

25 January 2022

## COVID-19 EMERGENCY REGULATIONS –

### NZTR DIRECTIVE FOR THE COVID PROTECTION FRAMEWORK

This Directive relates to Thoroughbred trialling and racing activities under the COVID Protection Framework.

This Directive (and the protocols set out below) are binding on all Clubs, licensed persons, owners, and all other persons to whom the Rules of Racing apply. Failure to adhere to this Directive (and the protocols set out below) constitutes a breach of the Rules of Racing (Rule 801 - Serious Racing Offences) or may be a breach stipulated as a Minor Infringement.

This Directive may be updated by NZTR and re-released if the Government announces substantive changes to the measures required under the COVID Protection Framework.

This Directive is drafted with separate provisions depending upon the 'Traffic Light' prevailing in the time and location of the race or trial meeting.

Regardless of the prevailing 'Traffic Light' there is a requirement that all people that enter the meeting provide their "My Vaccine Pass" at entry to prove that they are double vaccinated against the COVID-19 virus.

#### Amendments since originally issued 26 November 2021:

- 2 December: Inclusion of Jump Outs that are timed over set distances in meeting definition
- 2 December: Correction of age of unvaccinated children to 'under 12 years and 3 months'
- 6 December: Inclusion of vaccination requirements for workers at training centres (with effect from 13 December 2021. Refer Section 8.
- 17 January 2022: Removal of transitory provisions which provided leeway for single dosed workers to attend meetings or attend trackwork until 17 January 2022.
- 25 January 2022: Further restrictions in light of Omicron outbreak (to be reviewed after 7 days)

## 1. Definitions

1.1 For the purpose of this Directive:

**Meeting** means a race or trial meeting and includes Jump Outs that are timed over set distances. For the purposes of these Regulations, a Meeting is in progress from 7:30 am on the morning of the Meeting until 30 minutes after the finish of the last race or trial conducted at that Meeting.

**Stable staff** means any person licenced by NZTR and employed by a licensed trainer and includes freelance track-riders.

2.1 Any term used in this Directive shall have the meaning given to it in the Rules of Racing unless the context requires otherwise.

## GREEN OR ORANGE TRAFFIC LIGHT

This section applies on when a meeting is held at a venue in a region or sub-region where the government has dictated that the COVID Protection Framework is 'GREEN' or 'ORANGE'.

## 2. Meetings – GREEN or ORANGE

### 2.1 Admission to Meetings

- (a) Each Club holding a Meeting must limit the number of available entrances to the racecourse (including the entrance used by horse floats and trucks transporting horses to the Meeting) on the day that the Meeting is in progress and must ensure that each entry point is staffed with a person or persons responsible for ensuring that all people entering the meeting:
  - (i) has their "My Vaccine Pass" scanned or sighted and that this proves that they are double vaccinated; and
  - (ii) that every person entering the racecourse scans the Government COVID Tracer QR Code for the racecourse or enters their name and contact phone number in the register provided by the Club for that purpose.

Discretion is provided in the admission of children aged under 12 years and 3 months, as they have not had the opportunity to receive the COVID vaccination. [Clause to be reviewed in 2022]

Discretion is also provided to allow admission of a person who holds a medical exemption in relation to the COVID vaccination, but only if that exemption has been provided by the Director General of Health.

- (b) Each Club holding a Meeting must provide an isolation area for use at the Meeting and have isolation procedures in place if there is a case or suspected case of COVID-19 identified at the Meeting.

- (c) A person must not attend, and must be refused access to, a Meeting if they have cold or flu symptoms (including coughing or sneezing, runny nose, headache, aches or fever) or have experienced a loss of, or change in, their sense of smell.
- (d) Persons must consider excluding themselves from a Meeting if their risk of contracting severe symptoms of COVID-19 is increased by an underlying health condition or their age.
- (e) Jockeys and other persons who are in close contact with jockeys including RIB staff, Clerk of Scales and other club staff who work in the vicinity of the weigh-room must:
  - (i) submit to a body temperature screening check (thermometers will be provided by NZTR via RIB), at their first entrance to the weigh-room area. Persons so tested with a temperature of 38.0C or above will be required to present to a St John medic or the NZTR Medical Advisor for a further temperature check and an assessment of clinical and epidemiological symptoms of the COVID-19 virus; and
  - (ii) if Rapid Antigen testing is available at the Meeting, provide a nasal sample for Rapid Antigen testing.

If directed by a Stipendiary Stewards or a Racecourse Investigator, a person may be required to present to a St John medic or the NZTR Medical Advisor for a further temperature check and an assessment of clinical and epidemiological symptoms of the COVID-19 virus.

If St John staff are requested to assess a patient against the COVID-19 case definition, they will be given prior notice so that they can wear appropriate personal protective equipment.

On the advice of a St John medic or the NZTR Medical Advisor, the Stipendiary Stewards or a Racecourse Investigator may require a person to stay in the isolation area for the Meeting until they can leave the Meeting or if practical to leave the racecourse immediately and on leaving the racecourse to immediately self-isolate until cleared by their GP, who must consider the prevailing NZ Government requirements. The person must also follow Ministry of Health advice and if diagnosed with COVID-19, assist in contact tracing.

- (f) All persons admitted to a racecourse for a Meeting must:
  - (i) Allow their "My Vaccine Pass" to be scanned or sighted as proof that they are double vaccinated;
  - (ii) Use their phone to scan the NZ COVID Tracer APP QR Code, or enter their name and contact phone number in the register provided by the Club for that purpose, on entering the racecourse for the Meeting
  - (iii) Observe personal hygiene requirements, particularly regular hand-washing with soap and running water and the use of hand-sanitisers;
  - (iv) Only enter those areas of the racecourse ordinarily permitted as patrons, or if working that they need to enter in order to perform their duties or their role at that Meeting, and comply with the requirements of the relevant Club regarding access to the various areas of the racecourse while the Meeting is in progress;
  - (v) Clearly display their NZTR issued photo-ID card (note: owners or other attendees are exempt from this requirement, as are jockeys between the period that they first enter the jockey room until they leave the jockey room at the end of their riding obligations); and
  - (vi) Mask wearing is encouraged and supported.

## *2.2 Expulsion from Racecourses*

- (a) Clubs or RIB staff who believe, on reasonable grounds, that a person seeking entry to a racecourse, or who is present on a racecourse, is a person:
- (i) who cannot provide evidence that they are double vaccinated; or
  - (ii) whose presence on or at that racecourse or training facility is not permitted under this Directive; or
  - (iii) who has not complied with any Government requirement to self-isolate,
- then they shall immediately expel that person from the racecourse.

## *2.3 Club Responsibilities*

When holding a Meeting, each Club must implement procedures that eliminate the risk of transmission of COVID-19 to the maximum extent possible. Without limiting this obligation, each Club must determine the location of designated screening areas at each point of entry to the racecourse, and provide staff members to:

- ensure that only those permitted to attend the meeting gain access to the racecourse;
- that every person entering the racecourse has their “My Vaccine Pass” scanned or sighted and that this proves that they are double vaccinated; and
- that every person entering the racecourse scans the Government COVID Tracer QR Code or enters their name and contact phone number in the register provided by the Club for that purpose.

## **RED TRAFFIC LIGHT**

This section applies on when a meeting is held at a venue in a region or sub-region where the government has dictated that the COVID Protection Framework is ‘RED’.

## **3. Meetings - RED**

### *3.1 Admission to Meetings*

- (a) Nobody shall be admitted to a racecourse when a Meeting is in progress, except for:
- (i) Licensed trainers with horses entered at the Meeting;
  - (ii) Licensed stable staff employed by trainers with horses entered at the Meeting (including horse float drivers whether the horse float is a trainer’s or a float company), if that employee’s or person’s presence at the racecourse is essential;
  - (iii) Licensed jockeys engaged to compete at the Meeting (and if the Meeting is a trial meeting, probationers engaged to ride at it);
  - (iv) Clerks of Course, Stipendiary Stewards, Starters and barrier attendants, St John ambulance officers, vets, farriers, attendants at jumps, horse ambulance drivers, Racing Investigators, swabbing attendants, gate security, commentators, Judges, accredited media/photographers (as approved by NZTR in writing), photo finish operators, Trackside Broadcasting team, TAB On-Course Control van engineers, Clerks of Scale,

Judicial panellists and typists, Medical staff, NZTR Authorised Bloodstock Agents, Club staff and other Officials if their presence is essential for the conduct of the Meeting; and

(v) Gatherings of owners of horses competing at the meeting, club members, sponsors, and ticketed guests are permitted to attend a meeting provided that:

- the venue operator and the persons attending meet the conditions and requirements of the RED level of COVID Protection Framework (click [link](#)), and unless granted by NZTR the approval to self-plan and certify in full accordance, the club must submit a “Club H&S Operating Plan for Attendances at Race Meetings – COVID Protection Framework” in relation to the meeting and receive NZTR’s advance authorisation for those persons to attend the meeting; and
- a full register of attendees in each defined area is maintained for one month for contact tracing purposes.

(vi) Clubs which permit owners, club members, sponsors, and ticketed guests to attend a meeting must ensure that:

- The venue is physically divided by way of fencing between the areas accessible to owners, club members, sponsors, and ticketed guests and the areas accessible to licensed participants and officials working at the meeting; and
- No owner, club member, sponsor, and ticketed guest is able to enter into any area where participants or officials are working at the meeting, including without limitation the birdcage, the tie-ups, any jockeys’ rooms, the weigh-room, and any other area where any licensed participants and officials will be during the course of the meeting; and
- All owners, club members, sponsors, and ticketed guests attending a race meeting adhere to the mask-wearing requirements in clause 3.1(g)(vii); and
- No licensed participant or official is able to enter any area accessible to owners, club members, sponsors, and ticketed guests.

(b) Each Club holding a Meeting must limit the number of available entrances to the racecourse (including the entrance used by horse floats and trucks transporting horses to the Meeting) on the day that the Meeting is in progress and must ensure that each entry point is staffed with a person or persons responsible for ensuring that all people entering the meeting:

- (i) has their “My Vaccine Pass” scanned or sighted and that this proves that they are double vaccinated; and
- (ii) that every person entering the racecourse scans the racecourse’s Government COVID Tracer QR Code or enters their name and contact phone number in the register provided by the Club for that purpose; and
- (iii) has their NZTR licence or identification card sighted should the Club require it.

Discretion is provided in the admission of children aged under 12 years and 3 months, as they have not had the opportunity to receive the COVID vaccination. *[Clause to be reviewed in 2022]*

Discretion is also provided to allow admission of a person who holds a medical exemption in relation to the COVID vaccination, but only if that exemption has been provided by the Director General of Health.

- (c) Each Club holding a Meeting must provide an isolation area for use at the Meeting and have isolation procedures in place if there is a case or suspected case of COVID-19 identified at the Meeting.
- (d) A person must not attend, and must be refused access to, a Meeting if they have cold or flu symptoms (including coughing or sneezing, runny nose, headache, aches or fever) or have experienced a loss of, or change in, their sense of smell.
- (e) Persons must consider excluding themselves from a Meeting if their risk of contracting severe symptoms of COVID-19 is increased by an underlying health condition or their age.
- (f) Jockeys and other persons who are in close contact with jockeys including RIB staff, Clerk of Scales and other club staff who work in the vicinity of the weigh-room must
  - (i) submit to a body temperature screening check (thermometers will be provided by NZTR via RIB), at their first entrance to the weigh-room area. Persons so tested with a temperature of 38.0C or above will be required to present to a St John medic or the NZTR Medical Advisor for a further temperature check and an assessment of clinical and epidemiological symptoms of the COVID-19 virus; and
  - (ii) if Rapid Antigen testing is required at the Meeting, provide a nasal sample for Rapid Antigen testing.

If directed by a Stipendiary Stewards or a Racecourse Investigator, a person may be required to present to a St John medic or the NZTR Medical Advisor for a further temperature check and an assessment of clinical and epidemiological symptoms of the COVID-19 virus.

If St John staff are requested to assess a patient against the COVID-19 case definition, they will be given prior notice so that they can wear appropriate personal protective equipment.

On the advice of a St John medic or the NZTR Medical Advisor, the Stipendiary Stewards or a Racecourse Investigator may require a person to stay in the isolation area for the Meeting until they can leave the Meeting or if practical to leave the racecourse immediately and on leaving the racecourse to immediately self-isolate until cleared by their GP, who must consider the prevailing NZ Government requirements. The person must also follow Ministry of Health advice and if diagnosed with COVID-19, assist in contact tracing.

- (g) All persons admitted to a racecourse for a Meeting must (unless they are aged under 12 years and 3 months):
  - (i) Allow their "My Vaccine Pass" to be scanned or sighted as proof that they are double vaccinated;
  - (ii) Use their phone to scan the correct (refer 3.4(a)(ix)) NZ COVID Tracer APP QR Code, or enter their name and contact phone number in the register provided by the Club for that purpose, on entering the racecourse for the Meeting
  - (iii) Observe personal hygiene requirements, particularly regular hand-washing with soap and running water and the use of hand-sanitisers;
  - (iv) Work co-operatively with each other and the relevant Club to ensure a minimum 1 metre physical distancing from other persons, provided that this can be done without increasing personal health and safety risks;

- (v) Only enter those areas of the racecourse that they need to enter in order to perform their duties or their role at that Meeting, and comply with the requirements of the relevant Club regarding access to the various areas of the racecourse while the Meeting is in progress;
- (vi) Clearly display their NZTR issued photo-ID card (note: owners or other attendees are exempt from this requirement, as are jockeys between the period that they first enter the jockey room until they leave the jockey room at the end of their riding obligations); and
- (vii) All licensees and officials must wear a mask at all times, other than when eating or drinking, except that riders may lower the mask during racing (after loading up in barriers and before re-entering the birdcage).

### *3.2 Physical distancing & hygiene*

- (a) Trainers and stable staff must:
  - (i) Wash or sanitise hands regularly, and specifically before and after:
    - handling saddles and associated gear; and
    - leading a horse to or from the birdcage.
  - (ii) not enter the Jockey Rooms or any room designated as a 'Temporary Jockey Room';
  - (iii) phone the raceday Stipendiary Stewards if you need to inform or seek permission or clarification on any matter, instead of entering the Stewards Room (note: Stewards may still request that a person present themselves to the Stewards Room).

### *3.3 Expulsion from Racecourses*

- (a) Clubs or RIB staff who believe, on reasonable grounds, that a person seeking entry to a racecourse, or who is present on a racecourse, is a person:
  - (i) who cannot provide evidence that they are double vaccinated; or
  - (ii) who is unable or has refused to comply with the mask wearing requirements or
  - (iii) whose presence on or at that racecourse is not permitted under this Directive; or
  - (iv) who has not complied with any Government requirement to self-isolate,
 then they shall immediately expel that person from the racecourse.

### *3.4 Conduct of Meetings*

- (a) When holding a Meeting, each Club must implement procedures that eliminate the risk of transmission of COVID-19 to the maximum extent possible. Without limiting this obligation, each Club must:
  - (i) Determine the location of designated screening areas at each of up to three points of entry to the racecourse, and provide a staff member to:
    - ensure that only those permitted to attend the meeting gain access to the racecourse;

- that every person entering the racecourse has their "My Vaccine Pass" scanned or sighted and that this proves that they are double vaccinated; and
  - that every person entering the racecourse scans the Government COVID Tracer QR Code.
- (ii) In consultation with the Stipendiary Stewards, designate (for the purposes of Rule 606) additional enclosed areas on the racecourse as temporary Jockeys rooms which areas are to be treated as if they were the usual Jockeys room. Before doing so for a Meeting, the Club must liaise with the Stipendiary Stewards and/or a Riders' representative to ensure that there is adequate access for Riders to dryers, showers and tubs;
  - (iii) Provide access to an otherwise unutilized room or lounge of sufficient size for use solely by Trainers and Stable staff;
  - (iv) Engage sufficient cleaning staff to provide regular cleaning and disinfection of all common areas used during the conduct of the Meeting including, as a minimum, disinfecting at least hourly during the Meeting all common surfaces used by attendees including, but not limited to, the Jockeys and Stewards rooms and all door handles, hand rails, lift call and internal lift buttons (if applicable) and light switches etc;
  - (v) Provide or install hand sanitiser stations, or soap and running water and paper towels, for use by attendees at the Meeting and ensure that those stations and areas for handwashing are monitored regularly throughout the Meeting to ensure that they are properly stocked;
  - (vi) Engage dedicated staff members to secure the Jockeys room (and any temporary Jockeys rooms) at the direction of the Stipendiary Stewards;
  - (vii) Provide signage in all relevant areas including the Jockeys room (and any temporary Jockeys rooms) to remind of personal hygiene and physical distancing requirements;
  - (viii) Provide an isolation area for use at the Meeting if there is a case or suspected case of COVID-19 identified at the Meeting; and
  - (ix) Display at entrances and prominent areas the NZ COVID Tracer APP QR codes for the venue and have manual registers for people who cannot scan the code, at each entry point to the racecourse and require each person attending the Meeting to either scan the correct QR code or enter their name and a contact phone number in the correct register.
- (b) Riders must keep the Jockeys room (including any temporary Jockeys rooms) as clean as is possible.

## 4. Rider welfare

### 4.1 Jockeys must comply with NZTR requirements to:

- For the purposes of ensuring that the person is eligible to ride at a Meeting, provide the NZ Jockeys' Association with a truthful attestation of their vaccination status. This information will be conveyed to NZTR to ensure that riders yet to be vaccinated are unable to be declared for rides. The information will not be disclosed on NZTR's LOVERACING.NZ website. Riders' Vaccine Passes will be scanned at all meetings.



- Provide RIB Stewards evidence of a negative COVID test on at least a weekly basis, or if more than a week since the prior Meeting in which they rode, then this must be provided on arrival at the Meeting. Note that this clause will not be brought into force until 15 December 2021, and will not be invoked if Rapid Antigen Testing (refer clauses 2.1(e)(ii), 3.1(f)(ii) and 4.4) is available at all race meetings.
  - Return a negative COVID test in the 3 days before attending a race meeting at which they are engaged to ride.
- 4.2 To support the health of licensed jockeys, if stipulated in the prevailing NZTR Coronavirus Emergency Regulations, the weight allocated to all horses in all races may be increased by one or two kilograms additional to the standard allocation.
- 4.3 Riders must at all times follow strict hygiene requirements in accordance with Ministry of Health guidelines. Any Rider who has concerns regarding their health status must contact the NZTR Medical Adviser, Dr Margaret Parle, immediately (e: [mparle\\_3@hotmail.com](mailto:mparle_3@hotmail.com); m 021 764 552). If a licenced jockey feels unwell at a Meeting they must immediately see the Medical Staff working at that Meeting and isolate themselves until their condition has been assessed and comply with any directions from the Medical Staff and Stipendiary Stewards.
- 4.4 In addition to the requirements of Rule 605(1) all Riders riding at a Meeting must, prior to entering the Jockey room (or any temporary Jockey room), immediately present themselves to a designated screening area at least 1 hour before the starting time of the first race at that Meeting in which they have a riding engagement to:
- if Rapid Antigen testing is available at the Meeting, provide a nasal sample for Rapid Antigen testing; and
  - have their body-temperature checked.
- 4.5 If when tested per clause 3.4, a Rider's temperature is at or above 38.0C, or at the direction of the Stipendiary Stewards or a Racecourse Investigator, a Rider may be required to present to a St John medic or the NZTR Medical Advisor for a further temperature check and an assessment of clinical and epidemiological symptoms of the COVID-19 virus. If St John staff are requested to assess a patient against the COVID-19 case definition, they will be given prior notice so that they can wear appropriate personal protective equipment.
- 4.6 On the advice of a St John medic or the NZTR Medical Advisor, the Stipendiary Stewards or a Racecourse Investigator may require a Rider to stand-down from riding at Meetings or trackwork and self-isolate until cleared by the Rider's GP, who must consider the prevailing NZ Government requirements. A Rider must comply with any direction given by a Stipendiary Steward or Racecourse Investigator under this clause.
- 4.7 Should a Rider require a drink of water at the starting gates, the Rider should provide Barrier Attendants a bottle with their name written on it.
- 4.8 A Rider must, if directed by a Club employee or a Stipendiary Steward, make use of a temporary Jockeys room, in order to reduce close personal contact with other Riders attending a Meeting.
- 4.9 While in the usual, or a temporary, Jockeys room, Riders must, as far as possible, maintain physical distancing of at least 1 metre from all other persons in the room.
- 4.10 Riders must keep their areas clean and tidy and dispose of their own rubbish in bins provided.

- 4.11 Riders must wear their riding gloves whenever handling saddles and associated gear.
- 4.12 Riders must, whenever possible, use hand sanitiser or soap and running water between races, thoroughly clean and disinfect their riding gear after riding at a Meeting or trackwork. Ensure that the disinfectant used is suitable for use on riding gear (will not rot or corrode) and is used at manufacturer's recommended concentration.
- 4.13 Riders must minimise the time period that they are in the Jockey room using showers, tubs or clothes driers and comply with physical distancing requirements while using them.
- 4.14 Riders must shower before departing home to the race meeting and prior to leaving a racecourse after riding at a Meeting.
- 4.15 Riders must remain in the island in which they are ordinarily resident, and may not accept rides in the other island until 8 February 2022, at which point this clause will be reviewed.

## **5. Ongoing Health Assessments**

- 5.1 Trainers, Stable staff, Club staff and Race Officials must continually assess their health and the health of each of their employees or colleagues. Matters that must be assessed regularly include:
  - (a) Have you, a staff member or colleague been in close contact with, or been advised that you or they are a close contact of, a confirmed or probable case of COVID-19, or a person who is awaiting the result of a COVID-19 test?
  - (b) Have you, a staff member or colleague had:
    - (i) a raised temperature or other indication of illness or fever? or
    - (ii) any indication of a cough, sneezing or runny nose, sore throat or shortness of breath? or
    - (iii) a loss of, or change in, your or their sense of smell?
- 5.2 If the answer to any of the questions in clause 4.1 is a 'yes', then you or the person must follow prevailing guidelines or instructions of the Ministry of Health including any testing requirements prior to return to work.
- 5.3 Any business, workplace, or site that has had a worker with a positive COVID-19 diagnosis must follow prevailing guidelines or instructions of the Ministry of Health.

## **6. Personal responsibility and wellbeing measures**

- 6.1 A person must self-isolate, and not attend and be refused access to any Meeting if:
  - (a) They have cold or flu symptoms (including coughing, sneezing, runny nose, headache, aches or fever) or a loss of, or change in, their sense of smell;
  - (b) They are subject to a Ministry of Health instruction to self-isolate.

- 6.2 A staff member must immediately report to their employer any concerns they may have as to the health status of any other person at their workplace.
- 6.3 When a staff member is unable to attend work due to concerns regarding COVID-19 symptoms, the employer and employer must work together constructively to ensure:
- (a) the wellbeing of the staff member;
  - (b) that a clinical diagnosis and testing of COVID-19 and all Ministry of Health measures are undertaken; and
  - (c) the staff member may return to work when their symptoms have resolved.

## **7. Offences:**

- 7.1 Failure of a Licenceholder to comply with certain components this Directive will attract penalties as defined under the Minor Infringement System (Rule 926), on the following basis:
- Failure to clearly display NZTR Identification: First Offence \$50; Second Offence \$100.
  - Failure to follow a clear instruction of compliance with this Directive as provided by an RIB Steward or Investigator; or a club or NZTR Official: First Offence \$50; Second Offence \$100.
- 7.2 Should it be required that a horse be late-scratched due to a Trainer not ensuring that the horse could be prepared to race by a person that meets the vaccination requirements of this Directive, the RIB Stewards shall deal with this as a Serious Racing Offence (Rule 801).
- 7.3 Any attempt to falsify proof of a person's vaccination status ('My Vaccine Pass' or in another form) will be reported to the NZ Police and will also be treated as a Serious Racing Offence. A false statement regarding vaccination status to NZTR, the RIB or a racing club will also be regarded as a Serious Racing Offence.
- 7.4 Racing clubs that fail to take adequate measures to adhere to this Directive will provide NZTR cause to review the granting or programming of future Meetings.

## **8. Health Requirements for Thoroughbred training centres:**

The objective of this section is to mitigate the risk of COVID transmission to racing industry participants and in particular to Jockeys.

To the extent and understanding that training activities are not "Events", this section applies to persons admitted to public training centres under 'GREEN' or 'ORANGE' or 'RED' settings of the COVID Protection Framework and comes into effect from Monday 13 December 2021. Furthermore:

- The requirements or obligations imposed in this section are independent of and do not override any other section of this Directive.

- On a day when a Meeting is held at the venue, this section applies only until 30 minutes after the closure of training circuits, after which only persons permitted under Section 2 or Section 3 (as may apply) or the Transitory Provision may be present.
- Clubs or venue operators may dictate additional or more stringent requirements.

#### *8.1 Admission to Thoroughbred training centres*

From midnight 12 December 2021, persons may only enter a Thoroughbred training centre (including leased stable boxes or barns) if they have provided the Club or venue operator on at least one occasion their “My Vaccine Pass” to prove that they are double vaccinated.

#### *8.2 Club Obligations*

Each Club or operator of a public training centre must implement procedures that eliminate the risk of transmission of COVID-19 to the maximum extent possible. Without limiting this obligation, each Club or venue operator must:

- (a) Develop and implement a process or register for recording the vaccination status of persons who intend regularly working or visiting the training centre;
- (b) Erect appropriate signage, and on a best endeavours basis ensure that occasional workers or visitors also prove that they are vaccinated; and
- (c) Clearly communicate these requirements to all track users and visitors.

#### *8.3 Licenceholder Obligations*

- (a) Each Licenceholder is obligated to adhere to the vaccination requirement of any training venue that they utilise.
- (b) Each Licenceholder must ensure that they and their staff, contractors or visitors to the training centre are compliant with the venue’s vaccination requirements.

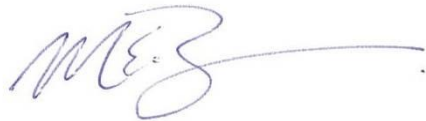
#### *8.4 Exemption or variation from Health Requirements for Thoroughbred Training Centres*

- (a) This section does not impose obligation on privately owned properties where only one Trainer or one training partnership operates.
- (b) PROVIDED THAT licenced Jockeys are not engaged to assist Thoroughbred training at any time at the venue, AND provided that fewer than 15 licenceholders (counting all Trainers, Trackwork Riders and Stablehands) regularly work at the venue, THEN a club or venue operator may vary from this Directive:
  - if the club or venue operator has undertaken a Workplace Risk Assessment following Government guidelines; and
  - if the club or venue operator has enabled consultation with all track users; and
  - if approved by the club or venue operator’s governing committee considering a particular focus on the likely risk on the wider industry.
- (c) A variation from the vaccination policy must:

- include the club or venue operator establishing a policy and system that requires and records negative COVID tests for unvaccinated workers on a not more than weekly basis; and
- include the list of the fewer than 15 Licenceholders working at the venue; and
- be notified to NZTR; and
- be revoked if: a licenced Jockey intends to ride trackwork at the venue; or if the number of Licenceholders regularly working at the venue exceeds 15.

## **9. Dispensation:**

- 9.1 NZTR may, on the request of a club, vary any of the requirements in these Regulations in relation to a specified Meeting.



Martin Burns

**GM – Welfare & Sustainability**

**Issued by the Office of New Zealand Thoroughbred Racing**  
106-110 Jackson Street, Petone, Wellington 5012  
Tel: +64 4 576 6240, Fax: +64 4 568 8866

## Explanatory Addendum

On 22 October 2021 the government announced the COVID Protection Framework (hereafter referred to as the “CPF”) also known as the ‘Traffic Light System’. On 22 November the government announced that CPF would come into force from midnight on 2 December 2021.

See links for more information:

- [Detail](#)
- [Summary](#)

### Application to Thoroughbred racing and trialling

Attendances at race (or trial) meetings is integral to the experience and the profitability of racing. Therefore it is critical that attendances are maximised, and therefore NZTR and racing clubs must plan, regulate and conduct meetings on a “double vaccinated” basis in accord with the CPF, thereby ensuring attendances are uncapped under Green or Orange settings, and capped at separated groups of 100 under the Red setting.

Furthermore, as a professional sport and industry, we must continue to prove that we can keep all participants safe and eliminate, or mitigate to the greatest possible extent, the risk of transmission of COVID-19.

This Regulation replaces the prior ‘Alert Level 2’ NZTR Directive. It is worth noting that under the CPF, Alert Level 3 and Alert Level 4 remain an option, so those NZTR Directives continue to prevail and will be invoked if ever necessary.

The Alert Level protocols will be enforced by the Government through its various agencies including the Police, WorkSafe New Zealand (WorkSafe) and the Ministry for Primary Industries (MPI). Contact tracing is essential and NZTR requires that you download the NZ COVID Tracer App to and use every time you are at a racecourse or training venue. Participants and attendees are also now required to download or print off their record of double vaccination “My Vaccine Pass” which must be used to ensure entry to a meeting.

As these are not classified as ‘events’ NZTR is not mandating a double vaccination requirement for activities other than race or trial meetings. Rather employers or training venues are entitled to undertake a risk assessment to determine whether or not they must mandate a double vaccination requirement upon their staff, contractors or visitors to their site.

NZTR has determined that, under the CPF when at the Red level, clubs can choose whether they will plan for and host attendees in a safe manner consistent with the Government’s Health Orders relating to gatherings and hospitality for up to guests in separate defined areas. If attendances are intended, the club must complete and submit a Health & Safety Operating Plan for NZTR’s advance approval, as outlined in the attached template. NZTR may exempt clubs from this requirement when they have demonstrated a track record of understanding and maintaining adherence to the Government’s Health Orders relating to gatherings and hospitality.

### The purpose of this Directive, and requirements on employers and workers (PCBUs):

The core principle behind this Directive is to protect the health and safety of all workers required to perform duties during the COVID-19 crisis, including related health and safety impacts on operations related to operating under a COVID-19 environment, as well as protecting the wider New Zealand population from transmission and spread of the virus. Another key principle is to maintain the

WorkSafe three pillars of good work throughout all operations: leadership, risk management, and worker engagement as expressed below.

- **Leadership:** The expectations of customers, the community, staff and regulators is that all workplaces will meet the highest possible standards and that managers, supervisors and individual staff actively manage adherence to the safety measures and expect all involved to demonstrate leadership and appropriate self-supervision to ensure that these standards are met and that they are looking out for the health and safety of their colleagues and community while at work.
- **Elimination:** Businesses must eliminate transmission risks where possible. Where it is not possible, businesses must substitute work practices or provide as high a level of control as possible. We expect that Clubs and trainers together with their respective staff or racing officials will maintain, or create new, practices that meet or exceed the latest Ministry of Health guidelines. NZTR will update licence holders of relevant changes to those guidelines.
- **Participation:** Workplaces must engage with employees (as individuals or representatives) in any decision making for changes to work practices. Any staff consultation and/or feedback should be an ongoing process so that workplaces are able to improve practices and learn lessons to continuously improve management and safety.

This Directive contains minimum measures that are necessary to mitigate or eliminate the risk of passing on the COVID-19 virus at work. These include:

- supporting people with flu-like symptoms to self-isolate;
- varying requirements to wear face masks;
- mandatory scanning of NZ COVID Tracer APP QR codes for the venue – or if this is not possible due to lack of compatible phone, confirm their attendance on a register at the gate or in the raceday office;
- ensuring physical distancing as may be recommended by the Government;
- regular disinfecting of surfaces; and
- maintaining good hygiene, particularly hand hygiene and good cough/sneeze etiquette.

This Directive places a requirement on clubs and Trainers (together with their respective staff or racing officials) to develop a COVID-19 Control Plan in place to protect all individuals at the workplace or sites where training and racing is conducted. Employers should prepare and implement their site plans and processes with worker engagement (including worker H&S representation) and participation to ensure that agreed measures are well communicated and embedded in practice.

Stipulated measures in this Directive must form part of the workplace's COVID-19 Control Plan for Persons Conducting a Business or Undertaking (PCBUs) involved in Thoroughbred race or trial meetings, (including associated persons or trades) with further protocols and processes down to site level that show how the principles and minimum requirements set out in this standard are achieved.

At time of writing (26 November 2021), the government has indicated that it will provide a supporting regulatory framework and potentially legislative requirements for employers or venue operators to undertake risk assessment to determine whether vaccination is required. This may or may not lead to further requirements for vaccination in Thoroughbred training workplaces.

PCBUs and officers are expected to undertake and champion the principles of this standard by constantly focussing on eliminating or reducing the risk of COVID-19 transmission to an acceptable level (as required by the Ministry of Health (MOH)), engaging meaningfully with their workforce, and making worker health a key priority.

The standard also includes prevention, detection, and rapid response measures designed to achieve the principles above whilst maintaining business continuity across Thoroughbred training and racing activities.

Achievement of this standard is expected for all PCBUs engaged in training and racing of Thoroughbreds whilst working under the COVID Protection Framework and reflects what a responsible business and activity would undertake to ensure the health and safety of its workers and the New Zealand public. PCBUs are responsible for implementing controls to achieve this standard and maintaining records to provide evidence that the requirements have been met.

Trainers, Clubs, staff, RIB and other racing officials, and Jockeys are expected to work positively and cooperatively to ensure:

- the effective implementation of these minimum COVID-19 protocols, and
- that the health and safety of workers and other people are not put at risk from changes that are made to work arrangements because of the pandemic.

#### **Considerations taken in the drafting of this Directive**

- Guidance provided by Worksafe NZ and requirements of the Health and Safety at Work Act 2015.
- The equivalent regulations prevailing in New South Wales and Victoria where racing has continued to operate whilst varying government lockdowns apply.
- Consultation with the New Zealand Jockeys' Association, the New Zealand Trainers' Association, a Racing Club Advisory Group, and the NZ Racecourse Managers Association.

#### **Notes:**

- **This directive has the effect of NZTR Rules of Racing and is binding on PCBU's (as defined by the Health & Safety at Work Act), including racing clubs, racing officials (including RIB), Trainers (and employees and contractors) and Jockeys.**
- **This directive is subject to any government regulations or requirements as relevant to the COVID Protection Framework.**

#### **Useful Links:**

- [Ministry of Business Innovation & Enterprise](#)
- [Health and Safety at Work Act](#)
- [Risk Management Regulations](#)
- [COVID-19 Government Site](#)
- [Ministry of Health: COVID-19 \(general\)](#)
- [Ministry of Health posters](#)
- [COVID Protection Framework detail](#) and [summary](#)