

## Proposed Amendments to the Rules – For Consultation

### Licensing Reforms

It is proposed that

1. Part 111 of the Rules be deleted and replaced with the new Part 111 below, and
2. Rule 325 (4) and Rule 333 (2) (a) and (b) combined to become Rule 525, and
3. Rule 340 moved to the Judicial Rules, and
4. Rules 330 (1) and 330 (6) to be moved to the Apprentice Policy/Rules, and
5. Rule 333 moved to become Rule 441

#### **PART III LICENSED PERSONS AND LICENSES**

##### **LICENCES**

- 301 (1) To promote and develop thoroughbred racing by ensuring high standards of conduct and competence in the thoroughbred racing workforce, NZTR may grant Licences.
- (2) The grant of a Licence is a privilege, not a right, and no person is entitled as of right at any time to the grant, retention, or renewal of a licence.
- (3) When considering an application or granting a Licence, NZTR may, at its discretion:
- (a) exempt an applicant from any requirement for that Licence; and/or
  - (b) impose such conditions as it sees fit in respect of that Licence.
- (4) Any person applying for a Licence must:
- (a) do so on the form prescribed in the Licensing Policy issued under Rule 303(a) and pay the fee set in the Licensing Policy; and
  - (b) provide such information, beyond that sought in the prescribed form, as NZTR requires.
- 302 (1) A Licence shall not be issued to any person:
- (a) who is or has been an illegal bookmaker or an illegal bookmaker's clerk or agent; and/or
  - (b) who is excluded from entering a Racecourse pursuant to Rules made under section 40 of the Racing Industry Act 2020; and/or
  - (c) who is undergoing a period of disqualification imposed under these Rules or by Another Racing Authority; and/or
  - (d) whose name appears in the Arrears List or a list of arrears for Another Racing Authority; and/or
  - (e) is warned off under these Rules.

- (2) Any Licence issued to a person who subsequently comes within any of the provisions of Rule 302(1)(a) to (e) is automatically cancelled and may not be reissued while any of Rules 302(1)(a) to (e) apply to that person.

**SUITABILITY, LICENSING, CONTINUING PROFESSIONAL DEVELOPMENT AND APPRENTICE POLICIES**

303 NZTR may, from time to time, publish:

- (a) a Suitability Policy, setting out the matters which NZTR must consider when assessing whether a person is suitable to be granted a licence; or
- (b) a Licensing Policy, setting out criteria or requirements which must be satisfied before a person can be granted a Licence; and in particular qualifications, training requirements and experience levels which must be met before a Licence can be granted; or
- (c) a Continuing Professional Development Policy, setting out the continuing professional development and performance requirements which must be met before a Licence can be renewed; or
- (d) an Apprenticeship Policy, setting out the requirements for entry into Apprentice training and the obligations on Apprentices, their employers, and those responsible for training Apprentices.

304 A Policy published under Rule 303 may include conditions that apply to Licences generally, and those conditions are deemed to have been imposed under these Rules.

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## **PUBLIC TRAINER LICENCE**

- 305 A Public Trainer Licence may only be granted to a person who meets the requirements for the issue of a Public Trainer Licence as set out in a Licensing Policy issued under Rule 303.
- 306 A Public Trainer may:
- (1) train, control and care for horses which are owned or leased by the Public Trainer or by a third party or parties;
  - (2) engage another Trainer to assist in the care, control or training of a horse;
  - (3) care for a horse at a Race Meeting which is trained by another Trainer with that Trainer's consent, if a Stipendiary Steward has been notified not less than 1 hour before the start of the Race Meeting;
  - (4) employ:
    - (a) Stablehands;
    - (b) Slow Work Riders;
    - (c) Fast Work Riders;
    - (d) Jockeys; and
    - (e) Apprentices (if authorised to do so under the NZTR Apprentice Policy issued under Rule 303).

## **OWNER TRAINER LICENCE**

- 307 An Owner Trainer Licence may only be granted to a person who meets the criteria for the issue of an Owner Trainer Licence as set out in a Licensing Policy issued under Rule 303.
- 308 An Owner Trainer may:
- (1) train, control and care for horses which are owned by the Owner Trainer, or in which the Owner Trainer has an Ownership interest of at least 60% with the balance being owned by one or more Near Relative(s);
  - (2) care for a horse at a Race Meeting which is trained by another Trainer with that Trainer's consent, if a Stipendiary Steward has been notified not less than 1 hour before the start of the Race Meeting;
  - (3) employ:
    - (a) Stablehands;
    - (b) Slow Work Riders; and
    - (c) Fast Work Riders.

## **PROVISIONS RELATING TO ALL TRAINERS**

### *Traceability and other information that must be provided to NZTR*

- 309 A Trainer must:
- (1) within 72 hours of taking possession of a horse to which these Rules apply, notify NZTR in the prescribed form (if any), and ensure that the horse is correctly identified;
  - (2) within 72 hours of surrendering possession of a horse to which the Rules apply, notify NZTR in the prescribed form (if any) and ensure that the horse is correctly identified;
  - (3) if registered under the Goods and Services Tax Act 1985:
    - (a) within three days of becoming registered, notify NZTR of their registration and their Goods and Services Tax Registration Number; and
    - (b) notify NZTR within three days if they cease to be registered.

*Trainer must not employ unlicensed person to care for horse*

- 310 A Trainer must not employ or permit to work or assist in any capacity in connection with the care, control or training of any horse, any person who does not hold a licence issued under these Rules which authorises them to train, control or care for a horse.

*Payment of trainer's percentages*

- 311 Subject to Rule 505A, NZTR, on behalf of a Club, shall pay to a Trainer a sum of money, being (as set out in Rule 503(2)) 10% of the gross stakes (exclusive of trophies, prizes and the value of any awards or rights) credited to a horse for a particular Race while trained by that Trainer, (less any amount which NZTR, on behalf of a Club, is legally obliged to deduct therefrom for tax), within 45 days after the conclusion of that Race Meeting except that where the sum of money or any part thereof is in doubt by reason of an inquiry held or pending, payment of the sum payable or such part thereof as is in doubt shall be withheld until the inquiry and any appeals have been concluded. For the purposes of this Rule an inquiry shall be deemed to be held or to be pending when any test in relation to a horse placed by the Judge in a stake-bearing place is made pursuant to any other authority in these Rules relating to the administration to a horse of any drug and in such event NZTR, on behalf of the Club, shall withhold payment of the sum in the same manner and for the same time as is provided by Rule 505A in respect of winnings.
- 312 In the event of a payment being made by NZTR, on behalf of a Club, to a Trainer who is not entitled to it such person shall immediately return the amount of that payment to NZTR, on behalf of the Club. Any failure to do so is a Serious Racing Offence.
- 313 NZTR, on behalf of, and in the name of, the Club, shall issue any tax invoice, credit note or debit note required under the Goods and Services Tax Act 1985 and a Trainer who is a person registered under the Goods and Services Tax Act 1985 shall not issue any such tax invoice, credit note or debit note in respect of any amount payable to him pursuant to Rule 311 of these Rules as a result of a stake credited. NZTR, on behalf of a Club, shall be deemed to agree that a Trainer shall not issue any such tax invoice, credit note, or debit note to it in respect of any such amount.
- 314 NZTR may deduct from any payment required to be made to a Trainer under Rule 310:
- (a) any penalty or fine imposed on the Trainer by a Judicial Committee; and
  - (b) any other amount payable by the Trainer under these Rules or to NZTR or a Club in connection with any of its activities or operations if, and to the extent, that any such amount is outstanding.

*NZTR may direct a Trainer not to train, Race or trial a horse*

- 315 NZTR may, on reasonable grounds, require a Trainer to cease to train, Race or trial any horse specified by NZTR and he shall not thereafter train, Race or trial that horse until he is advised by NZTR that he may again do so.

**JOCKEY'S LICENCE**

- 316 A Jockey's Licence may only be granted to a person who meets the requirements for the issue of a Jockey's Licence as set out in the Licensing Policy issued under Rule 303.
- 317 A Jockey may:
- (1) ride a horse in a Race, a Trial, or a jump-out;
  - (2) ride a horse at a training facility, Trainer's Premise, or racecourse.

**APPRENTICE JOCKEY'S LICENCE**

- 318 An Apprentice Licence may only be granted to a person who meets the criteria for the issue of an Apprentice Licence as set out in the Licensing Policy issued under Rule 303.
- 319 An Apprentice may:
- (1) ride a horse in a Race, a Trial or a jump-out;
  - (2) ride a registered horse at a training facility or Trainer's Premise or racecourse.

## **PROBATIONER LICENCE**

- 320 A Probationer Licence may only be granted to a person who meets the requirements for the issue of a Probationer Licence as set out in the Licensing Policy issued under Rule 303.
- 321 A Probationer may:
- (1) ride a horse at a training facility or Trainer's Premise;
  - (2) ride a horse in a Trial or jump-out while under observation for teaching and/or assessment purposes.

## **JUMPS RIDER LICENCE**

- 322 A Jumps Rider Licence may only be granted to a person who meets the requirements for the issue of a Jumps Licence as set out in the Licensing Policy issued under Rule 303.
- 323 A Jumps Rider may:
- (1) ride a horse in a Jumps Race or a Jumps Trial;
  - (2) ride a registered horse at a training facility or Trainer's Premise.

## **AMATEUR RIDER LICENCE**

- 324 An Amateur Rider Licence may only be granted to a person who meets the requirements for the issue of an Amateur Rider Licence as set out in the Licensing Policy issued under Rule 303.
- 325 An Amateur Rider may:
- (1) ride a horse in an Amateur Race or a jump-out;
  - (2) ride a horse at a training facility or Trainer's Premise.
- 326 An Amateur Rider must not ask for or receive any remuneration or reward (other than a trophy given under the conditions of the Race to a Rider of a horse for riding in any Race, and no person shall offer or give any such remuneration or reward to such an Amateur Rider.

## **PROVISIONS RELATING TO ALL RIDERS**

### *Payment of riding fees*

- 327 (1) The riding fees payable to Riders shall be as from time to time determined and published by NZTR, unless there is a special arrangement providing for larger remuneration.
- (2) Where a horse is disqualified from a Race by reason of the fault or misconduct of the Rider the applicable riding fee shall not be payable provided however that if the Judicial Committee is satisfied the disqualification is due to inexperience or inadvertence it may direct that the Rider be paid the applicable riding fee.
- (3) NZTR, on behalf of a Club, shall issue any tax invoice, credit note or debit note required under the Goods and Services Tax Act 1985 and a Rider who is a person registered under that Act shall not issue any such tax invoice, credit note or debit note in respect of riding fees earned by him at a meeting. NZTR, on behalf of a Club, shall be deemed to agree that a Rider shall not issue any such tax invoice, credit note or debit note to it in respect of any such riding fees.
- 328 (1) Subject to Rules 326(2) and 505A, NZTR (on behalf of a Club) shall pay to a Rider the riding fees earned by that Rider (other than an Apprentice Jockey) at a Race Meeting, and, if applicable, a sum of money equal to 5% or 10% (as applicable in accordance with Rule 503(2)) of the gross stakes (exclusive of trophies, prizes and the value of any awards or rights) credited to a horse for a particular Race where the Rider rode that horse in that Race, within 45 days after the conclusion of the Race Meeting except that where the amount of such fees or any part of them is in doubt by reason of an inquiry held or pending, payment of such amount of the fees as may be in doubt shall be withheld until the inquiry and any appeals have been concluded. For the purposes of this Rule an inquiry shall be deemed to be held or to be pending when any test in relation to a horse placed by the Judge in a stake bearing place is made pursuant to any authority in these Rules relating to the administration to a horse of any drug and in such event NZTR shall

withhold payment of fees in the same manner and for the same time as is provided by Rule 505A in respect of winnings.

- (2) Subject to Rules 326(2) and 505A, NZTR (on behalf of a Club) shall, subject to Part XIII of these Rules, dispose of the riding fees earned by each such Apprentice Jockey, and, if applicable, a sum of money equal to 5% or 10% (as applicable in accordance with Rule 503(2)) of the gross stakes (exclusive of trophies, prizes and the value of any awards or rights) credited to a horse for a particular Race where the Rider rode that horse in that Race, in the manner provided in the Agreement of Apprenticeship. Every such Agreement shall contain, and if it does not contain shall be conclusively presumed to contain, a provision to the effect that if the Apprentice is a person registered under the Goods and Services Tax Act 1985, NZTR shall pay to the Apprentice Jockey the amount of the Goods and Services Tax received by NZTR in respect of riding fees earned by the Apprentice and a further provision to the effect that if the employer of the Apprentice Jockey is a person so registered NZTR shall pay to such employer, out of the riding fees earned by the Apprentice Jockey, the employer's agreed share of such riding fees and the Goods and Services Tax applicable to such agreed share.
  - (3) An employer and every Apprentice Jockey who accepts payment of such fees otherwise than through NZTR, shall forward the full amount of such payment to NZTR within seven days after receipt thereof by the employer or Apprentice Jockey.
  - (4) NZTR may deduct from any payment required to be made to a Rider or Apprentice Jockey under this Rule 327:
    - (a) any penalty or fine imposed on the Rider or Apprentice Jockey by the Judicial Committee officiating at the Race Meeting in respect of which the payment is being made; and
    - (b) any other amount payable by the Rider or Apprentice Jockey under these Rules or to NZTR or a Club in connection with any of its activities or operations if, and to the extent, that any such amount is outstanding.
- 329 (1) Every Rider who is a person registered under the Goods and Services Tax Act 1985 shall, within three days after becoming so registered, notify NZTR of such registration and of his Goods and Services Tax Act registration number.
- (2) Every Rider who, having been a person registered under the Goods and Services Tax Act 1985, ceases to be so registered shall, within three days of ceasing to be so registered, notify NZTR of such cessation.

#### *Provisions relating to engaging a Rider*

- 330 A Rider shall not:
- (a) wilfully or without reasonable cause break a riding engagement; or
  - (b) permit himself to be engaged for more than one horse accepted or deemed to have been accepted for the same Race; or
  - (c) fail to ride a horse at the weight at which it is handicapped to carry; or
  - (d) be represented by more than one Rider's Agent.
- 331 An Owner or lessee (as the case may be) or Trainer, and every Agent of an Owner or lessee (as the case may be) or Trainer, who has engaged a Rider to ride in a Race shall not, without reasonable cause, break such engagement
- 332 Any dispute with reference to the engagement or engagements of a Rider to ride at a particular Race Meeting or Race Meetings shall be determined by a Stipendiary Steward.

#### **STABLEHAND LICENCE**

- 333 A Stablehand's Licence may be issued to a person who meets the criteria for the issue of a Stablehand Licence as set out in the Licensing Policy issued under Rule 303.
- 334 A Stablehand may, while employed by a Trainer:

- (1) perform any duties or responsibilities in relation to the care, feeding or grooming of a horse;
- (2) train any horse of his employer during the latter's absence not exceeding one month (or such other period as may be approved in any particular case by NZTR) and he may on behalf of his employer take charge of any such horse at, and for the purposes of, any Race Meeting at which his or her employer is not present.

#### **SLOW WORK RIDER LICENCE**

- 335 A Slow Work Licence may be issued to a person who meets the criteria for the issue of a Slow Work Rider Licence as set out in the Licensing Policy issued under Rule 303.
- 336 A Slow Work Rider may:
- (1) ride registered horses at a training facility or Trainer's Premise provided that the speed of the horse does not exceed half pace.
- 337 A Slow Work Rider may only perform duties or responsibilities in relation to the care, feeding or grooming of a horse if they also hold a Stablehand's Licence.

#### **FAST WORK RIDER LICENCE**

- 338 A Fast Work Rider Licence may be issued to a person who meets the criteria for the issue of a Fast Work Licence as set out in the Licensing Policy issued under Rule 303.
- 339 A Fast Work Rider may:
- (1) ride a registered horse at a training facility or Trainer's Premise at any pace, including jump-outs.
- 340 A Fast Work Rider may only perform duties or responsibilities in relation to the care, feeding or grooming of a horse if they also hold a Stablehand's Licence.

#### **RIDER'S AGENT LICENCE**

- 341 A Rider's Agent Licence may be issued to a person who meets the criteria for the issue of a Rider's Agent Licence as set out in the Licensing Policy issued under Rule 303.
- 342 A Rider's Agent:
- (1) may only engage, or assist in engaging, a Rider to ride a horse in a Race if he has first obtained written approval from NZTR to represent that Rider or, in the case of an Apprentice Jockey, that Apprentice Jockey's employer.
  - (2) must, as soon as practical, notify NZTR in writing in the event of the termination of a contract or arrangement to represent a Rider or an Apprentice Jockey's employer.
  - (3) A Rider's Agent may only engage a Rider for a race with the consent of that Rider or, if the Rider is an Apprentice Jockey, the Apprentice Jockey's employer.
  - (4) A Rider's Agent may not give, directly or indirectly, riding instructions of any nature to a Rider to whom he represents.
  - (5) A Rider's Agent may not act as an agent for a Rider who is contracted to a Trainer unless that Trainer gives his or her approval. [Amended 1 August 2017]

#### **LICENCES FOR OVERSEAS PERSONS**

- 343 NZTR may grant a temporary Licence to any person temporarily visiting New Zealand on such terms, and for such duration, as it sees fit.

#### **RENEWAL OF LICENCES ETC.**

- 344 Not later than the 1st day of July in each year every Licenceholder who wishes to renew his/her Licence for the next year, shall forward to NZTR an application for renewal in the prescribed form and with payment of the applicable fee.
- 345 NZTR may not renew a Licence unless the Licenceholder has satisfied any applicable requirements in the Continuing Professional Development Policy issued under Rule 303.

346 An Investigator or Stipendiary Steward shall consider any application for renewal referred to him by NZTR and shall forward to NZTR any recommendation or comments he may wish to make with respect to such application. The Investigator or Stipendiary Steward may also require the applicant to supply further information relevant to that application.

#### **REVIEW, SUSPENSION, WITHDRAWAL AND CANCELLATION OF LICENCES**

- 347 (1) NZTR may cancel, suspend, or impose conditions on a Licence if NZTR is satisfied, on reasonable grounds, that:
- (a) a Licenceholder has provided false or misleading information to NZTR in relation to any application for the grant or renewal of a licence; or
  - (b) a Licenceholder holds a licence but does not meet criteria set out in the Suitability, Licensing, Continuing Professional Development or Apprentice Policies issued under Rule 303 for the grant or retention of that Licence; or
  - (c) a Licenceholder has not complied with conditions on the Licence imposed by the Suitability, Licensing, Continuing Professional Development or Apprentice Policies, or otherwise under these Rules; or
  - (d) a Licenceholder has breached Rule 1401 to 1405, fails to comply with any requirement made or prohibition imposed pursuant to a Thoroughbred Welfare Compliance Notice, or has had a Permanent Thoroughbred Possession Order made against them; or
  - (e) a Rider, or any other Licenceholder who has carried out, is carrying out, or is likely to carry out, a Safety Sensitive Activity at a Racecourse, Training Facility or Trainer's Premises, who when required by a Stipendiary Steward or Investigator to permit a Sample to be obtained from him by or under the supervision of a Registered Medical Practitioner or an Authorised Person, refused or failed to do so at the time and place nominated by such Stipendiary Steward or Investigator; or
  - (f) a Trainer, when required to do so by a Stipendiary Steward or Investigator, failed to permit that Stipendiary Steward or Investigator to have reasonable access to that Trainer's Premises; or
  - (g) the cancellation, suspension, or imposition of conditions on the Licence is otherwise in the best interests of thoroughbred racing.
- (2) Before taking any action under Rule 331(1), NZTR must give the Licenceholder notice of the proposed action together with reasons and must consider any response provided by the Licenceholder.
- (3) A Licenceholder must, within seventy-two hours of bankruptcy or admission to the no assets procedure, notify NZTR of such event.
- (4) A Licenceholder may relinquish their Licence at any time by notice in writing to NZTR, and having received such notice NZTR shall cancel the Licence, but:
- (a) these Rules continue to apply to the Licenceholder until NZTR cancels the Licence; and
  - (b) the Licenceholder continues to be accountable and liable under the Rules for any act or omission before the cancellation of the Licence, and the Rules continue to apply to the former Licenceholder for that purpose.
- (5) When a Licence is cancelled the former Licenceholder shall return any identity card issued by NZTR in relation to that Licence to NZTR within 14 days.

#### **RIDER SKILLS REVIEW PANEL**

- 348 (1) NZTR may appoint one or more rider skills review panels, comprised of such persons as NZTR considers fit, to:
- (a) review a Jockey's or Apprentice Jockey's riding manner, practices and/or technique and provide remedial training or advice to that Jockey or Apprentice Jockey; and



- (b) assist with the mentoring of a Jockey or Apprentice Jockey; and
  - (c) make recommendations to the Jockey or Apprentice Jockey about their riding manner, practices and/or technique and their further training or mentoring needs.
- (2) A Stipendiary Steward may direct a Jockey or Apprentice Jockey to meet with a rider skills review panel.
- (3) Following such meeting(s), the rider skills review panel may:
- (a) make recommendations to the Jockey or Apprentice Jockey relating to the Jockey's riding manner, practices and/or technique, any further training and/or mentoring required, and whether it considers that the Jockey's or Apprentice Jockey's Licence should be modified or suspended by NZTR;
  - (b) seek feedback on the recommendations made in accordance with sub-Rule (3)(a) above from the Jockey or Apprentice Jockey; and
  - (c) form a view on any feedback provided by the Jockey or Apprentice Jockey.
- (4) The rider skills review panel shall provide a written report to NZTR on the matters set out in Rule 332(3).
- (5) Following consideration of the written report referred to in Rule 332(4), NZTR may:
- (a) direct the Jockey or Apprentice Jockey to continue to meet with the rider skills review panel or any other person for a specified period to address particular issues;
  - (b) take action under Rule 331; and/or
  - (c) impose such conditions as it see fit on the Jockey's or Apprentice Jockey's licence.
- (6) On application from the Jockey or Apprentice Jockey, or the rider skills review panel, NZTR may:
- (a) withdraw or modify its direction to the Jockey or Apprentice Jockey under Rule 332(5)(a); and/or
  - (b) remove any of the conditions imposed on the Jockey's or Apprentice Jockey's licence under Rule 332(5)(c).
- (7) Any Jockey or Apprentice Jockey who fails to comply with this Rule 332, including failing to attend a rider skills review panel meeting shall be committing a breach of these Rules.

#### **CONDITION OF LICENCE**

349 Every Licence which is issued shall contain, or be presumed conclusively to contain, a condition that the Licenceholder shall, whenever required to do so by a Stipendiary Steward or Investigator in accordance with these Rules, permit a Sample of the Licenceholder's blood, breath, urine, saliva or sweat (or more than one thereof), to be obtained from the Licenceholder by, or under the supervision of, a Registered Medical Practitioner or an Authorised Person.

#### **TREATMENT LOGBOOK**

- 350 (1) This Rule 334 applies to a horse:
- (a) as soon as it is taken in hand by any person for the purpose of being trained for racing; and
  - (b) whether then taken in hand or not as aforesaid, as soon as it is entered for any Race or trial (including a jump-out or test for certification purposes) or registered under these Rules.
- (2) A Trainer of a horse to which this Rule 334 applies and, where the horse is in another person's possession or custody, or under another person's care, control, or supervision, that other person, must record any treatment or medication administered to that horse while it is in the possession or custody, or under the care, control, or supervision, of the Trainer or that person (as applicable), by midnight on the day on which the treatment or medication was administered, and each record must include the following information:

- (a) the name of the horse; and
  - (b) the date and time of administration of the treatment or medication; and
  - (c) the name of the treatment or medication administered (brand name or active constituent); and
  - (d) the route of administration (including by injection, stomach tube, paste, topical application or inhalation); and
  - (e) the amount of medication given (if applicable); and
  - (f) the duration of a treatment (if applicable); and
  - (g) the name of the person or persons administering and/or authorising the administration of the treatment or medication.
- (3) For the purposes of this Rule:
- (a) **treatment** includes:
    - (i) shock wave therapy; and
    - (ii) acupuncture (including laser treatment); and
    - (iii) chiropractic treatment; and
    - (iv) the use of any electrical stimulation device (including transcutaneous electrical nerve stimulation (TENS)); and
    - (v) magnetic field therapy; and
    - (vi) ultrasound therapy (excluding diagnostic ultrasound); and
    - (vii) any form of oxygen therapy, including hyperbaric oxygen therapy; and
    - (viii) any other process or article which is notified by NZTR to be a treatment, as published on the NZTR Website.
  - (b) **medication** includes:
    - (i) any Prohibited Substance; or
    - (ii) any substance expressed by the Prohibited Substance Regulations to be excluded from being a Prohibited Substance; or
    - (iii) any other thing, substance, which is notified by NZTR to be a medication, as published on the NZTR Website.

#### **TO BE MOVED TO RULE 525 – ELIGIBILITY TO RACE**

Subject to the provisions of the preceding sub-Rules of this Rule, a horse may only start in a Race, and a person may only start a horse in a Race, if that horse has been in training under the direct charge or care of a Trainer for a continuous period of not less than four weeks immediately prior to such Race, provided that the spelling of a horse after a Race at any Race Meeting held during the said period of four weeks shall be regarded as training for the purposes of this Rule.

A Rider shall not, in any Race in which a horse owned or leased by that Rider, or by that Rider and other persons, or by any Legal Ownership Entity in which the Rider has a beneficial interest in accordance with Rule 333(1)(b) (the Rider's Horse), is a starter, ride any horse other than the Rider's Horse.

Notwithstanding the above, a Rider shall not ride any horse in a Race in which more than one horse owned or leased by that Rider, or by that Rider and other persons, or by any Legal Ownership Entity in which the Rider has a beneficial interest in accordance with Rule 333(1)(b) is a starter.

#### **TO RETAIN IN THE JUDICIAL RULES**

A Licensed Person, Owner, lessee, Racing Manager, Official or other person bound by these Rules must not misconduct himself in any matter relating to the conduct of Races or racing.

#### **TO INCLUDE IN APPRENTICE POLICY/RULES**

An Apprentice Jockey may only be engaged to ride a horse at a Race Meeting with the prior permission of his employer or his employer's Rider's Agent.

An employer of an Apprentice Jockey (or that employer's Rider's Agent, in the case of an Apprentice Jockey), and every Rider's Agent, shall not:

- (a) permit the Apprentice Jockey or Rider to be engaged to ride more than one horse accepted or deemed to have been accepted for the same Race; or
- (b) without reasonable cause, break an engagement for his Apprentice Jockey or Rider to ride a horse in a Race.

#### **TO SHIFT TO RULE 411**

- (1) A Rider may own or lease a horse which is in training or entered for a Race only if:
    - (a) the Rider has attained the age of 18 years and is not the holder of a Class B or C rider's licence; and
    - (b) (i) the horse is owned by or leased to:
      - (A) the Rider only; or
      - (B) the Rider and other persons, where the Rider has any interest in the horse, as Owner (where there is no lessee) or lessee (as the case may be); or
      - (C) a Legal Ownership Entity and the Rider has a beneficial interest in that Legal Ownership Entity; or
    - (ii) the horse is the subject of a lease and the Rider is the only or one of the Owners (being the lessor) of that horse (for the avoidance of doubt, where the horse is the subject of a lease and the Rider is the only or one of the lessees of that horse then sub-Rule 333(1)(b)(i) applies); and
    - (iii) the Rider declares such Ownership interest to NZTR within seven days of acquiring the interest so that the fact that such Rider has an Ownership interest shall be included in the race book for any Race for which the applicable horse is entered.
-