Person (AI) for the purposes of Artificial Insemination provided that each split contains a certified minimum number of 100 million forwardly motile, normal, live sperm post thaw, at time of freezing.

- 119.6** An Authorised Person (AI) must lodge, using the approved prescribed Artificial Insemination form from Schedule 1, on a monthly basis with the Board the total number of collections of complete ejaculate and, the assessment and allocation of breeding units from a stud sire for use in the New Zealand market and/or for storage and/or for export to another country.
- 119.7** An Authorised Person (AI) must register with the Board the storage location and Ownership of each breeding unit collected and prepared in accordance with these Rules. Any change of storage location and/or ownership of a breeding unit must be notified to the Board using the approved prescribed Artificial Insemination form from Schedule 1.
- 119.8** Breeding units collected and prepared in accordance with these Rules either stored, exported or used outside of New Zealand will not be included in the number of bitches recorded by the Board as being served by a stud sire.
- 119.9** Any breeding units subject to Artificial Insemination processes and imported into New Zealand shall be subject to export and import requirements and conform to these Rules.
- 119.10** The total number of permitted services of a Registered stud sire to be recorded as being used or being available for the serving of bitches in New Zealand shall not exceed fifty four (54) in any one quarter or part thereof (on a pro rata basis) commencing from the date of Registration of the stud sire.
- 119.11** The total number of permitted services as set out in Rule 119.10 above shall include natural services and services available by Artificial Insemination but will not include any return service to a bitch who has, at her previous service to that stud sire, failed to conceive to that stud sire.
- 119.12** For other than the fifty four (54) permitted services that may be recorded in this Rule as being used by a Registered stud sire in serving bitches in New Zealand, any breeding units remaining or surplus breeding units may be specifically recorded and assigned as – ‘for Artificial Insemination storage and/or export’. These breeding units would not be available for immediate use in New Zealand but would be available only for Artificial Insemination storage or exportation.
- 119.13** Upon appropriate application to the Board the breeding units specifically recorded for Artificial Insemination storage/export use may, be released for use in the New Zealand market, subject to these Rules.

## **120. DUTIES OF AUTHORISED PERSONS (AI)**

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- 120.1** An Authorised Person (AI) must allow any person nominated by the Board to inspect that Authorised Person’s (AI) Approved Facility (AI) and any records, documents and other items in any way related to the Artificial Insemination program involving that Authorised Person (AI). Failure to permit such an inspection will be an Offence under these Rules.
- 120.2** All Authorised Persons (AI) must comply with the reasonable directions of the Board in relation to the conduct of the Artificial Insemination program. Failure to comply with such directions will be an Offence under these Rules.

- 120.3** In respect to the storage and identification of chilled or frozen semen:
- (a) The storage system, inventory system and identification system at a centre must be approved by the relevant board or commission in the State, Territory or Country in which the centre is located.
  - (b) Containers for the storage of chilled or frozen semen must be approved by the relevant board or commission in the State, Territory or Country in which such semen is stored.
  - (c) Each breeding unit of semen collected from a stud sire shall be registered with the relevant board or commission in the State Territory or Country in which such semen is stored.
  - (d) The Veterinarian or Person collecting the semen shall identify each breeding unit by means of a consecutive numbering system together with the identification number of the stud sire and the identification letter of the Centre through which the collection was made. The name of the stud sire shall also be inscribed on each container in a manner approved by the relevant board or commission in the State, Territory or Country in which such semen is stored.
  - (e) Storage facility records must be kept to show ownership of semen. Any transfer of ownership of chilled or frozen semen must be notified to the relevant board or commission in the State, Territory or Country in which such semen is stored in writing within fourteen (14) days of such change of ownership.
- 120.4** A copy of the notification of service shall be forwarded by the relevant board or commission in the State, Territory or Country in which such semen is stored to the owner of the semen used.
- 120.5** The [relevant board or commission in the State, Territory or Country in which such semen is stored] shall be notified within fourteen (14) days when a shipment of chilled or frozen semen is received by or transported from a centre.
- 120.6** Any stud sire or Greyhound bitch must be DNA fingerprinted before it can participate in a chilled or frozen insemination procedure.
- 120.7** Subject to Rule 120.8, a breeding unit of semen must be used to inseminate only one Greyhound bitch in every case of Artificial Insemination. Any remaining unused semen from a breeding unit must be forwarded to the Board within fourteen (14) days of the insemination taking place.
- 120.8** Without limiting the generality of Rule 120.7, a breeding unit may be divided into three (3) splits for the insemination of the same Greyhound bitch during one oestrus cycle, provided that the inseminations are performed at intervals not exceeding forty-eight (48) hours each, unless veterinary assessment of ovulation by hormone assay or vaginal cytology or both indicate a more suitable time interval should be used and the inseminator shall adopt that time interval.
- 120.9** The splitting of a breeding unit of semen for the purpose of serving more than one Greyhound bitch shall be an Offence under these Rules.

## **121. IDENTIFICATION NUMBERS**

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- 121.1** Stud Sires are assigned an identification number.



- 121.2** Approved Facilities (AI) are assigned an identification letter in alphabetical order.
- 121.3** Breeding units are numbered consecutively, starting with 1.
- 121.4** Splits are designated alphabetically. For example:
- (a)** A stud sire is assigned the identification number NZ09 and collection is made at Approved Facility (AI) B:
  - (b)** Breeding unit 3 split 1 = NZ09 B3A
  - (c)** Breeding unit 4 split 3 = NZ09 B4C

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**122. CHILLED & FROZEN SEMEN**

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- 122.1** The use of chilled or frozen semen drawn from Greyhounds for any purpose under these Rules is prohibited unless it complies with the following conditions:
- 122.2** A service by means of chilled or frozen semen is approved by the relevant board or commission in the State, Territory or Country in which the service takes place.
- 122.3** The semen was drawn by a person registered or licensed for that purpose by [the relevant board or commission in the State, Territory or Country] in which such Greyhound is domiciled.
- 122.4** The semen was drawn from a Greyhound registered under a Chilled or Frozen Insemination Programme recognised by the relevant board or commission in the State, Territory or Country in which such Greyhound is domiciled.
- 122.5** The semen was chilled or frozen and stored at a facility which is properly licensed or registered by the relevant board or commission in the State, Territory or Country in which such facility is located.
- 122.6** The semen has been properly identified and stored in accordance with these Rules or the rules of a Board/Commission in the State, Territory or Country in which the semen is stored.
- 122.7** The semen has been imported in accordance with the applicable governmental laws in each situation.
- 122.8** True identification of the Greyhound from which the semen was collected is properly recorded with the relevant Board or commission in the State, Territory or Country in which the Greyhound is domiciled.
- 122.9** All other requirements prescribed by these Rules have been complied with.
- 122.10** Where application is made for admittance of a Greyhound or litter of Greyhounds born by means of Artificial Insemination into the Stud Book whereby these Rules have not been complied with such Greyhound or litter of Greyhounds shall not be entered into the unless approval is granted at a General Meeting of Greyhounds Australasia.
- 122.11** In order to participate in the Artificial Insemination program, all relevant persons must lodge with the Board within the relevant prescribed time, the appropriate prescribed form together with any prescribed fee dealing with the particular Artificial Insemination program activity as specified in these Rules. All prescribed forms

must be duly completed. The Board reserves the right to reject any form lodged by a person. The forms may contain additional requirements and conditions in relation to the Artificial Insemination program which requirements and conditions must be observed by Authorised Persons (AI) and other relevant persons. Failure to comply with such requirements and conditions will be deemed to be an Offence.

- 122.12** The relevant prescribed forms and certain requirements relating to these prescribed forms are set out in Schedule 1 to these Rules. The Board may, from time to time, add to, vary or remove any of the prescribed forms in which case the revised prescribed forms shall apply to the Artificial Insemination program of the Board upon general notification to the Greyhound racing industry by the Board.
- 122.13** The lodgement of a prescribed form pursuant these Rules to shall be accompanied by the appropriate fee as prescribed from time to time by the Board.
- 122.14** The Board may refuse to accept any prescribed form lodged outside the specified time limit (if applicable) and may impose additional fees or other penalties as it thinks fit for late lodgement.
- 122.15** Any person who fails to comply with this Rule shall be guilty of an Offence.

**123. REGISTRATION OF RESULT OF MATING – FORM “D”**

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**123.1** Any Person who:

- (a) is the Owner of a bitch presented to a Stud Master for the purposes of breeding a litter; or
- (b) is authorised under these Rules;

must within fourteen (14) days of whelping or, if the bitch fails to whelp, within fourteen (14) days of the due whelping date (being sixty-three (63) days after the date of mating), lodge with the Board the prescribed Form “D”, accompanied by the prescribed fee.

- 123.2** In the event of a Form “D” not being available to a person described in Rule 123.1 notice must be given to the Board in writing within fourteen (14) days of whelping or if the bitch fails to whelp within fourteen (14) days of the due whelping date (being sixty-three (63) days after the date of mating).
- 123.3** The lodgement of the prescribed Form “D” or initial advice beyond the time limit referred to in Rules 123.1 and 123.2 shall be accompanied by an additional fee as determined by the Board from time to time.
- 123.4** Any removal or relocation of puppies from the place designated in the prescribed Form “D” must be notified to the Board prior to removal unless they have been inspected by the Steward.
- 123.5** Any person failing to notify the Board pursuant to Rule 123.4 shall commit an Offence under these Rules.
- 123.6** Any person failing to lodge a Form “D” pursuant to Rule 123.1 or a notice pursuant to Rule 123.2 within fourteen (14) days of the respective due dates shall commit an Offence under these Rules.

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**124. REGISTRATION OF LITTERS – FORM “E”**

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- 124.1** Except as provided for in this Rule, all litters whelped in the jurisdiction of the Association shall be registered with the Association within such period of whelping as determined by the Board by lodging the prescribed Form ‘E’.
- 124.2** A condition of the Registration of any litter of Greyhounds whelped shall be that:
- (a)** both the sire and dam of such litter have been DNA Fingerprinted and Registered;
  - (b)** such sire was approved by the Board for services to be conducted by means of Artificial Insemination, if the service was by artificial means.
  - (c)** Semen was collected from the stud sire and inseminated into a bitch only by a person authorised to do so by the relevant board or commission in the State, Territory or Country in which the Stud Sire was registered.
  - (d)** The breeding unit from the semen collected from the stud sire was not split in order to serve more than one bitch.
  - (e)** At the time the semen was collected from the stud sire the stud sire had not performed more than the maximum number of services in the three month period, as determined by the relevant board or commission in the State, Territory or Country in which the stud sire is registered.
  - (f)** The Owner of the bitch is a Registered Breeder.
- 124.3** An application pursuant to this Rule must be accompanied by the prescribed fee.
- 124.4** Colour abbreviations that may be noted on Form ‘E’ are:
- (a)** (“bk”) - black;
  - (b)** (“be”) - blue;
  - (c)** (“bd”) - brindle;
  - (d)** (“f”) - fawn;
  - (e)** (“r”) - red; and
  - (f)** (“w”) - white.
- 124.5** Ticking or black spots on the skin or coat of a Greyhound should be denoted as “t”.
- 124.6** Where a Greyhound is of broken colours, all colours present must be listed in order of predominance.
- 124.7** A Greyhound should not be described as “bk and w” unless the white exceeds more than the total of white feet, chest, tips on tail and nose (inclusive).
- 124.8** All litters the subject of an application for Registration must be inspected, marked, micro-chipped and ear branded by a Marking Steward before an application under this Rule can be made unless an express exemption is granted by the Board and each Greyhound in the litter shall be Registered under Rule 95.1.

- 124.9** <sup>13</sup>Litters and each Greyhound in the litter may under special circumstances be registered after the age of four (4) months at the discretion of the Chief Executive or his/her delegate by payment of an additional fee as prescribed from time to time.
- 124.10** Failure on the part of an applicant or Breeder to ensure that premises where puppies are present are to the reasonable satisfaction of a Marking Steward, or other Authorised Person, in a clean and hygienic condition, may result in refusal by the Marking Steward, or that other Authorised Person, to mark, micro-chip and ear brand a puppy or refusal of Registration by the Board.
- 124.11** The Board may in its absolute discretion grant or refuse Registration of a litter whether the time for Registration has expired or not.

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**125. DOUBT AS TO PARENTAGE/ACCIDENTAL MATINGS**

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- 125.1** Where in the opinion of the Board doubt exists as to the true parentage or identification of a litter or members of a litter the subject of application under this Rule, the Board may enquire into the matter and request from the applicant such material as is deemed necessary to establish the true parentage or identification of a litter or members of a litter.
- 125.2** Where in the opinion of the Board/Commission it is known or suspected that pups may have been conceived through mating with more than one sire or an accidental mating, the DNA testing of all pups by an Authorised Person shall be ordered on behalf of the Registered Breeder of those pups.
- 125.3** If:
- (a)** a Greyhound services a bitch and the Greyhound is not at that time Registered as a sire; and
  - (b)** the service occurred in circumstances beyond the control of the Owner or other person who had the care or custody of the bitch; and
  - (c)** the bitch proves subsequently to be in whelp,
- the Board may, after due inquiry, allow the Greyhound to be Registered as a sire and the service to be Registered without penalty.
- 125.4** Any Registration under Rule 125.3 is not to be granted after a litter has resulted from an accidental service.
- 125.5** Where the Board directs DNA testing of pups pursuant to this Rule 125 the Registered Breeder must pay for the expenses of the DNA testing.
- 125.6** It is an Offence for any person to fail to comply promptly and fully with a request pursuant to Rule 125.5.
- 125.7** In the event of an applicant failing to comply promptly and fully with a request pursuant Rule 125.5 the Board may, in its absolute discretion:
- (a)** refuse to register the litter;
  - (b)** refuse to accept the litter for inclusion in the Stud Book; and/or

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<sup>13</sup> Modified 1 August 2018

- (c) refuse to register members of the litter for racing purposes.

## **126. DNA FINGERPRINTING ANALYSIS**

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**126.1** It shall be a pre-requisite for listing in the Stud Book that:

- (a) as from 1st August 1994, no Australian or New Zealand domiciled Greyhound shall be recorded as a stud sire in the Stud Book; and
- (b) no Greyhound or litter of Greyhounds whelped on or after 1st July 1996 shall be recorded in the Stud Book

unless in respect to both the sire and dam of such Greyhound or litter of Greyhounds a DNA Fingerprint Analysis Record is made available to the keeper of the Stud Book for inspection by Greyhounds Australasia's designated DNA contractor V.I.A.S.

**126.2** The Board may at any time direct that a DNA Fingerprint Analysis be performed on a Greyhound which has been recorded in the Stud Book or is being considered for inclusion in the Stud Book or which is Registered, or for which Registration is sought, with the Board for the purpose of ascertaining the parentage of the Greyhound or otherwise.

**126.3** The Owner of a Greyhound may request that a DNA Fingerprint Analysis be performed on the Greyhound by submitting a duly completed Application Form 1 to the Board.

**126.4** The Owner of the Greyhound in respect of which a DNA Fingerprint Analysis has been ordered under Rule 126.2 or requested under Rule 126.3, must arrange for the collection of Samples from the Greyhound by a Veterinarian:

- (a) in the case of an order for a DNA Fingerprint Analysis being made under Rule 126.2, within seven (7) days of the order being communicated to the Owner of the Greyhound; or
- (b) in the case of a request for a DNA Fingerprint Analysis being made by an Owner under Rule 126.3 within seven (7) days of the Application Form 1 being submitted to the Board.

**126.5** The Owner of such Greyhound must ensure that the Veterinarian who collected the Samples pursuant to Rule 126.4 forwards the following items to an approved analytical facility within twenty-four (24) hours of the Samples being collected:

- (a) two (2) sealed containers containing an anti-coagulant such as Lithium Heparin or any similar type of anti-coagulant and the Samples of a minimum quantity specified in Rule 126.6;
- (b) the two (2) containers must be clearly labelled and contain the following information:
  - (i) the name, ear brands, and/or micro-chip and colour of the Greyhound;
  - (ii) the date and time of collection of the Samples; and
  - (iii) the name of the Veterinarian who collected the Samples; and



- (b) delete the Registration of the Greyhound from the Stud Book if already admitted, in which case its Certificate of Registration and all other records relating to such Greyhound will be marked “for racing purposes only”.

**126.16** Only an analytical laboratory which has been approved by the Board may carry out a DNA Fingerprint Analysis for the purposes of these Rules.

## **127. INCLUSION IN/DELETION FROM STUD BOOK**

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**127.1** Subject to Rule 127.2, if a Greyhound is recorded in the Stud Book and:

- (a) the litter of which the Greyhound was a member was not recorded in the Stud Book before the recording of the Greyhound; or
- (b) the DNA fingerprint analysis of that Greyhound indicates that the Greyhound is not an offspring of a stud sire and a dam recorded in the Stud Book,

the deletion of the Greyhound from the Stud Book shall be undertaken by the keeper of the Stud Book.

**127.2** A Greyhound which has been deleted pursuant to Rule 127.1 shall be re-entered into the Stud Book if:

- (a) a subsequent DNA fingerprint analysis clearly indicates that the Greyhound is an offspring of the stud sire and a dam recorded in the Stud Book; or
- (b) sufficient evidence is provided to show that the litter of which the Greyhound was a member was recorded in the Stud Book before the recording of the Greyhound; and
- (c) the recording of the Greyhound has been approved at a General Meeting of Greyhounds Australasia, or by the Board of Greyhounds Australasia under its delegated powers.

## **PUBLIC SYNDICATION**

### **128. FINANCIAL MARKETS CONDUCT ACT REQUIREMENTS**

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**128.1** It shall be the responsibility of any Approved Company, Person or Syndicate who seeks approval under these Rules for registration to comply with the requirements of the Financial Markets Conduct Act 2013 which are applicable thereto.

### **129. PUBLIC SYNDICATIONS**

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**129.1** The Board may, if it thinks fit:

- (a) Establish and administer a system for the syndication of Greyhounds in New Zealand;
- (b) Include in a Code of Practice that system and all other provisions which it considers necessary or desirable for or in relation to the establishment and maintenance of an effective such system;

- (c) Incorporate in such Code of Practice all the requirements which are to be met by any person, company, or other entity which on or after such date as specified by the Board or other such commencement date as the Board shall determine – seeks or does in any way syndicate Greyhounds in New Zealand;
  - (d) Seek the Financial Markets Authority's approval of the provisions of such Code of Practice;
  - (e) Amend from time to time, or revoke, such Code of Practice;
  - (f) Cause such Code of Practice to be set forth as an appendix to these Rules.
- 129.2** Every Code of Practice which is set forth as an appendix to these Rules shall have full force and effect as part thereof.
- 129.3** Any person who fails to comply with a provision of any such Code of Practice commits a breach of this Rule and shall be liable to be Disqualified or suspended by the Judicial Committee for such period (including for life) as it thinks fit and shall, in addition to or in lieu of being disqualified or suspended, be liable to be fined a sum not exceeding \$50,000. Such penalties are in addition to any powers which may be exercised to the provisions of any such Code of Practice.
- 129.4** The Judicial Committee in addition to or in lieu of imposing on any person who commits a breach of this Rule the penalty or penalties referred to in Rule 129.3 above, may order such person to pay a sum towards the costs and expenses of and incidental to the investigation of any inquiry into such breach. Without limiting the generality of the last previous sentence of this paragraph costs incurred during an investigation in carrying out an audit of the accounts or financial or other records of a syndicate are hereby declared to be expenses of and incidental to the investigation of any breach.
- 129.5** In any case where it appears to the Board that there is reason to suspect that, in respect of a Greyhound owned or raced by a Syndicate, or the syndication of such a Greyhound, all the application provisions of such Code of Practice have not or may not have been complied with, the Board may direct that a Greyhound be prohibited from being entered or started in a race until such steps as the Board shall specify have occurred. Every club shall refuse to allow to be entered for or started in a race any Greyhound which is for the time being the subject of any such direction. Every person who enters or starts a Greyhound in a race while it is the subject of any such direction commits a breach of this Rule and shall be liable to the penalties set out in Rules 129.3 and 129.4 above.
- 129.6** Every Syndicate Promoter, Authorised Syndicator, Amateur Authorised Syndicator, Amateur Authorities Syndicator, Syndicate and person (such terms bearing the meanings from time to time ascribed to them in such Code of Practice) or investor in a Syndicate who or which in any way applies to or does participate in the syndication of a Greyhound in New Zealand after such date as specified by the Board by so applying or participating shall be deemed thereby to agree that in consideration of the Board establishing a system for the syndication of Greyhounds in New Zealand, including in such Code of Practice and causing it to be set forth as an appendix to these Rules:
- (a) He/she or it shall have no right to and will not make any claim or commence any legal proceedings against the Association or any officer or employee or agent thereof or the Board (or any member or agent thereof) on account of or in connection with loss or expense incurred by him, her



or it as a result of any act or omission (including any negligence) on the part of all or any thereof which is in any way directly or indirectly connected with the approval or authorisation of a syndicator or with the syndication of Greyhounds in New Zealand;

- (b)** The provisions of this Rule may be pleaded against him her or it as a complete bar to such proceedings.

## FIRST SCHEDULE

### PRESCRIBED FORMS

F.I. (1)	A Facility Applicant applying for premises to be registered as an Approved Facility (AI) must lodge a prescribed Form F.I.(1). This form is also to be lodged by a person who wishes to seek approval of the facility as an Approved Facility (AI).
F.I. (2)	A person applying to become an Authorised Person (AI) must lodge a prescribed Form F.I (2). This form is also to be lodged by a Veterinarian seeking approval as an inseminator.
F.I. (3)	An Owner or lessee of a stud sire ordinarily domiciled within the jurisdiction of the Board and who wishes to register that stud sire under the (AI) program must lodge a prescribed Form F.I (3). This form is also to be used for the purposes of registering that stud sire.
F.I. (4)	An Owner or lessee of a stud sire ordinarily domiciled in a State or Territory of Australia (other than the jurisdiction of the Board) and who wishes to register that stud sire as a stud sire under the (AI) program must lodge a prescribed Form F.I (4). This form is also to be used for the purposes of registering that stud sire.
F.I. (5)	An Owner or lessee of a stud sire ordinarily domiciled outside of Australia and who wishes to register that stud sire as a stud sire under the (AI) program must lodge a prescribed Form F.I (5). This form is also to be used for the purposes of registering that stud sire.
F.I. (6)	An Authorised Person (AI) who collects semen from a stud sire under the (AI) program must, within fourteen (14) days of such collection, lodge a prescribed Form F.I (6).
F.I. (7)	Any person who acquires or receives frozen semen from another person must, within fourteen (14) days of such acquisition or receipt, lodge a prescribed Form F.I (7) irrespective of whether ownership of the frozen semen has been transferred.
F.I. (8)	Any person who relocates frozen semen out of an Approved Facility (AI) shall, within fourteen (14) days of such relocation, lodge a prescribed Form F.I (8).
F.I. (9)	Any person claiming to be the Owner of frozen semen drawn under the (AI) program must, within fourteen (14) days of the semen being drawn, lodge a prescribed Form F.I (9).
F.I. (10)	If the ownership of semen drawn under the (AI) program is to be transferred, the person transferring Ownership and the person acquiring Ownership must lodge a prescribed Form F.I (10) within fourteen (14) days of the transfer of ownership.
Form "C"	An Authorised Person (AI) who administers a service of a Greyhound bitch by the artificial insemination of frozen semen must, within fourteen (14) days of the service, lodge a prescribed Form "C" certifying that the draw of frozen semen was used to inseminate that Greyhound bitch.
Form "D"	The Owner, or Litter Master, of a brood bitch must lodge prescribed Form "D" within fourteen (14) days of due date of whelping, notifying result of the whelping.
Form "E"	The Owner, or Litter Master, of a brood bitch must lodge prescribed Form "E" within three (3) months of date of whelping, and after inspection, micro-chipping and/or ear branding, registering the litter.

## **SECOND SCHEDULE**

### **NEW ZEALAND GREYHOUND RACING CLUBS**

Ashburton County Greyhound Racing Club (Inc)

Auckland Greyhound Racing Club (Inc)

Christchurch Greyhound Racing Club (Inc)

Otago Greyhound Racing Club (Inc)

Palmerston North Greyhound Racing Club 2014 (Inc)

Southland Greyhound Racing Club (Inc)

Taranaki Greyhound Racing Club (Inc)

Tokoroa Greyhound Racing Club (Inc)

Waikato Greyhound Racing Club (Inc)

Wanganui Greyhound Racing Club (Inc)

Wellington Greyhound Racing Club (Inc)

**THIRD SCHEDULE**  
**GREYHOUNDS AUSTRALASIA**

Canberra Greyhound Racing Club

Greyhound Racing NSW

Northern Territory Government, Department of Sport and Recreation

Greyhounds Queensland

Greyhound Racing SA Ltd

TasRacing

Greyhound Racing Victoria

Racing and Wagering Western Australia

## FOURTH SCHEDULE

### RACECOURSE, RACING RULES, RACING CODD AND RACING BETTING, BOOKMAKING, EXEMPTIONS COMMITTEE

#### 1. Interpretation –

In this schedule:

- (a) racecourse, racing rules, racing code, and racing betting each has the same meaning ascribed to it in section 5 of the Racing Act 2003;
- (b) bookmaking has the same meaning ascribed to it in section 4 of the Gambling Act 2003;
- (c) Exemptions Committee means a committee comprising of the chief executive of each racing code and a chairman appointed by the racing codes;
- (d) references to any Act include references to any subsequent Act consolidating or in substitution of it.

#### 2. Prohibited persons – For the purpose of maintaining public confidence in the conduct of racing and the integrity of racing betting:

- (a) persons (other than eligible individuals under the Criminal Records (Clean Slate Act) 2004 and those persons to which 2(b) applies) of the classes described in Category 1 are excluded absolutely from entering any racecourse to which section 34 of the Racing Act 2003 applies;
- (b) persons (other than eligible individuals under the Criminal Records (Clean Slate Act) 2004) of the classes described in Category 2 are excluded for a period of 2 years from the date of conviction from entering any racecourse to which section 34 of the Racing Act 2003 applies.

#### 3. Exemptions –

- (a) Any person excluded under rule 2 hereof from entering a racecourse may apply in writing to the Exemptions Committee to be exempted wholly or in part from that prohibition.
- (b) The Exemptions Committee may grant an exemption in whole or in part if it is satisfied that, having regard to the exceptional circumstances of the particular individual, doing so will not compromise the maintenance of public confidence in the conduct of racing and the integrity of racing betting.

#### Category 1

Classes of person excluded absolutely from entering any racecourse under rule 2(a) –

##### *Racing Disqualifications*

- (a) Disqualified persons under the racing rules made by racing codes;

- (b) Persons who are disqualified or prohibited by racing authorities in any country outside New Zealand having reciprocal agreements with one or more of the racing codes;

#### *Bookmaking, Betting and Racing*

Bookmakers and persons acting as bookmakers agents but not persons lawfully acting as bookmakers or bookmakers agents in any country outside New Zealand;

- (d) Persons convicted (whether before or after the commencement of these rules) of any offence or infringement offence under the Gambling Act 2003, the Gaming Act 1908 or under Part II of the Gaming and Lotteries Act 1977;
- (e) Persons convicted (whether before or after the commencement of these rules) of any offence under the Racing Act 2003 or the Racing Act 1971;

#### *Offences*

- (f) Persons convicted (whether before or after the commencement of these rules) of the following offences:
  - (i) endangering safety under sections 12 or 13 of the Summary Offences Act 1981;
  - (ii) possession of weapons or imitation firearms in a public place; or
  - (iii) any offence under the Gaming and Lotteries Act 1977 (other than Part II which relates to Bookmakers and Betting);

#### *Crimes*

- (g) Persons convicted (whether before or after the commencement of these rules) of any of the following crimes, or of being a party to any such crime, or of conspiring or attempting to commit any such crime:
  - (i) crimes involving dishonesty, fraud, forgery, bribery or corruption;
  - (ii) violence offences, sexual offences; indecent acts or arson;
  - (iii) serious drug offences;
  - (iv) burglary, robbery or conversion; or
  - (v) participation in an organised criminal group under section 98A of the Crimes Act 1961.

#### *Overseas Convictions*

- (h) Persons convicted (whether before or after the commencement of these rules) in countries outside New Zealand of offences or crimes corresponding to those mentioned in paragraphs (d), (e), (f) and (g) of these rules;

### **Category 2**

Classes of person excluded from entering any racecourse for the period referred to in rule 2(b) –

- (a) Persons convicted (whether before or after the commencement of these rules) of assault except those persons whose sentence or cumulative sentence (in the case of multiple convictions) in any such case is a fine of less than \$1000 or community work of less than 100 hours and those persons on whom no sentence was imposed;
- (b) Persons belonging to any one or more of the classes referred to in paragraphs (f) and (g) of Category 1 on whom no sentence was imposed or whose sentence:
  - (i) did not include a custodial sentence (as defined in section 4 of the Criminal Records (Clean Slate) Act 2004); and
  - (ii) did not include a fine of \$1,000 or more or a term of community work of 100 hours or more or supervision.

## FIFTH SCHEDULE

### PERMANENTLY BANNED PROHIBITED SUBSTANCES

- (i) Recombinant human erythropoietins, including epoetin alfa, epoetin beta, epoetin delta, epoetin omega, novel erythropoiesis stimulating protein (NESP; darbepoietin alfa) and continuous erythropoietin receptor activator (CERA).
- (ii) Gonadotropins, including luteinising hormone (LH), follicle stimulating hormone (FSH), human chorionic gonadotropin (hCG) and equine chorionic gonadotropin (eCG; pregnant mare serum gonadotropin; PMSG).
- (iii) Gonadotropin releasing hormone (GnRH; gonadorelin).
- (iv) Corticotropins, including adrenocorticotrophic hormone (ACTH) and tetracosactrin (tetracosactide).
- (v) Diacetylmorphine (heroin), cocaine, cannabinoids and lysergic acid diethylamide (LSD), amphetamines including amphetamine, methylamphetamine, methylenedioxyamphetamine and methylenedioxymethamphetamine.
- (vi) Gama-hydroxybutyric acid (GHB) and its salts.
- (vii) Any substance capable of disguising or making undetectable the administration or presence of any substance in clause (i) to (vi) above.
  
- (viii) Anabolic androgenic steroids” (AAS) include those that are currently registered in New Zealand under the Agriculture Compounds and Veterinarian Medicines Act (ACVM), such as boldenone, ethyloestrenol, methandriol, nandrolone, stanozolol and testosterone. Others include but are not limited to 1-androstenediol; 1-androstenedione; bolandiol; bolasterone; boldione; calusterone; clostebol; danazol; dehydrochlormethyltestosterone; desoxymethyltestosterone; drostanolone; fluoxymesterone; formebolone; furazabol; gestrinone; 4-hydroxytestosterone; mestanolone; mesterolone; metenolone; methandienone; methasterone; methyldienolone; methyl-1-testosterone; methylnortestosterone; methyltestosterone; metribolone; mibolerone; 19-norandrostenedione; norboletone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; prostanazol; quinbolone; stenbolone; 1-testosterone; tetrahydrogestrinone (THG); trenbolone; and other substances with a similar chemical structure or similar biological effect(s).



## SIXTH SCHEDULE

### MINOR INFRINGEMENT TABLE

<b>Rule</b>	<b>Description</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>
19.7	Non eligible nomination	\$100	\$100	Referral to JCA
39.10	100km rule	\$150	\$250	Referral to JCA
<sup>15</sup> 40.1	Not scratched by 7.30am thus constituting a late scratching	\$150 If no reserve dog is denied a start	\$150	Referral to JCA at Stewards discretion
<sup>16</sup> 40.1	Not scratched by 7.30am thus constituting a late scratching	\$300 If a reserve dog is denied a start	\$300	Referral to JCA at Stewards discretion
40.3	Non valid withdrawal	\$150	\$250	Referral to JCA
<sup>17</sup> 44.6	Fails to produce the Greyhound at or before the time specified in Rule 44.2	\$50	\$50	Referral to JCA
44.8(b)	Non presentation of greyhound registration papers at race meeting	\$50	\$50	Referral to JCA
45.11	Greyhound weight infringements  Stewards discretion applied to significant variances for potential referral to JCA	\$100 varies more than 1.5kg from the weight recorded  Stewards discretion applied to significant variances for potential referral to JCA	\$150 varies more than 1.5kg from the weight recorded  Stewards discretion applied to significant variances for potential referral to JCA	Referral to JCA
46	Kennelling breaches	\$50	\$100	Referral to JCA
47.1(c)	Incorrect Race Rug	\$50	\$100	Referral to JCA
47.2	Failure by a handler to collect a greyhound	\$50	\$50	Referral to JCA
47.4	Failure by trainer/handler to arrange for a catcher	\$50	\$50	Referral to JCA
62.1(y)	Failure to meet dress standards	\$50	\$50	Referral to JCA

<sup>15</sup> Modified 1 August 2018

<sup>16</sup> Added 1 August 2018

<sup>17</sup> Modified 1 August 2018

<b>Rule</b>	<b>Description</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>
62.1(z)	<i>Handlers tampering with greyhound muzzles etc.</i>	\$50	\$100	Referral to JCA
62.1(cc)	<i>Acts in contravention</i>	\$300	\$500	Referral to JCA
62.1(o)	<i>Applies only to boxing offences only – e.g. placing dog in the wrong box resulting in disqualification of dog</i>	\$200	\$500	Referral to JCA
87.1	<i>Trainers not fulfilling administration obligations re trainer kennel changes (48 hours)</i>	\$100	\$200	Referral to JCA
87.2	<i>Trainers not fulfilling administration obligations re kennel changes (post nomination)</i>	\$100	\$200	Referral to JCA
87.3	<i>Trainers not notifying Assn of greyhounds being domiciled in others' kennels</i>	\$100	\$200	Referral to JCA
87.6	<i>Trainers not fulfilling obligations regarding proper care of greyhounds whilst on a racecourse</i>	\$300	\$500	Referral to JCA
88.3	<i>Handlers offending by handling more than one greyhound post kennelling</i>	\$100	\$200	Referral to JCA

## SEVENTH SCHEDULE

### COMMON RULES OF PRACTICE AND PROCEDURE FOR THE JUDICIAL COMMITTEE AND APPEALS TRIBUNAL

#### Part 1: General Provisions

#### 1. Application

1.1 This Schedule applies to any proceeding before the Judicial Committee or Appeals Tribunal under the:

- (a) Greyhound Racing New Zealand Rules of Racing (**GRNZ Rules**);
- (b) Harness Racing New Zealand Incorporated Rules of Harness Racing (**HRNZ Rules**);
- (c) New Zealand Thoroughbred Racing Incorporated Rules of Racing (**NZTR Rules**).

1.2 Unless provided otherwise, any reference in this Schedule to a particular rule is a reference to that rule in this Schedule.

#### 2. Structure of this schedule

2.1 This Schedule has four parts:

- (a) **Part 1:** General provisions;
- (b) **Part 2:** Judicial Committee;
- (c) **Part 3:** Appeals Tribunal; and
- (d) **Part 4:** Miscellaneous.

#### 3. Objective

3.1 The objective of the Rules, as they apply to any proceeding before the Judicial Committee or Appeals Tribunal, is to promote the just, fair, speedy, and inexpensive determination of the proceeding.

3.2 Dealing with a proceeding justly and fairly includes:

- (a) Dealing with the proceeding in ways proportionate to the complexity of the issues;
- (b) Seeking informality and flexibility in proceedings;
- (c) Using the Judicial Committee's and Appeals Tribunal's specialist expertise effectively; and
- (d) Avoiding delay as far as compatible with the proper consideration of the issues.

3.3 Where in any proceeding, any matter is required to be proved by an informant or defendant, the standard of proof shall be the balance of probabilities.

**4. Power to regulate procedure**

4.1 Subject to the Rules, the Judicial Committee and Appeals Tribunal may regulate their procedure and conduct any hearing in any manner they consider fit.

4.2 Where any matter is not otherwise provided for in the Rules, the Judicial Committee and Appeals Tribunal shall have the jurisdiction to make such orders or give such directions as they consider to be consistent with the objective set out at rule 3.1 of this schedule.

**5. Natural justice**

5.1 The Judicial Committee and Appeals Tribunal must exercise and perform their duties, powers, and functions in a manner consistent with the rules of natural justice.

**Part 2: Judicial Committee**

**General**

**6. Registry**

6.1 The Registrar of the Judicial Committee means:

(a) the person or persons appointed by the Judicial Control Authority to be the Registrar of the Judicial Committee, not being a race day Judicial Committee;

(b) the person appointed by the Secretary or Chief Executive Officer of the club conducting a Race Meeting as the race day Judicial Committee Registrar;

and in either case must not be a member of the Judicial Committee.

6.2 Subject to rule 11.1(a) of this schedule, documents to be filed with the Judicial Committee shall be sent to the Registrar of the Judicial Committee at the following address:

Judicial Committee Registrar  
P O Box 25217  
Wellington 6146  
Fax: 04 499 1095  
Email: [exec.officer@jca.co.nz](mailto:exec.officer@jca.co.nz)

**7. Jurisdiction of judicial committee**

7.1 The Judicial Committee shall have jurisdiction to inquire into, hear and determine all proceedings commenced pursuant to the Rules which are not expressly stated to be within the jurisdiction of any other person or body.

7.2 The Judicial Committee shall determine a dispute between the parties as to whether it has jurisdiction to hear a matter in such manner as it thinks fit.

**8. Duties of judicial committee members**

8.1 When exercising powers or performing duties under the Rules, a Judicial Committee member must act:

- (a) in good faith;
- (b) with reasonable care, diligence, and skill; and
- (c) with honesty and integrity.

**9. Appointment of chairperson of judicial committee**

**9.1** The Chairperson of the Judicial Control Authority shall appoint one of the members of a Judicial Committee to act as the Chairperson of that Judicial Committee.

**9.2** In any case where the appointed Chairperson of the Judicial Committee is unable to act in relation to a particular matter, the Judicial Committee may appoint another of its members to act as Chairperson in relation to that matter.

**10. Quorum**

**10.1** Subject to rule 10.2 of this schedule, all appointed members of a Judicial Committee shall, if practicable, determine any matter, information or proceeding submitted for the determination of that Committee.

**10.2** One member shall constitute a quorum of the Judicial Committee.

**Commencement and management of proceedings**

**11. Commencement of proceedings**

**11.1** Unless provided otherwise in the Rules, all proceedings shall be commenced by filing an information either:

- (a) with the Registrar of the Judicial Committee appointed for a Race Meeting in accordance with rule 6.1(b) of this schedule where the information is filed during a Race Meeting; or
- (b) with the Registry of the Judicial Control Authority in accordance with rule 6.2 of this schedule where the information is filed other than during a Race Meeting.

**12. Timing of determination of informations**

**12.1** All informations filed during any day of a Race Meeting shall be determined by the Judicial Committee appointed to officiate on that day by the Judicial Control Authority, except where the hearing of the information is adjourned.

**12.2** Where the hearing is adjourned in accordance with rule 12.1 of this schedule, the hearing and the determination shall be by either that Judicial Committee or such other Judicial Committee as appointed by the Judicial Control Authority.

**12.3** All informations filed other than on a Race Day shall be determined by a Judicial Committee appointed by the Judicial Control Authority.

**13. Notice of hearing**

**13.1** Subject to rule 13.2 of this schedule, the person or persons named in the information as a defendant shall be served with a copy of the information and shall be advised by the Registrar of the date, time, and place of hearing.

**13.2** Where the hearing of an information is to take place during a Race Meeting, and the decision of the Judicial Committee may affect the placings of a horse or greyhound, and where in respect of any proceedings the defendant is not present, the defendant shall be deemed to have been served when service of the information and advice of the date, time and place of hearing is effected upon the person in apparent control of a horse or greyhound named in the information.

**14. Adding parties**

**14.1** A person who has an interest in the subject matter of the proceeding may be added to the proceeding at the discretion of the Chairperson of the Judicial Committee either as a party or in some other capacity.

**15. Preliminary matters and pre-hearing conferences**

**15.1** The Chairperson of a Judicial Committee may hear and determine any preliminary matters.

**15.2** The Chairperson of a Judicial Committee may hold a pre-hearing conference or conferences prior to the substantive hearing of any proceeding.

**15.3** Matters which may be considered at a pre-hearing conference include:

- (a)** Adding parties;
- (b)** Identification of issues;
- (c)** Disclosure;
- (d)** Timetabling for any steps required in the proceeding;
- (e)** Special needs at the hearing;
- (f)** Time required for the hearing;
- (g)** Venue; and
- (h)** Any other matters raised by the parties or of the Judicial Committee's own motion.

**15.4** A pre-hearing conference may be held by telephone or any other mode.

**15.5** The Chairperson hearing and determining any matters under this rule need not be the same Chairperson who hears and determines the proceedings.

**15.6** The Chairperson may direct the parties to file memoranda at any time prior to the pre-hearing conference as the Chairperson thinks fit.

**Evidence**

**16. Summoning of witnesses**

**16.1** The Judicial Committee, of its own motion or on the application of a party to any proceedings before it, shall have the power to require (including by way of summons signed by the Chairperson or other member thereof) any person to appear before it, to answer any question put to that person, and to produce to it any papers, documents, records or things referred to in such summons.

**16.2** A person who is summonsed to attend to give evidence before a Judicial Committee or to produce to the Judicial Committee any papers, documents, records or things:

- (a)** shall attend in accordance with the summons;
- (b)** shall not refuse to be sworn or to give evidence or refuse to answer any question that the person is lawfully required by the Judicial Committee or any member of it to answer concerning the proceeding; and
- (c)** shall produce any such paper, document, record or thing.

**16.3** A breach of this rule without sufficient cause is deemed to be a Serious Racing Offence.

## **17. Evidence**

**17.1** The Judicial Committee may receive as evidence any statement, document, information, or matters that may, in its opinion, assist it to deal justly, speedily, and inexpensively with the matters before it, whether or not that statement, document, information, or matter would be admissible in a court of law.

**17.2** The Judicial Committee may receive evidence on oath, and, for that purpose, any member of the Judicial Committee may administer an oath.

**17.3** The Judicial Committee may permit a person appearing as a witness before it to give evidence by tendering his or her written witness statement and verifying that statement by oath.

**17.4** The Judicial Committee may receive evidence given by audio-visual communication or by any other means of communication if it thinks fit.

## **18. Evidence of persons about to leave New Zealand or otherwise unavailable**

**18.1** Upon application by a party or of its own motion, the Chairperson of the Judicial Committee may make an order for the taking of the evidence of any person, if the Chairperson is satisfied that the person intends to depart from New Zealand before the hearing, or may otherwise be unavailable to give evidence at the hearing, and that it is desirable or expedient that such evidence should be so taken.

**18.2** The evidence shall be taken before the Judicial Committee and recorded in such manner as directed by that member.

**18.3** Evidence taken in accordance with this rule may be tendered at the hearing as if it were given in the course thereof.

**18.4** Nothing in rules 18.1 to 18.3 of this schedule limits the power of the Judicial Committee to receive any evidence it thinks fit in accordance with rule 17.1 of this schedule.

## **19. Independent experts and counsel**

**19.1** The Chairperson of the Judicial Committee may, in any proceeding, either on his or her own motion or on the application of any party, appoint a person who is independent of the parties with expertise in the subject matter of the dispute to:

- (a)** give evidence in the proceeding;

- (b) assist and advise the Judicial Committee.
- 19.2** An appointed independent expert shall be entitled to be present at the hearing and have such powers and duties as are specified in the order of appointment.
- 19.3** An appointed independent expert shall not be present during any deliberation of the Judicial Committee.
- 19.4** The Chairperson of the Judicial Committee may appoint counsel to assist it in any proceeding.
- 19.5** Appointed counsel may be present at the hearing and at other times advise the Judicial Committee on matters of law, procedure, or evidence in that proceeding or matter at any time.
- 19.6** Appointed counsel shall not be present during any deliberations of the Judicial Committee.
- 19.7** The Judicial Committee shall be responsible for any fees and expenses incurred by a person appointed under this rule unless it otherwise directs.

#### **The hearing and decisions**

#### **20. Hearing may be in private**

- 20.1** All hearings are open to the public unless an order is made under rule 20.2 of this schedule.
- 20.2** Upon application by a party or of its own motion, the Judicial Committee may order that a hearing, or any part of a hearing, be held in private.

#### **21. Determination on the papers**

- 21.1** Where the Judicial Committee deems it appropriate, any matter or proceeding may be determined solely on the basis of the documents and evidence filed by the parties, without the need for an oral hearing.

#### **22. Right to attend hearing**

- 22.1** The informant and defendant shall be entitled to be present at the hearing of any proceeding unless:

  - (a) rule 21.1 of this schedule applies;
  - (b) such person so unreasonably interrupts the hearing as to render its continuance in that person's presence impractical;
  - (c) that person absents himself without the leave of the Judicial Committee;  
or
  - (d) the Judicial Committee believes there is good reason to continue to proceed in that person's absence.
- 22.2** In any of the cases referred to in rule 22.1 of this schedule the Judicial Committee may proceed in the absence of the person.



**22.3** The Judicial Committee may permit the informant and defendant to be absent from the hearing during the whole or any part of the hearing on such terms as it thinks fit.

**23. Representation**

**23.1** Subject to rules 23.2 and 23.3 of this schedule, a person shall not be represented by counsel or a lay advocate at any hearing held by a Judicial Committee in respect of a matter which arises on a race day and which is held on that day.

**23.2** In the case of any proceeding under the NZTR Rules, when an information has been filed against a Rider holding a Class B rider's licence or a minor, or a horse ridden by a Rider holding a Class B rider's licence or a minor, then such Rider or minor is entitled to have his employer, parent or guardian or such other person as the Judicial Committee may nominate, present for the purpose of assisting and safeguarding his interests.

**23.3** In the case of any proceeding under the HRNZ Rules, when an information has been filed against a Junior Horseman as defined in the HRNZ Regulations or a minor, or a horse driven by a Junior Horseman or a minor, then such Driver or minor is entitled to have his employer, parent or guardian or such other person as the Judicial Committee may nominate, present for the purpose of assisting and safeguarding his interests.

**23.4** If a Judicial Committee is conducting a hearing at a Racecourse in the course of a race day and a defendant is unavoidably absent from the Racecourse, such person as is permitted by the Judicial Committee to appear as his duly authorised representative, together with the informant, shall have the right to be present while the whole of the evidence is being given.

**23.5** At a hearing conducted by a Judicial Committee which is held other than on the race day on which the matter arose, each person against whom and/or against whose horse or greyhound an information has been filed, shall be entitled to have representation by counsel, or a lay advocate approved by the Judicial Committee.

**24. No appearance at hearing**

**24.1** If, at the hearing of an information, the defendant does not appear and the Judicial Committee is satisfied the information has been served and the defendant is aware of the date of hearing, the hearing may proceed in the absence of the defendant.

**24.2** Where rule 24.1 of this schedule applies:

(a) evidence of a fact or opinion which could have been given orally may be given by way of affidavit; and

(b) the Judicial Committee shall have the same power to deal with the defendant as if the defendant had appeared before it.

**24.3** A defendant who does not appear at the hearing of the information may admit the breach of the Rules alleged in that information by giving written notice to the Judicial Committee that the defendant does so and the Judicial Committee shall have the same power to deal with the defendant as if the defendant had appeared before it and admitted that breach.

**24.4** A defendant who fails to appear at the hearing without sufficient cause or without giving notice in accordance with rule 24.3 of this schedule commits an offence as a breach of the Rules.

**24.5** Where on the hearing of an information only the defendant appears or neither the informant nor the defendant appear, the Judicial Committee may dismiss the information for want of prosecution or, subject to rules 26.2 to 26.4 of this schedule, adjourn the hearing to such time and place and on such conditions as it thinks fit.

**25. Appearance at hearing**

**25.1** Where at the hearing of an information both the informant and the defendant appear:

- (a)** the Judicial Committee shall conduct the hearing as it thinks fit;
- (b)** the hearing may be recorded and evidence given may at the direction of the Judicial Committee be committed to writing;
- (c)** if a defendant admits a breach of the Rules, the Judicial Committee shall find the breach proved; and
- (d)** evidence of a fact or opinion which may be given orally may also be given by way of an affidavit or in such other manner as the Judicial Committee permits.

**26. Adjournments**

**26.1** A hearing may be adjourned to such time and place, and upon such conditions, as the Judicial Committee thinks fit.

**26.2** If the hearing commences during any day of a Race Meeting and the Judicial Committee's determination may affect the declaration of the Official Result of Placings on that day the hearing shall be concluded on that day and shall not be adjourned to any later date.

**26.3** Rule 26.2 of this schedule does not apply where the proceeding involves consideration of a breach of the following rules:

- (a)** NZTR Rules: 801 (1)(c), (d), (n), (q), (s), or 804 (1) and (2);
- (b)** HRNZ Rules: 1001(c), (d), (q), (r), (v), (zh), or 1004(1) and (2).

**26.4** In the cases referred to in rule 26.3 of this schedule, the Judicial Committee shall give authority for payment of the dividend as it considers appropriate. A decision of the Judicial Committee pursuant to this sub-Rule is final.

**27. Amendments to informations**

**27.1** In any case where an information alleging a breach of the Rules has been filed and the defendant has appeared to answer the information the informant may, at any time before the Judicial Committee has given its decision in respect of the information, request the Judicial Committee to permit an amendment of the information and the Judicial Committee may permit the information to be amended accordingly.

- 27.2** In any case where an information has been filed alleging that a person or horse or greyhound has committed a breach of the Rules the Judicial Committee may, of its own motion, amend the information in such respect or respects as it thinks fit at any time before it gives its decision in respect of the information.
- 27.3** Without limiting the generality of the powers conferred by rules 27.1 and 27.2 of this schedule, an information may be amended by substituting one alleged breach of the Rules for another or others.
- 27.4** If an information is amended:
- (a)** the defendant against whom the information has been filed shall be asked whether the information is admitted as amended;
  - (b)** the hearing shall thereafter proceed as if the information had been filed as amended; and
  - (c)** the Judicial Committee shall have the power to accept the evidence already given as applying to the amended information.
- 27.5** Notwithstanding rule 27.4(c) of this schedule, the defendant may request the Judicial Committee to recall any witness who has already given evidence to enable that witness to be cross-examined, or further examined or re-examined, in view of the amended information.
- 27.6** Subject to rules 26.2 to 26.4 of this schedule, the Judicial Committee may, if it considers that the defendant would be disadvantaged by reason of any amendment to the information, adjourn the hearing of the information.
- 28. Withdrawal of informations**
- 28.1** Any information or any breach of the Rules alleged therein may, by leave of the Judicial Committee, be withdrawn by the informant before determination of the information by the Judicial Committee.
- 28.2** The withdrawal of an information or the dismissal of an information for want of prosecution shall not operate as a bar to any other proceedings in the same matter.
- 29. Costs**
- 29.1** On the determination of an information or its dismissal or its withdrawal, the Judicial Committee may order that all or any of the costs and expenses of:
- (a)** any party to the hearing;
  - (b)** any person granted permission to be heard at the hearing by direction of the Chairperson of the Judicial Committee;
  - (c)** NZTR or HRNZ or GRNZ (as the case may be) and/or any employee of officer thereof;
  - (d)** the Judicial Control Authority and the Judicial Committee;
- be paid by such person or body as it thinks fit.
- 29.2** If a costs order made under rule 29.1 of this schedule is unpaid within 28 days after and exclusive of the date on which that amount was ordered to be paid, it shall be

deemed to be Arrears and may be placed in the Arrears List, Unpaid Forfeit List, or Defaulters List as the case may be.

### **30. Decisions**

**30.1** Decisions of the Judicial Committee shall:

- (a)** be committed to writing;
- (b)** state the specific Rule under which any person or horse or greyhound is penalised;
- (c)** be notified to the parties, NZTR, HRNZ, or GRNZ as the case may be, and the Chief Executive of the Judicial Control Authority;
- (d)** be published by the Judicial Control Authority on its website, unless the Chairperson of the Judicial Committee otherwise directs.

**30.2** Nothing in rule 30.1 of this schedule prevents the Judicial Committee from delivering an oral decision, with reasons to be given in writing at a later date.

**30.3** Except where rule 26.2 of this schedule applies, the Judicial Committee may, if it thinks fit, reserve its decision and in that case may give it at any adjourned or subsequent sitting of the Judicial Committee or may draw up its decision in writing and have it notified in accordance with rule 30.1 of this schedule.

## **Part 3: Appeals Tribunal**

### **General**

#### **31. Registry**

**31.1** The Registrar of the Appeals Tribunal means the person or persons appointed by the Judicial Control Authority to be the Registrar of the Appeals Tribunal.

**31.2** Documents to be filed with the Appeals Tribunal shall be sent to the Registrar of the Appeals Tribunal at the following address:

Appeals Registrar  
P O Box 25217  
Wellington 6146  
Fax: 04 499 1095  
Email: [exec.officer@jca.co.nz](mailto:exec.officer@jca.co.nz)

#### **32. Jurisdiction and authority**

**32.1** The Appeals Tribunal shall have the same jurisdiction and authority as the Judicial Committee or other persons or body appealed from and any additional jurisdiction and authority prescribed by the Rules.

**32.2** The Appeals Tribunal shall determine any dispute between the parties as to whether it has jurisdiction to hear and determine a matter in such manner as it thinks fit.

#### **33. Duties of appeals tribunal members**

**33.1** When exercising powers or performing duties under the Rules, an Appeals Tribunal member must act:

- (a) in good faith;
- (b) with reasonable care, diligence, and skill; and
- (c) with honesty and integrity.

**34. Appointment chairperson of appeals tribunal**

**34.1** The Chairperson of the Judicial Control Authority shall appoint one of the members of an Appeals Tribunal to act as the Chairperson of that Appeals Tribunal.

**34.2** In any case where the appointed Chairperson of an Appeals Tribunal is unable to act in relation to a particular matter, the Appeals Tribunal may appoint another of its members to act as Chairperson in relation to that matter.

**35. Quorum**

**35.1** Subject to rule 35.2 of this schedule, all appointed members of an Appeals Tribunal shall, if practicable, determine any appeal or matter submitted for the determination of that Tribunal.

**35.2** Any two members shall constitute a quorum of an Appeals Tribunal.

**Commencement and management of appeals**

**36. Notice of appeal**

**36.1** Appeals are commenced by notice of appeal.

**36.2** The notice of appeal shall be signed by the appellant or his agent.

**36.3** The notice of appeal must include:

- (a) The name and address of the appellant;
- (b) The grounds on which the appellant intends to rely; and
- (c) The name and address of the appellant's representative, if any, and whether the Appeals Tribunal should send notices concerning the appeal to the representative instead of to the appellant.

**36.4** The notice of appeal must be accompanied by a copy of the decision against which the appeal is made.

**36.5** Any person or body who wishes to appeal against a decision of a Judicial Committee in respect of any matter which arose on the day of the relevant Race Meeting (whether or not it was finally concluded on that day) must, not later than 48 hours after the written decision of the Judicial Committee is delivered, file with the Registrar of the Appeals Tribunal a notice of appeal and a filing fee. The notice and filing fee must both reach the Appeals Tribunal by that time.

**36.6** Any person or body who wishes to appeal against any other decision in respect of which an appeal may be brought under the Rules and/or Constitution must, by 4.00pm on the fourteenth day after and exclusive of the day on which the decision is given, file with the Registrar of the Appeals Tribunal a notice of appeal and a filing fee. The notice and filing fee must both reach the Appeals Tribunal by that time.

**36.7** Where the Judicial Committee delivers an oral decision, with written reasons to be given later, the time period for filing an appeal under rules 36.5 and 36.6 of this schedule commences when the oral decision is delivered.

**36.8** Notwithstanding rules 36.5 and 36.6 of this schedule, the Appeals Tribunal may exercise its discretion and allow an appeal to proceed out of time if it is in the interests of justice to do so.

**36.9** If it is likely that a notice of appeal will be delivered to the office of the Appeals Tribunal after the expiry of the time limit, the appellant shall include with the notice of appeal a statement of reasons for the delay.

**36.10** Except by special leave of the Appeals Tribunal on such terms and conditions as it thinks fit, an appellant shall not argue or be permitted to argue any ground of appeal not set out in the notice of appeal.

### **37. Transmission of notice of appeal to judicial committee**

**37.1** Where an appeal is against a decision of the Judicial Committee, the Appeals Tribunal shall as soon as practicable send a copy of the notice of appeal to every respondent, NZTR, HRNZ, or GRNZ, as the case may be, the Judicial Committee and any other person to whom the Chairperson of the Appeals Tribunal directs a copy to be sent.

**37.2** The Judicial Committee shall send to the Appeals Tribunal, where available:

- (a)** the information;
- (b)** any articles, documents, films or other items which were produced to the Judicial Committee at the hearing;
- (c)** a copy or transcript of the decision of the Judicial Committee; and
- (d)** any other documents, exhibits or items relating to the hearing which remain in its custody.

### **38. Setting down appeal for hearing**

**38.1** After the Appeals Tribunal has received the documents referred to in Rule 37.2 of this schedule, the Chairperson of the Appeals Tribunal shall determine a date and place for the hearing of the appeal.

**38.2** The Registrar of the Appeals Tribunal shall thereafter notify the parties to the appeal, and any other person who or body which was sent a copy of the notice of appeal, of the date, time and place appointed for the hearing.

**38.3** The Registrar of the Appeals Tribunal shall also give notice of the date, time and place fixed for the hearing of the appeal to such other bodies and/or persons as the Chairperson of the Appeals Tribunal directs.

### **39. Adding parties**

**39.1** A person who has an interest in the subject matter of the appeal may be added to the appeal at the discretion of the Chairperson of the Appeals Tribunal either as a party or in some other capacity.

**40. Preliminary matters and pre-hearing conferences**

- 40.1** The Chairperson of the Appeals Tribunal may hear and determine any preliminary matters.
- 40.2** The Chairperson of the Appeals Tribunal may hold a pre-hearing conference or conferences prior to the substantive hearing of any proceeding.
- 40.3** Matters which may be considered at a pre-hearing conference include:
- (a)** Adding parties;
  - (b)** Identification of issues;
  - (c)** Timetabling for any steps required in the proceeding;
  - (d)** Special needs at the hearing;
  - (e)** Time required for the hearing;
  - (f)** Venue; and
  - (g)** Any other matters raised by the parties or of the Appeals Tribunal's own motion.
- 40.4** A pre-hearing conference may be held by telephone or any other mode.
- 40.5** The Chairperson hearing and determining any matters under this rule need not be the same Chairperson who hears and determines the appeal.
- 40.6** The Chairperson may direct the parties to file memoranda at any time prior to the pre-hearing conference as he thinks fit.

**Evidence**

**41. Summoning of witnesses**

- 41.1** The Appeals Tribunal, of its own motion or on the application of any party to any appeal, shall have the power to require (by way of summons signed by the Chairperson or other member thereof) any person to appear before it to answer any question put to that person and to produce to it any papers, documents, records or things referred to in such summons.
- 41.2** A person who after being summonsed to attend to give evidence before an Appeals Tribunal or to produce to the Appeals Tribunal any papers, documents, records or things:
- (a)** shall attend in accordance with the summons;
  - (b)** shall not refuse to be sworn or to give evidence or refuse to answer any questions that the person is lawfully required by the Appeals Tribunal or any member of it to answer concerning the proceeding; and
  - (c)** shall produce any such paper, document, record or thing.
- 41.3** A breach of this Rule without sufficient cause is deemed to be a Serious Racing Offence.

**42. Evidence**

- 42.1** The Appeals Tribunal will reach its determination based on the evidence adduced at the hearing conducted by the persons or body whose decision is appealed against unless an order is made under rule 42.2 of this schedule.
- 42.2** The Appeals Tribunal may make an order to receive such further evidence, if any, as it thinks fit.
- 42.3** The Appeals Tribunal may receive as evidence any statement, document, information, or matters that may, in its opinion, assist it to deal justly, speedily, and inexpensively with the matters before it, whether or not that statement, document, information, or matter would be admissible in a court of law.
- 42.4** The Appeals Tribunal may receive evidence on oath, and, for that purpose, any member of the Appeals Tribunal may administer an oath.
- 42.5** The Appeals Tribunal may permit a person appearing as a witness before it to give evidence by tendering his or her written witness statement and verifying that statement by oath.
- 42.6** The Appeals Tribunal may receive evidence given by audio-visual communication, or by any other means of communication as it thinks fit.

**43. Evidence of persons about to leave New Zealand or otherwise unavailable**

- 43.1** Upon application by a party or of its own motion, the Chairperson of the Appeals Tribunal may make an order for the taking of the evidence of any person if the Chairperson of the Appeals Tribunal is satisfied that the person intends to depart from New Zealand before the hearing, or may otherwise be unavailable to give evidence at the hearing, and that it is desirable or expedient that such evidence should be so taken.
- 43.2** The evidence shall be taken before the Appeals Tribunal and recorded in such manner as directed by the Appeals Tribunal.
- 43.3** Evidence taken in accordance with this rule may be tendered at the hearing as if it were given in the course thereof.
- 43.4** Nothing in rules 43.1 to 43.3 of this schedule limits the power of the Appeals Tribunal to receive any evidence it thinks fit in accordance with rule 42.3 of this schedule.

**44. Independent experts and counsel**

- 44.1** The Chairperson of the Appeals Tribunal may, in any proceeding, either on his or her own motion or on the application of any party, appoint a person who is independent of the parties with expertise in the subject matter of the dispute to:
- (a)** give evidence in the proceeding;
  - (b)** assist and advise the Appeals Tribunal.
- 44.2** An appointed independent expert shall be entitled to be present at the hearing and have such powers and duties as are specified in the order of appointment.



- 44.3** An independent expert shall not be present during any deliberation of the Appeals Tribunal.
- 44.4** The Chairperson of the Appeals Tribunal may appoint counsel to assist it in any proceeding.
- 44.5** Appointed counsel may be present at the hearing and at other times may advise the Appeals Tribunal on matters of law, procedure or evidence in that proceeding or matter at any time.
- 44.6** Appointed counsel shall not be present during any deliberations of the Appeals Tribunal.
- 44.7** The Tribunal shall be responsible for any fees and expenses incurred by a person appointed under this rule unless it otherwise directs.

### **The hearing and decisions**

#### **45. Appeal is by way of rehearing**

- 45.1** All appeals shall, except when and to the extent that the Appeals Tribunal otherwise directs, be by way of rehearing.

#### **46. Hearing may be in private**

- 46.1** All hearings are open to the public unless an order is made under rule 46.2 of this schedule.
- 46.2** Upon application by a party or of its own motion, the Appeals Tribunal may order that a hearing, or any part of a hearing, be held in private.

#### **47. Determination on the papers**

- 47.1** By consent of the parties or as otherwise deemed appropriate by the Appeals Tribunal, any matter or proceeding may be determined solely on the basis of the documents and evidence filed by the parties, without the need for an oral hearing.

#### **48. Right to attend hearing**

- 48.1** Any party shall be entitled to be present at the appeal hearing unless:
- (a)** Rule 47 of this schedule applies;
  - (b)** that person so unreasonably interrupts the hearing as to render its continuance in that person's presence impractical;
  - (c)** that person absents him or herself without the leave of the Appeals Tribunal; or
  - (d)** the Appeals Tribunal believes there is good reason to continue to proceed in that person's absence.
- 48.2** In any of the cases referred to in rule 48.1 of this schedule, the Appeals Tribunal may proceed in the absence of the person.
- 48.3** The Appeals Tribunal may permit the informant and defendant to be out of the hearing during the whole or any part of the hearing on such terms as it thinks fit.

**49. Representation**

**49.1** At the hearing of the appeal each party and any other person or body permitted by the Chairperson of the Appeals Tribunal to be heard at the hearing shall be entitled to have representation by counsel, or a lay advocate approved by the Appeals Tribunal.

**50. No appearance at hearing**

**50.1** If the appellant fails to appear at the time fixed for hearing of the appeal, and the Appeals Tribunal is satisfied the appellant is aware of the date of hearing, the Appeals Tribunal may:

- (a) dismiss the appeal;
- (b) proceed with the hearing;
- (c) adjourn the hearing to such time and place and on such conditions (if any) as it thinks fit.

**51. Adjournment of hearing**

**51.1** The Appeals Tribunal may adjourn the hearing from time to time on such terms and conditions as it thinks fit.

**52. Withdrawal of appeal**

**52.1** An appellant may withdraw the appeal with leave of the Appeals Tribunal and on such terms as the Appeals Tribunal sees fit to impose.

**53. Costs on appeal**

**53.1** On the determination or withdrawal of an appeal, the Appeals Tribunal may order that all or any of the costs and expenses of:

- (a) any party to the appeal;
- (b) any person granted permission to be heard at the appeal hearing by direction of the Chairperson of the Appeals Tribunal;
- (c) NZTR or HRNZ or GRNZ, as the case may be, and/or of any employee of officer thereof;
- (d) the Judicial Control Authority and the Appeals Tribunal;

be paid by such person or body as it thinks fit.

**53.2** If a costs order made under rule 53.1 of this schedule is unpaid within 28 days after and exclusive of the date on which that amount was ordered to be paid, it shall be deemed to be Arrears and may be placed in the Arrears List, Unpaid Forfeit List, or Defaulters List as the case may be.

**54. Decisions**

**54.1** The decision of the Appeals Tribunal shall be in accordance with the decision of the majority of the members hearing the proceeding.

- 54.2** If the members hearing the proceeding are equally divided in their decision, the decision appealed from is taken to be affirmed.
- 54.3** All decisions of the Appeal Tribunal shall:
- (a)** be committed to writing;
  - (b)** state the specific Rule under which any person or horse or greyhound is penalised;
  - (c)** be notified to the parties to the appeal, NZTR or HRNZ or GRNZ as the case may be, and the Chief Executive of the Judicial Control Authority;
  - (d)** be published by the Judicial Control Authority on its website, unless the Appeals Tribunal otherwise directs.
- 54.4** The following notification shall be made of a decision by the Appeals Tribunal:
- (a)** By NZTR in the case of a decision under the NZTR Rules: in the Thoroughbred Racing Monthly;
  - (b)** By HRNZ in the case of a decision under the HRNZ Rules: the Chief Executive shall notify the decision in the Official Calendar; and
  - (c)** By GRNZ in the case of a decision under the GRNZ Rules: the official Greyhound publication.
- 54.5** Nothing in rule 54.3 of this schedule prevents the Appeals Tribunal from delivering an oral decision, with reasons to be given in writing at a later date.
- 54.6** The Appeals Tribunal may, if it thinks fit, reserve its decision and in that case may give it at any adjourned or subsequent sitting of the Appeals Tribunal or may draw up its decision in writing and have it notified in accordance with rule 54.3.

## **Miscellaneous**

### **55. Applicable law**

- 55.1** The Judicial Committee and Appeals Tribunal shall hear and determine all proceedings according to the laws of New Zealand.

### **56. Disqualification**

A member of the Judicial Committee or Appeals Tribunal shall not sit as a member thereof in the determination of any matter, information or proceeding in which the member is in any manner interested.

### **57. Correction of accidental slip or omission**

- 57.1** If any decision of the Judicial Committee or Appeals Tribunal contains a clerical mistake or an error arising from any accidental slip or omission, the decision may be corrected by the Judicial Committee or Appeals Tribunal as the case may be.
- 57.2** The correction may be made by the Judicial Committee or Appeals Tribunal, as the case may be, on its own motion or as a result of an application made for that purpose.

**58. Filing fees**

**58.1** Where not otherwise provided for in the Rules, the Judicial Control Authority may set filing fees for any proceeding, including waiver of filing fees for any class of person.

**59. Forms**

**59.1** Where not otherwise provided for in the Rules, the Judicial Control Authority may prescribe or approve forms for any purpose in any proceeding.

**60. Time rules**

**60.1** Where these Rules fix a day within a time period for doing any act or taking any step in a proceeding, unless otherwise provided such act or step shall be taken by 5.00pm (New Zealand time) on that day, unless directed otherwise by the Judicial Committee or Appeals Tribunal, as the case may be.

**60.2** The Judicial Committee or Appeals Tribunal in its discretion may extend or, in urgent situations, abridge, the time period for doing any act or taking any proceeding or any step in the proceeding on such terms (if any) as it thinks just.

**60.3** This discretion may be exercised even if the application for an extension is made after the expiration of the time appointed or fixed.

**60.4** The power to extend or abridge time limits shall not be exercised in a manner inconsistent with the Rules.

**61. Service of documents**

**61.1** Any information or other document which is required to be served on a person may be served in any of the following ways:

- (a)** by being delivered to the person personally or being brought to the person's notice if the person refuses to accept it;
- (b)** by being left for the person at the person's place of residence with a person appearing to reside there and appearing to be of or over the age of 14 years;
- (c)** by being sent to the person by letter addressed to the person's last known or usual place of residence or at the person's place of business;
- (d)** by being left at a document exchange;
- (e)** by being sent to the person by facsimile at the person's known facsimile number or the facsimile number at the person's place of business;
- (f)** by being sent to the person by email at the person's known email address;
- (g)** by being served on the person's training partner by any of the above methods, if the person is part of a Training Partnership; or
- (h)** by compliance with rule 13.2.

- 61.2** Unless the contrary is proved, service shall be deemed to have been effected on a person:
- (a)** in the case of personal delivery to the person or a person of the type set out in Rules 61.1(a), 61.1(b), or 61.1(g) of this schedule, when received by that person;
  - (b)** where rule 61.1(c) of this schedule applies, the earlier of the third working day after the day on which it was posted to the addressee's last known address in New Zealand or the day on which it was received;
  - (c)** where rule 61.1(d) of this schedule applies, the earlier of the second working day after the day on which it was left or the day on which it was received;
  - (d)** where rule 61.1(e) of this schedule applies, when sent to the addressee's facsimile number; and
  - (e)** where rule 61.1(f) of this schedule applies, the document must
    - (i)** be treated as dispatched at the time the electronic communication first enters an information system outside the control of its originator; and
    - (ii)** be treated as received, —
      - (A)** in the case of a party who has designated an information system for the purpose of receiving electronic communications, at the time the electronic communication enters that information system; or
      - (B)** in any other case, at the time the electronic communication comes to the attention of the party or person being served, or the solicitor or other agent of that party or person.
    - (iii)** When a document is transmitted electronically on a day that is not a working day, or after 5 pm on a working day, it must be treated as served on the first subsequent working day.
    - (iv)** When a document is served electronically under this Rule, the party or person served must, on receiving the document, immediately give to the person who served the document, or that person's solicitor or agent, an acknowledgement in writing or electronically—
      - (A)** that the document has been received; and
      - (B)** of the date and time of receipt.
    - (v)** In this Rule, **information system** means a system for producing, sending, receiving, storing, displaying, or otherwise processing electronic communications.

**62. Commencement**

This Schedule and the consequential amendments to the NZTR, HRNZ, and GRNZ Rules and Regulations come into force on 1 August 2018 and apply to all proceedings irrespective of when those proceedings commenced.