

# AGCO

Alcohol and Gaming  
Commission of Ontario



## Rules of Standardbred Racing 2018



*Ce document est disponible en français.*

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# Table of Contents

<b>Horse Racing Licence Act, 2015 .....</b>	<b>i</b>
<b>Rules of Standardbred Racing .....</b>	<b>1</b>
Chapter 1: Mandate and Preliminary .....	1
Chapter 2: Definitions .....	3
Chapter 3: Licences .....	15
Chapter 4: Commission Administration.....	24
Chapter 5: Judges and Racing Officials .....	24
Chapter 6: Violations, Penalties and Expulsions .....	30
Chapter 7: Racing Associations .....	51
Chapter 8: Commission Veterinarians, Official Veterinarians and Other Veterinarians .....	60
Chapter 9: Official Samples and Positive Tests .....	68
Chapter 10: Needles, Syringes and Seizures.....	73
Chapter 11: Horses Permitted to Race .....	74
Chapter 12: Qualifying Races .....	80
Chapter 13: Types of Races Permitted.....	84
Chapter 14: Overnight Events.....	84
Chapter 15: Claiming Races .....	88
Chapter 16: Added Money Events .....	96
Chapter 17: Declarations and Drawing of Post Positions.....	104
Chapter 18: Placing and Money Distribution.....	112
Chapter 19: Time and Records.....	118
Chapter 20: Judges' and Veterinarians' Lists.....	120
Chapter 21: Postponement and Cancellation.....	124
Chapter 22: Racing Rules .....	128
Chapter 23: Protests.....	151
Chapter 24: Appeals.....	152
Chapter 25: Drivers.....	153
Chapter 26: Trainers and Grooms .....	156
Chapter 27: Owners.....	163
Chapter 28: Racing, Farm, Corporate or Stable Name .....	163
Chapter 29: Race Secretary .....	167
Chapter 30: Starter .....	169
Chapter 31: Standardbred Canada Field Representative.....	170

Chapter 32: Paddock Judge and Equipment Inspector .....	171
Chapter 33: Patrol Judges and Placing Judges .....	174
Chapter 34: Charter .....	175
Chapter 35: Ontario Standardbred Exercise Induced Pulmonary Haemorrhage (EIPH) Program .....	178
Chapter 36: Alcohol and Drug Violations - Human .....	183
Chapter 37: Out of Competition Program .....	196
<b>Directives</b> .....	<b>200</b>
Policy Directive No. 2–2008: Trainer Transfer Guidelines....	200
Policy Directive No. 3–2008: Licensing Terms Guidelines for Positive Test/ Medication Rule Violations.....	201
Policy Directive No. 1–2009: Cancellation Fees .....	203
Policy Directive No. 5-2009: Penalty Guidelines for Inappropriate Urging of a Horse in Standardbred Racing...	205
Policy Directive No. 2-2010: Standardbred Racetrack Surfaces Minimum Standards .....	213
Policy Directive No. 2-2012: Track Rules.....	216
Policy Directive No. 1-2013: Postponement, Rescheduling or Cancellation of Added Money Events .....	219
Policy Directive No. 1-2018: Guidelines – Penalties for Equine Drug, TCO <sub>2</sub> and Non-Therapeutic Drug Violations .....	222
Standardbred Directive No. 1-2014: Non-Extended Meetings Appendix.....	226
Standardbred Directive No. 3-2014: Racing Under Saddle Appendix.....	230
Standardbred Directive No. 1-2015: Racing Under Saddle Appendix.....	236
<b>Index: Rules of Standardbred Racing</b> .....	<b>239</b>

# Horse Racing Licence Act, 2015

## PART I - INTERPRETATION

### DEFINITIONS

1. In this Act,

**“Board”** means the board of the Alcohol and Gaming Commission of Ontario established under the *Alcohol and Gaming Regulation and Public Protection Act*, 1996; (“conseil”)

**“Commission”** means the Alcohol and Gaming Commission of Ontario established under the *Alcohol and Gaming Regulation and Public Protection Act*, 1996; (“Commission”)

**“conveyance”** means a vehicle, vessel or other thing used to transport horses or equipment used in the business of horse racing; (“moyen de transport”)

**“licence”** means a licence issued under this Act; (“licence”)

**“licensee”** means the holder of a licence; (“titulaire de licence”)

**“Panel”** means the Horse Racing Appeal Panel established under subsection 7 (1); (“Comité”)

**“prescribed”** means prescribed in the regulations; (“prescrit”)

**“proceeds”**, in relation to an offence under this Act, means,

- (a) personal property, other than money, derived in whole or in part, directly or indirectly, from the commission of the offence, and
- (b) money derived directly or indirectly from the commission of the offence; (“produit”)

**“Registrar”** means the Registrar of Alcohol, Gaming and Racing within the meaning of the *Alcohol and Gaming Regulation and Public Protection Act, 1996*; (“registrateur”)

**“record”** includes a book of account, bank book, voucher, invoice, receipt, contract, correspondence and any other document regardless of whether the record is on paper or is in electronic, photographic or other form; (“document”)

**“regulations”** means the regulations made under this Act; (“règlements”)

**“rules of racing”** means the rules for the conduct of horse racing made under section 5; (“règles sur les courses”)

**“Tribunal”** means the Licence Appeal Tribunal established under the *Licence Appeal Tribunal Act, 1999* or whatever other tribunal is provided for in the regulations. (“Tribunal”)

## PART II

### REGISTRAR, RULES OF RACING AND NON-LICENSING APPEALS

#### POWERS OF REGISTRAR, GENERAL

2. The Registrar has the power, subject to this Act and the regulations,

- (a) to govern, direct, control and regulate horse racing in Ontario in any or all of its forms; and
- (b) to govern, control and regulate the operation of race tracks and off-track betting facilities in Ontario at which any form of horse racing is carried on or televised.

## **EXAMPLES**

**3.** Without in any way restricting the generality of section 2, some examples of matters with respect to horse racing over which the Registrar may exercise power are,

- (a) all forms of licensing;
- (b) the appointment and discharge of race track officials and other persons whose duties relate to the actual running of horse races;
- (c) registration of matters that the Registrar considers appropriate;
- (d) the keeping of books and accounts;
- (e) the assessment of penalties for contravention of the rules of racing, and the enforcement of the penalties;
- (f) imposing conditions on licences that the Registrar considers expedient, and removing such conditions; and
- (g) examinations and standards.

## **ADDITIONAL MATTERS**

**4.** The Registrar may also exercise power over any matter provided for in the regulations.

## **RULES OF RACING**

**5.**

- (1) Subject to the regulations, the Commission, through the Registrar, shall make rules for the conduct of horse racing in any of its forms.

### **Same**

- (2) The rules of racing may provide for any matter over which the Registrar may exercise power under this Act.

**Adoption of other rules**

- (3) The rules of racing may adopt by reference, in whole or in part, with the changes that the Registrar considers necessary, rules and procedures of racing associations or bodies, as amended from time to time, with respect to any matter except hearings held under Part III.

**ACCESSIBLE TO PUBLIC**

- (4) The Registrar shall ensure that the rules of racing are made readily accessible to the public.

**Conflict**

- (5) In the case of any conflict or inconsistency between the rules of racing and this Act or the regulations, this Act or the regulations prevail to the extent of the conflict or inconsistency.

**Not regulations**

- (6) The rules of racing are not regulations for the purposes of Part III of the *Legislation Act*, 2006.

**Delegation**

6. The rules of racing may delegate to stewards, judges, veterinarians, race track officials, racing associations or bodies, racing association or racing body officials, licensing agents or officers, racing officials, inspectors, investigators or to any other persons any of the following powers that the Registrar considers expedient:

1. The power to collect fees or other charges for the issuance or renewal of licences and to provide for refunds of the fees and charges.

2. The power to enforce the carrying out of this Act, the regulations, the rules of racing and all requirements of the Registrar made under this Act.
3. The power to fix, impose and collect penalties for a contravention of the rules of racing.
4. The power to impose conditions on licences, and to remove such conditions.

## **Horse Racing Appeal Panel**

### **7.**

- (1) The Horse Racing Appeal Panel is established under that name in English and Comité d'appel des courses de chevaux in French.

### **Members**

- (2) The Board may appoint members to the Panel as part-time or full-time members for terms of up to three years or such other period that is prescribed.

### **Eligibility for appointment**

- (3) A person is not eligible to be appointed to the Panel unless the person meets the prescribed requirements, but no person who is a member of the Board shall be appointed to the Panel.

### **Reappointment**

- (4) A person appointed as a member of the Panel is eligible for reappointment if the person meets the eligibility requirements in subsection (3).

### **Remuneration and expenses**

- (5) Panel members are to be paid such remuneration and expenses as the Board may determine.

**Practice and procedure**

- (6) The Panel may, subject to this Act and the *Statutory Powers Procedure Act*, determine its own practice and procedure.

**Chair and vice-chair**

- (7) The Board shall designate one of the members to be the chair and one of the members to be the vice-chair of the Panel.

**Duties of chair**

- (8) The chair shall have general supervision and direction over the conduct of the affairs of the Panel and shall arrange the sittings of the Panel and assign members to panels to conduct hearings as circumstances require.

**Acting chair**

- (9) If the chair is absent or otherwise unable to act or if the office is vacant, the vice-chair has all the powers and shall perform the duties of the chair.

**Appeals to Panel****8.**

- (1) If the rules of racing provide for an appeal to the Panel, a person who considers themselves aggrieved by a decision of a steward, judge, veterinarian, race track official, racing association official, licensing agent or officer or employee of the Commission may appeal the decision to the Panel and the hearing of the appeal shall be held in accordance with the Panel's rules of procedure.

### **Powers of panel**

- (2) On hearing the appeal, or without a hearing if the circumstances referred to in section 4.1 of the *Statutory Powers Procedure Act* apply, the Panel may confirm or vary the decision being appealed or set it aside.

### **No consideration of constitutional validity**

- (3) The Panel shall not inquire into or make a decision concerning the constitutional validity of a provision of an Act or a regulation.

### **Decision final**

- (4) A decision of the Panel under subsection (2) is final and not subject to appeal.

## **PART III**

### **LICENSING**

#### **LICENCE TO OPERATE**

**9.** No person shall operate a race track at which horse racing in any of its forms is carried on unless the person holds a licence.

#### **Licences, other persons involved in racing**

**10.** No person shall, with respect to horse racing in any of its forms, act as an owner, trainer, driver, jockey, apprentice jockey, groom, jockey's agent, jockey's valet, exercise rider, tradesperson, horsepersons' association, veterinarian or in any capacity provided for in the regulations unless the person holds a licence for that purpose.

**Application for licence**

**11.** An application for a licence or the renewal of a licence must be made to the Registrar in the form provided by the Registrar.

**Inquiries**

**12.**

- (1) The Registrar may make those inquiries and conduct those investigations into the character, financial history and competence of an applicant for a licence or the renewal of a licence that are necessary to determine whether the applicant meets the requirements of this Act, the regulations and the rules of racing.

**Corporations, partnerships**

- (2) If the applicant is a corporation or partnership, the Registrar may make the inquiries into or conduct the investigations of the officers, directors or partners of the applicant.

**Costs**

- (3) The applicant shall pay the reasonable costs of the inquiries or investigations or provide security to the Registrar in a form acceptable to the Registrar for the payment.

**Collection of information**

- (4) The Registrar may require information, including personal information, or material from any person who is the subject of the inquiries or investigations and may request information or material from any person who the Registrar has reason to believe can provide information or material relevant to the inquiries or investigations.

### **Disclosure of information**

- (5) If the Registrar requires information or material from a person under subsection (4), the person shall disclose to the Registrar the information or material required, unless it is the subject of solicitor-client privilege.

### **Verification of information**

- (6) The Registrar may require that any information provided under subsection (4) be verified by statutory declaration.

### **Disclosure by head of institution**

- (7) Nothing in the *Freedom of Information and Protection of Privacy Act* or the *Municipal Freedom of Information and Protection of Privacy Act* prevents the head of an institution within the meaning of those Acts from disclosing to the Registrar the information or material that the Registrar requires under subsection (4).

## **Examinations**

**13.** The Registrar may require as a condition for the issuance of a licence, that an applicant for a licence or the renewal of a licence pass the examinations or attain the standards that the regulations or the rules of racing may provide for.

## **Refusal to issue licence or renewal**

**14.** The Registrar shall refuse to issue a licence to an applicant or to renew the licence of an applicant if,

(a) there are reasonable grounds to believe that, when acting as a licensee, the applicant will not act in accordance with the law, or with

integrity, honesty, or in the public interest, having regard to the past conduct of the applicant; or

- (b) the applicant is carrying on activities that are, or will be, if the applicant is licensed, in contravention of this Act, the regulations, the rules of racing or the conditions of the licence.

## **Conditions of licence**

### **15.**

- (1) A licence is subject to those conditions to give effect to the purposes of this Act,
  - (a) that the Registrar proposes and the applicant consents to;
  - (b) that are imposed by virtue of sections 16 and 20; or
  - (c) that are imposed under this Act or that are required to be imposed under the regulations.

### **Compliance with rules**

- (2) Every licence is subject to the condition that the licensee comply with every applicable requirement under the rules of racing.

## **Review**

**16.** The Registrar may at any time review a licence and may,

- (a) attach to the licence any further conditions consented to by the licensee; or
- (b) issue a proposal under section 20 to attach to the licence any further conditions that the Registrar considers proper to give effect to the purposes of this Act.

## **Removal of conditions**

### **17.**

- (1) The Registrar may, on the application of a licensee, and if the Registrar considers it appropriate in the public interest, remove a condition to which the licensee had consented.

### **Same**

- (2) The Tribunal may, on the application of a licensee, and if the Tribunal considers it appropriate in the public interest, remove a condition other than a condition to which the licensee had consented, unless the condition is required to be imposed under this Act or the regulations.

## **No transfers**

- 18.** A licence is not transferable.

## **Suspension or revocation of licence**

- 19.** The Registrar may propose to suspend or to revoke a licence for any reason that would disentitle the applicant to the issuance or the renewal of the licence.

## **Registrar's proposed order**

### **20.**

- (1) If the Registrar refuses to issue or renew a licence, proposes to suspend or revoke a licence, or to add conditions to a licence to which the licensee has not consented, the Registrar shall serve notice of a proposed order, together with written reasons, on the applicant or licensee.

**Right to hearing**

- (2) The notice of the proposed order shall inform the applicant or licensee that the person is entitled to a hearing before the Tribunal.

**Request for hearing**

- (3) To request a hearing, the applicant or licensee shall serve a written request on the Registrar and the Tribunal within 15 days after the Registrar serves the notice of the proposed order.

**If no hearing**

- (4) The Registrar may make the proposed order, if the applicant or licensee does not request a hearing within the allowed time.

**Hearing**

- (5) If the person requests a hearing, the Tribunal shall schedule and hold the hearing.

**Order of Tribunal**

- (6) After holding a hearing, the Tribunal may by order,
- (a) confirm or set aside the proposed order;
  - (b) direct the Registrar to take the action that the Tribunal considers the Registrar ought to take to give effect to the purposes of this Act.

**Discretion of Tribunal**

- (7) In making an order, the Tribunal may substitute its opinion for that of the Registrar.

**Conditions of order**

- (8) The Tribunal may attach the conditions to its order or to the licence that it considers appropriate.

## **Immediate suspension**

### **21.**

- (1) The Registrar may by order suspend a licence without serving notice of a proposed order under section 20, if the Registrar considers it to be necessary in the public interest.

#### **Service**

- (2) The Registrar shall serve a copy of the order made together with written reasons for it on the licensee.

#### **Time of effectiveness**

- (3) An order to suspend a licence under subsection (1) takes effect immediately upon being served.

#### **Right to hearing**

- (4) Subsections 20 (2), (3) and (5) to (8) apply to the order in the same way as to a proposed order under that section.

#### **Combined hearing**

- (5) If the Registrar makes an order under this section with respect to a licensee before a hearing is held under section 20 with respect to a notice of a proposed order that the Registrar has served on the licensee, the Tribunal may hold only one hearing to deal with both the order made and the proposed order.

## **Cancellation of licence on request**

**22.** The Registrar may cancel a licence upon the request in writing of the licensee and section 20 does not apply.

## Further applications

### 23.

- (1) No person who is refused a licence or renewal of a licence or whose licence is revoked may apply to the Registrar for a licence until at least two years have passed since the refusal or revocation.

#### **Suspended licences**

- (2) No person whose licence is suspended may apply to the Registrar for a licence during the suspension.

#### **Rejection of further application**

- (3) Despite section 20, the Registrar may, without giving written reasons, reject an application made after the time period specified in subsection (1) if, in the Registrar's opinion, the application discloses no substantial new evidence or no material change in circumstances since the refusal, revocation or suspension took effect.

#### **Not statutory power of decision**

- (4) The *Statutory Powers Procedure Act* does not apply to the exercise of the Registrar's power under subsection (3).

## Change in address for service

**24.** Every licensee shall, not later than five days after the change, serve the Registrar with a written notice of any change in address for service.

**PART IV**  
**ENFORCEMENT**  
**INSPECTORS**

**25.**

- (1) The Registrar may designate persons employed by the Alcohol and Gaming Commission of Ontario as inspectors for the purpose of ensuring compliance with this Act, the regulations and the rules of racing.

**Certificate of designation**

- (2) A person designated under subsection (1) who is acting as an inspector under this Act shall, on request, produce his or her certificate of designation.

**Inspections**

**26.**

- (1) For the purposes of carrying out an inspection, an inspector may enter any place or conveyance used in the business of horse racing at any reasonable time, and for that purpose may stop and detain any conveyance.

**Dwellings**

- (2) The power to enter and inspect under this section shall not be exercised as a power to enter and inspect a place or conveyance or a part of a place or conveyance that is actually used as a dwelling.

**Powers of inspector**

- (3) An inspector conducting an inspection may,
  - (a) examine records or anything else that is relevant to the inspection;

- (b) demand the production of a record or any other thing that is relevant to the inspection;
- (c) on issuing a written receipt for it, remove a record or any other thing that is relevant to the inspection for review, examination or testing;
- (d) on issuing a written receipt for it, remove a record or any other thing that is relevant to the inspection for copying;
- (e) in order to produce a record in readable form, use data storage, information processing or retrieval devices or systems that are normally used in carrying on business in the place;
- (f) take photographs or make any other kind of recording; and
- (g) inquire into all financial transactions, records and other matters that are relevant to the inspection.

**Written demand**

- (4) A demand under this section that a record or any other thing be produced must be in writing and must include a statement of the nature of the record or thing required.

**Obligation to produce and assist**

- (5) If an inspector demands that a record or any other thing be produced under this section, the person who has custody of the record or thing shall produce it and, in the case of a record, shall on request provide any assistance that is reasonably necessary to interpret the record or to produce it in a readable form.

### **Records and things removed from place**

- (6) A record or other thing that has been removed for review, examination, testing or copying,
- (a) shall be made available on request to the person from whom it was removed and at a time and place that are convenient for the person and for the inspector; and
  - (b) shall be returned to the person within a reasonable time, unless, in the case of a thing that has been subject to testing, the thing has been made unsuitable for return as a result of the testing.

### **Copy admissible in evidence**

- (7) A copy of a record or other thing that purports to be certified by an inspector as being a true copy of the original is admissible in evidence to the same extent as the original and has the same evidentiary value.

### **Seizure**

- (8) An inspector conducting an inspection may seize anything the inspector discovers that the inspector reasonably believes not to be in compliance with this or any other Act, the regulations, or the rules for racing, and, subject to section 33, shall dispose of the thing seized in accordance with the direction of the Registrar, subject to anything provided for in the regulations.

### **Obstruction**

- (9) No person shall hinder, obstruct or interfere with or attempt to hinder, obstruct or interfere with an inspector conducting an inspection, refuse to answer questions on matters

relevant to the inspection or provide the inspector with false information on matters relevant to the inspection.

**Experts**

- (10) An inspector is entitled to call upon such experts as are necessary to assist in an inspection.

**Condition of licence**

- (11) It is a condition of every licence that the licensee must facilitate inspections under this Act.

**Investigators****27.**

- (1) The Registrar may appoint any person to be an investigator for the purpose of determining whether there has been a contravention of this Act or the regulations.

**Certificate of appointment**

- (2) The Registrar shall issue a certificate of appointment to every investigator.

**Police officers**

- (3) Police officers are investigators by virtue of office but subsection (2) does not apply to them.

**Proof of appointment**

- (4) Every investigator who exercises powers under this Act shall, upon request, produce the certificate of appointment as an investigator or identification as a police officer, as the case may be.

## **Warrants**

### **28.**

- (1) Upon application made without notice by an investigator, a justice of the peace may issue a warrant, if satisfied on information under oath that there are reasonable grounds to believe that,
  - (a) there has been or is likely to be a contravention of this Act or the regulations;
  - and
  - (b) there is, in any place or conveyance anything relating to the contravention of this Act or the regulations.

### **Powers under warrant**

- (2) Subject to any conditions contained in it, a warrant obtained under subsection (1) authorizes an investigator,
  - (a) to enter or access the place or conveyance specified in the warrant and examine and seize anything described in the warrant;
  - (b) to use any data storage, processing or retrieval device or system used in carrying on business in order to produce information or evidence described in the warrant, in any form;
  - (c) to exercise any of the powers specified in subsection (10); and
  - (d) to use any investigative technique or procedure or do anything described in the warrant.

**Entry of dwelling**

- (3) Despite subsection (2), an investigator shall not exercise the power under a warrant to enter a place or conveyance, or part of a place or conveyance, actually used as a dwelling, unless,
- (a) the justice of the peace is informed that the warrant is being sought to authorize entry into a dwelling; and
  - (b) the justice of the peace authorizes the entry into the dwelling.

**Conditions on warrant**

- (4) A warrant obtained under subsection (1) shall contain the conditions that the justice of the peace considers advisable to ensure that any search authorized by the warrant is reasonable in the circumstances.

**Execution of warrant**

- (5) A warrant issued under this section shall specify the hours and days during which it may be executed.

**Expiry**

- (6) Unless renewed, a warrant under this section expires not later than 30 days after the date on which it is made.

**Renewal of warrant**

- (7) A warrant under this section may be renewed for any reason for which it may be issued.

**Assistance**

- (8) An investigator acting under the authority of a warrant issued under this section is authorized to call on police officers and experts to assist in the execution of the warrant and to use

such force as is necessary in the execution of the warrant.

**No obstruction**

- (9) No person shall obstruct an investigator executing a warrant under this section or withhold from the investigator or conceal, alter or destroy anything relevant to the investigation being conducted pursuant to the warrant.

**Assistance**

- (10) An investigator may, in the course of executing a warrant, require a person to produce the evidence or information described in the warrant and to provide whatever assistance is reasonably necessary, including using any data storage, processing or retrieval device or system to produce, in any form, the evidence or information described in the warrant and the person shall produce the evidence or information or provide the assistance.

**Return of seized items**

- (11) Subject to section 33, an investigator who seizes anything under this section or section 29 may make a copy of it and shall return it within a reasonable time or shall dispose of it in accordance with the direction of the Registrar, subject to anything provided for in the regulations.

**Admissibility**

- (12) A copy of a document or record certified by an investigator as being a true copy of the original is admissible in evidence to the same extent as the original and has the same evidentiary value.

**Seizure of things not specified**

**29.** An investigator who is lawfully present in a place or conveyance pursuant to a warrant or otherwise in the execution of the investigator's duties may, without a warrant, seize anything in plain view that the investigator believes on reasonable grounds will afford evidence relating to a contravention of this Act or the regulations or the rules of racing.

**Searches in exigent circumstances**

**30.**

- (1) An investigator may exercise any of the powers described in subsection 28 (2) without a warrant if the conditions for obtaining the warrant exist but by reason of exigent circumstances it would be impracticable to obtain the warrant.

**Dwellings**

- (2) Subsection (1) does not apply to a building or conveyance or part of a building or conveyance that is actually being used as a dwelling.

**Use of force**

- (3) The investigator may, in executing any authority given by this section, call upon police officers for assistance and use whatever force is reasonably necessary.

### **Applicability of s. 28**

- (4) Subsections 28 (8), (9), (10), (11) and (12) apply with necessary modifications to a search under this section.

### **Application of *Public Inquiries Act*, 2009**

**31.** Section 33 of the *Public Inquiries Act*, 2009 applies to an investigation by an investigator under this Act.

### **Possession of proceeds**

**32.** No person shall knowingly possess the proceeds of an offence under this Act.

### **Order of restoration**

**33.**

- (1) The Ontario Court of Justice may, upon the application of any person made within 30 days of a seizure authorized under this Act, order that the things seized be restored forthwith to the applicant if the court is satisfied that,
- (a) the applicant is entitled to possession of the things seized;
  - (b) the things seized are not required as evidence in any proceeding;
  - (c) continued detention of the things seized is not necessary to prevent the commission of an offence;
  - (d) the best interests of the horse racing industry and of animal welfare do not require the continued detention of the things seized; and
  - (e) it is unlikely that the things will be forfeited on conviction under subsection (4).

**Same**

- (2) If the court is satisfied that an applicant under subsection (1) is entitled to possession of the things seized but is not satisfied as to all of the matters mentioned in clauses (1) (b), (c) and (d), it shall order that the things seized be restored to the applicant,
- (a) upon the expiration of three months from the date of the seizure, if no proceeding in respect of an offence has been commenced; or
- (b) upon the final conclusion of such a proceeding.

**Forfeiture**

- (3) If no application has been made for the return of a thing seized under this section or an application has been made but upon the hearing of the application no order of restoration has been made, the thing seized is forfeited to the Crown.

**Same**

- (4) If a person is convicted of an offence under this Act, the court shall order that anything seized in connection with the offence be forfeited to the Crown, unless the court considers that the forfeiture would be unjust in the circumstances.

**Relief against forfeiture**

- (5) Any person with an interest in a thing forfeited under this section may apply to the Superior Court of Justice for relief against the forfeiture and the court may make an order providing for any relief that it considers just, including,

but not limited to, one or more of the following orders:

1. An order directing that the thing or any part of the thing be returned to the applicant.
2. An order directing that any interest in the thing be vested in the applicant.

**Same**

- (6) The court shall not order any relief under subsection (5) unless the court is satisfied that the applicant did not, directly or indirectly, participate in, or benefit from, any offence in connection with which the thing was seized.

**Arrest without warrant**

**34.** If an investigator who is a police officer finds a person apparently in contravention of this Act or apparently in contravention of a prescribed provision of the regulations and the person refuses to give his or her name and address or there are reasonable grounds to believe that the name or address given is false, the investigator may arrest the person without warrant.

**Testimony in civil proceeding**

**35.** No person engaged in the administration of this Act shall be required to give testimony in any civil proceeding with regard to information obtained by the person in the course of the person's duties except in a proceeding under this Act.

**Immunity**

**36.**

- (1) No action or other proceeding for damages may be instituted against any person engaged

in the administration of this Act for any act done in good faith in the execution or intended execution of the person's duty or for any alleged neglect or default in the execution in good faith of the person's duty.

### **Crown liability**

- (2) Despite subsections 5 (2) and (4) of the *Proceedings Against the Crown Act*, subsection (1) does not relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which it would otherwise be subject.

## **Information**

### **37.**

- (1) The Commission and any other agencies responsible for regulating horse racing and transfer payments to racetracks may disclose information to the Registrar for the purpose of conducting research and analysis, including statistical analysis, of the horse racing industry or such other purposes as may be prescribed.

### **Collection and use**

- (2) The Registrar may collect and use information, including personal information, from the Commission, other agencies, ministries and other sources for the purpose of conducting research and analysis, including statistical analysis, of the horse racing industry or such other purposes related to the administration and regulation of the horse racing industry as may be prescribed.

### **Personal information**

- (3) The Registrar shall not collect or use personal information under this section if other information will serve the purpose of the collection or use.

### **Same**

- (4) The Registrar shall not collect or use more personal information under this section than is reasonably necessary to meet the purpose of the collection or use.

### **Delegation**

- (5) The Registrar may delegate the collection and use powers set out in this section to a Deputy Minister of a Ministry or a public servant employed under Part III of the *Public Service of Ontario Act*, 2006.

## **No cruelty to race horses**

### **38.**

- (1) No person shall commit an act of cruelty or neglect to a race horse in any place.

### **“Race horse”**

- (2) In this section,  
“race horse” means a horse that has participated in racing within the past 60 days or is within 60 days of participating in racing.

### **Generally accepted practices**

- (3) This section does not apply to generally accepted practices of agricultural animal care, management or husbandry.

**Improper interference**

**39.** No person shall benefit financially or otherwise from any activity that wrongfully affects or attempts to affect the outcome of a horse race or other officially timed horse racing event.

**Adverse impact on integrity**

**40.** No person shall engage in any activity that adversely impacts upon the integrity of horse racing.

**Offences**

**41.**

- (1) A person is guilty of an offence if the person,
  - (a) knowingly furnishes false information in any application under this Act;
  - (b) knowingly fails to comply with a Registrar's order under this Act; or
  - (c) contravenes any provision of this Act or the regulations.

**Directors, officers**

- (2) It is an offence for any director or officer of a corporation to cause, authorize, permit, or participate or acquiesce in the commission by the corporation of an offence mentioned in subsection (1).

**Penalty, non-corporations**

- (3) Every individual convicted of an offence under this Act is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both.

**Penalty, corporations**

- (4) Every corporation convicted of an offence under this Act is liable to a fine of not more than \$500,000.

**Limitation**

- (5) No proceeding under this section shall be commenced more than five years after the time when the subject matter of the proceeding arose.

**PART V**

**GENERAL REGULATIONS**

**42.**

- (1) The Lieutenant Governor in Council may make regulations for implementing the purposes, provisions and intent of this Act.

**Same**

- (2) Without restricting the generality of subsection (1), the Lieutenant Governor in Council may make regulations,
- (a) governing anything that this Act describes as being prescribed, provided for or required in the regulations;
  - (b) governing horse racing, race tracks and off-track betting;
  - (c) respecting the powers of the Registrar;
  - (d) governing the contents and enforcement of the rules of racing;
  - (e) governing licensing under this Act;
  - (f) governing the service of documents for the purposes of this Act;

(g) providing for exemptions from this Act or any provision of this Act subject to the conditions, if any, provided for in the regulations;

(h) governing transitional matters arising from the repeal of the *Racing Commission Act*, 2000.

### **Transition, corporate matters**

**43.** The following occurs when section 2 comes into force:

1. The Ontario Racing Commission is dissolved.
2. All rights, property and assets that belonged to the Ontario Racing Commission immediately before this section came into force become the rights, property and assets of the Commission.
3. All debts, liabilities and obligations of the Ontario Racing Commission immediately before this section came into force become the debts, liabilities and obligations of the Commission.

### **Transition, licensing matters and rules of racing**

**44.** The following occurs when section 9 comes into force:

1. Licences and registrations issued under the *Racing Commission Act*, 2000 are continued as licences and registrations respectively issued under this Act.
2. The rules for racing and any orders and delegations made by the Ontario Racing Commission under the *Racing Commission Act*, 2000 are continued as the rules of racing

and as orders and delegations respectively made by the Registrar under this Act until they are amended, repealed or replaced by the Registrar.

3. The by-laws made by the Ontario Racing Commission under the *Racing Commission Act*, 2000 are continued as by-laws of the Alcohol and Gaming Commission of Ontario with respect to this Act until they are amended, repealed or replaced by that Commission.

**45.-47.** Omitted (amends, repeals or revokes other legislation).

**48.** Omitted (provides for coming into force of provisions of this Act).

**49.** Omitted (enacts short title of this Act).

# **Rules of Standardbred Racing**

## **Chapter 1: Mandate and Preliminary**

**1.01** The following rules have been enacted and declared to be the official rules of the Alcohol and Gaming Commission of Ontario (hereinafter referred to as the Commission) and these rules shall apply to all Standardbred raceways and participants under the Commission jurisdiction.

**1.02** Standardbred racing shall be conducted in accordance with the rules, Registrar's directives, conditions of licences granted by the Registrar, track rules approved by the Registrar, any other applicable laws and regulations. In case of conflict the Rules of Standardbred Racing shall supersede the conditions of a horse race and the regulations of the Association.

**1.03** Should any provision of these rules or any Registrar's directive conflict with any track rule, the appropriate Commission rule or Registrar's directive shall govern.

**1.04** Ignorance of the rules will not be accepted as an excuse for their violation.

**1.05** Directives of the Registrar shall have all the force and effect of the rules. The Registrar adopts all Directives approved by the Ontario Racing Commission prior to April 1, 2016 with necessary modification.

**1.06** All definitions of these rules shall apply as well to Registrar's directives.

**1.07** Every person participating in and every patron of a meeting shall abide by these rules and accept the decisions of the Judges, subject to the right of appeal to the Horse Racing Appeal Panel (the HRAP).

**1.08** An agricultural fair, incorporated company or person shall not conduct a race meeting unless formal approval of the meeting has been sought, and the Registrar has actually approved the meeting.

**1.09** If any case occurs which is not or which is alleged not to be provided for by the rules, it shall be determined by the Judges or the Registrar as the case may be, in such manner as they think is in the best interests of racing. Provided however, the Registrar in his or her absolute discretion may waive the breach of any of the rules, which waiver or breach the Registrar does not consider prejudicial to the best interests of racing.

**1.10** The past performance statistics compiled by Standardbred Canada shall be deemed to be the official statistics for the purpose of producing race programs for the use of the Standardbred industry and the general public.

**1.11** The records of monetary penalties, suspensions, licence conditions, drivers' statistics and infraction records, race results, purse winnings for horses and participants, and past performance and other statistics compiled by Standardbred Canada shall be deemed to be the official records and statistics for use by the Standardbred breeding and racing industry for the support of Standardbred racing and breeding.

**1.12** Notwithstanding Rule 3.02, Standardbred Canada shall license trainers, drivers and other officials and

participants as designated by the Registrar and further, the Registrar will recognize such licences of the United States Trotting Association.

**1.13** Standardbred Canada shall supply to all member or non-member tracks which have entered into a contract for services all their Association past performance statistics and any records of monetary penalties, suspensions, licence conditions, drivers' statistics and infraction records, race results, purse winnings for horses and participants and other statistics used by the Standardbred racing and breeding Industry in Ontario and shall submit for approval to the Registrar annually the rate schedule for the provision of these services.

**1.14** The Registrar has power, as he or she may deem proper, to make and, if necessary, to vary all arrangements for the conduct of a meeting.

## **Chapter 2: Definitions**

**Act** means the *Horse Racing Licence Act*, 2015.

**Added Money Event** means stakes, futurities, early closing events and late closing events.

**Age** of a horse shall be reckoned from the first day of January of the year of foaling.

**Alcohol** means the intoxicating agent in Beverage Alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl.

**Association** means a person, partnership, association or corporate body licensed by the Commission to conduct a race meeting.

**Authorized agent** means a person appointed by a licensee on whose behalf he/she is acting as agent. The appointment must be made by a document executed in writing, specify the authorities delegated to the agent, and be available for presentation when requested by an official. A copy of this document shall be filed with the Commission and any changes to, or revocation of such appointment by the issuer must also be filed immediately with the Commission.

**BAC** means Blood Alcohol Concentration. It is the grams of alcohol in 100 millilitres of blood when referenced as .02 to .039 BAC and the equivalent of 20 to 39 milligrams of alcohol in 100 millilitres of blood.

**Beverage Alcohol** means beer, wine and distilled spirits.

**Board** means the board of the Commission established under the *Alcohol and Gaming Regulation and Public Protection Act*, 1996.

**Breeder** means the registered owner or lessee, subject to the terms of a lease agreement, of the dam at the time she conceived.

**Chief Test Inspector** means the official approved pursuant to the Pari-Mutuel Betting Regulations under the *Criminal Code* (Canada) and who is directly responsible to Canadian Pari-Mutuel Agency and to the Judges for the taking of official samples from the horses and for the handling and shipping of such samples.

**Claiming race** means a race in which any horse drawn therein maybe claimed for a designated amount in conformance with the Rules.

**Classified race** means a race to which declarations are selected on the basis of ability or performance, regardless of the eligibility of such horses.

**Conditioned race** means an overnight event to which eligibility is determined according to specified qualifications.

**Clear Days** means where a number of days are expressed to be clear days, they shall be reckoned exclusively of the first day and exclusively of the last day. (See also "Days").

**Commission** means the Alcohol and Gaming Commission of Ontario (AGCO).

**Commission Representative** means an employee(s) or agent of the Commission.

**Commission Veterinarian** means a person employed by the Commission and licensed in good standing with the College of Veterinarians of Ontario.

**Dash** means a race decided in a single trial.

**Days** means where a number of days not expressed to be clear days is prescribed, they shall be reckoned exclusively of the first day and inclusively of the last day. (See also "Clear Days").

**Declaration/ Entry** means the naming of a particular horse to a particular race as a starter.

**Designated Licensee** means all Designated Racing Officials and individuals who hold a safety-sensitive position.

**Designated Racing Officials** means all employees and other individuals who have responsibility for decision making and the safe operations of all events at Commission licensed facilities. The following positions are included: Judges, Paddock Judge.

**Early Closing Event** means a race to which nominations close at least six weeks preceding the date of the race. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits.

**Elimination Heats** means heats of a race split according to the Rules to qualify the horses for a final heat.

The Ontario Standardbred **Exercise Induced Pulmonary Haemorrhage Program**, (hereinafter referred to as the "EIPH Program" in these Rules) consists of a controlled medication program whereby Furosemide shall be administered to horses certified to receive same while in competition in pari-mutuel races with the Rules established by the Commission and in accordance with the provisions of the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada).

**Extended Meeting** means any Association in the Province of Ontario which conducts a race meeting in excess of 6 days in any consecutive 12 month period with pari-mutuel wagering.

**Feature Wagering** means wagering as approved in Ontario by the Commission and as deemed pursuant to the Pari-Mutuel Betting Regulations under the *Criminal Code* (Canada).

**Futurity** means a stake event in which the competing horse was nominated when its dam was in foal or during its year of foaling.

**Handicap** means a race in which performance, claiming price, sex or distance allowance is made. Post positions for a handicap may be assigned by the race secretary. Post positions in handicap claiming races shall be determined by claiming price prior to application of allowances.

**Heat** means a single trial of a race to be decided by a series of heats.

**Horse** means a horse, mare, colt, filly, gelding or ridgeling.

**Horse Improvement Program** means a suite of multi-breed Ontario racing and breeding incentive programs (including the Ontario Sires Stakes and the Mare Residency Program).

**Horse Racing Appeal Panel** (the HRAP) means the Panel established under the *Horse Racing Licence Act*, 2015.

**Illegal Drug** means any drug or substance which is not legally obtainable and whose use, sale, possession, purchase or transfer is restricted or prohibited by law.

**Impairing Prescription Medication** means a substance, other than Marihuana, that may be legally prescribed by a health care professional in Canada and that has the potential to impair the physical or cognitive abilities of the person using the substance, regardless of whether the substance is or is not used as prescribed.

**In Harness** means when a race is made to go “in harness”, it shall be construed to mean that the performance shall be a sulky. Only dual-shaft sulkies shall be permitted to be used in any race. All sulkies must have a safety hookup. It shall be the responsibility of the owner or trainer to provide every sulky used in a race with uniform coloured or colourless wheel discs on the inside and the outside of each wheel.

**Judge** means a person delegated by the Registrar to carry out all of the duties and responsibilities specified by the Rules.

**Judges’ List** means a list of horses that are refused declaration, until removed there from.

**Late Closing Event** means a race to which nominations close less than six weeks and more than five days before the date on which the race is to be contested. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits. Time bars or track qualifying standards shall not be used as conditions for late closing races.

**Length of Race and Number of Heats** means races or dashes shall be given at a stated distance in units not shorter than a sixteenth of a mile. The length of a race and the number of heats shall be stated in the conditions.

**Maiden** means a horse that has never won a heat or race at the gait at which it is entered to start, and for which a purse is offered. Races or purse money awarded to a horse after the official sign has been

posted shall not be considered winning performance or affect the status of a maiden unless the horse is placed first as the result of a positive test or disqualification of the winner of the race. Should a Maiden finish first in a race for which a purse is offered and is subsequently disqualified it shall not lose its maiden classification.

**Marihuana** means all parts of the Cannabis plant, its derivatives and compounds that contain the psychoactive cannabinoid chemical “delta-9-tetrahydro-cannabinol” (THC).

**Match Race** means a race which has been arranged and the conditions thereof agreed upon between contestants.

**Matinee Race** means a race where an entrance fee may be charged and where the premiums, if any, are other than money.

**Medical Review Officer** means a licensed physician responsible for receiving laboratory results generated by an agency’s drug testing program, who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s positive test result together with his medical history and any other relevant biomedical information.

**Minister** means the Minister responsible for the administration of Part 1 of the *Alcohol and Gaming Regulation and Public Protection Act*, 1996.

**Nomination** means the naming of a horse or in the event of a futurity the naming of a foal in utero, to a certain race or series of races, for a fee.

**Non Extended Meeting** means any Association in the Province of Ontario which conducts a race meeting of less than 7 days in any consecutive 12 month period with or without pari-mutuel wagering.

**Official Chemist** means a graduate in chemistry from a university of recognized standing approved pursuant to the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada).

**Official Sample** means a sample of blood, saliva, urine or other bodily substance that has, in accordance with the Pari-Mutuel Betting Supervision Regulations of the *Criminal Code* (Canada), been obtained from a horse.

**Official Veterinarian** means a person employed by the Association and licensed in good standing with the College of Veterinarians of Ontario.

**Ontario Sire** means a stallion registered with the Horse Improvement Program Registry for the Northern Hemisphere breeding season.

**Ontario Sired** means a horse whose sire was an Ontario Sire in the horse's conception year.

**Ontario Bred** means a horse foaled in the Province of Ontario out of an Ontario Resident Mare.

**Ontario Resident Mare** means a mare, registered with the Horse Improvement Program Registry, foaling out in Ontario that has met all residency eligibility requirements for the birth year.

**Ontario Sires Stakes Eligible** means a horse whose sire was an Ontario Sire in the horse's conception year and meets all other Ontario Sires Stakes Program eligibility requirements for the current year.

**Overnight Event** means a race for which declarations close not more than three clear days, omitting Sundays, Christmas Eve, and Christmas Day, before the date on which it will be contested. In the absence of conditions or notice to the contrary, declarations must close not later than 12 noon of the day preceding the race.

**Owner** is the full owner, part owner, lessor or lessee of a registered Standardbred horse that has qualified or has been programmed to race at an Ontario raceway within the preceding six months.

**Participant** means any person, partnership, limited partnership, estate, corporation or other legal entity participating directly in Standardbred horse racing and who, under the Rules, is required to be licensed by the Commission.

**Post Position** means the position assigned or drawn for a horse for the start of a race.

**Post Time** means the time set for the arrival at the starting point of the horses in a race.

**Preference Date** means a date in which a horse has been drawn in to start.

**Prohibited Substance** means any substance which the Registrar has declared prohibited and includes Marihuana.

**Qualifying List** is a list of horses that are required to perform in a qualifying race or races.

**Qualifying Race** means a race in which a horse must establish its ability to participate at a race meeting consistent with the qualifying standards established for that class of horse.

**Race** means a contest of speed among registered Standardbred horses racing at a trotting or pacing gait and conducted in accordance with these rules.

**Raceway** means a racetrack located in the Province of Ontario conducting Standardbred racing and classified and licensed annually by the Commission.

**Registrar** has the same meaning as under the *Alcohol and Gaming Regulation and Public Protection Act*, 1996.

**Registration** means that all matters relating to the registration of Standardbred horses, unless otherwise provided for herein, shall be governed by the constitution and by-laws and regulations of Standardbred Canada.

**Restricted Area** are those areas of the racetrack property used for the purposes of conducting racing to which access is controlled, and includes, but is not limited to the paddock, stabling areas, and the racetrack.

**Retention Area** means that area within the grounds of a raceway designated for the purpose of obtaining and securing official samples.

**Rules** means the Commission Rules of Standardbred Racing and any track rules adopted by the Commission.

**Safety line** means a line that is constructed to prevent failure due to breakage of the line, or breakage or inadvertent loss of the primary connection to the bit.

**Safety Sensitive Position** means a position, as determined by the Registrar, in which a licensee has a direct role in racing such that Alcohol, Illegal Drug, Impairing Prescription Medication or Prohibited Substance use could result in:

- 1) An incident affecting the health or safety of employees, licensees, patrons, horses, or the public; or
- 2) An inadequate response or failure to respond to an emergency or operational situation.

When determining if a position is a Safety Sensitive Position, the factors which the Registrar will consider include, but are not limited, to the following:

- (a) The type and amount of contact the position has with horses;
- (b) The extent to which the position requires the individual to be on the racetrack at the same time as horses and the circumstances of that presence on the racetrack.

This category includes any and all licensees required to temporarily act in a Safety Sensitive Position.

**The following positions are Safety Sensitive Positions:** driver, trainer, groom, starting gate personnel, horse identifier, Commission and Official veterinarian, outrider and blacksmith, test inspector, TCO2 technician and track maintenance personnel.

**Sex** means gender which includes mare, filly, spayed mare or filly, colt, stallion, ridgeling or gelding.

**Singular, Plural** means words in the singular number include the plural, and the plural number include the singular.

**Spouse** means either of two persons who:

- (a) Are married to each other; or
- (b) Not being married to each other, are cohabiting in a relationship of some permanence but does not include persons who are living separate and apart from each other pursuant to a written agreement.

**Stable Area** includes, but is not limited to, those places within the property of an Association wherein the stables, track kitchen, racing offices, training areas, paddock and winner's enclosure are located.

**Stable or Multiple Ownership Manager** means the operating executive of a racing stable or multiple ownership who is not otherwise licensed by the Commission as an owner, trainer or driver.

**Stake** means a race which will be contested in a year subsequent to the closing of nominations.

**Substance Abuse Professional (SAP)** means an individual with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug related disorders; the SAP will assess if the individual has a problem, make recommendations regarding education and treatment, and recommend a return-to-duty monitoring program including unannounced testing.

**Sustaining Fees** means fees or payments made subsequent to the acceptance of nomination for an added money event.

**Track Rules** means rules posted by Associations to govern conduct of racing and participants at that Association's raceway. Track rules may be adopted in whole or in part by the Commission.

**Walk Over** means a race when only a horse or horses in the same interest start. In a stake or futurity, a walk over is entitled to the purse. To claim the purse, the horse or horses must start and go the distance of the race.

## **Chapter 3: Licences**

### **3.01.01** An Association shall not:

- (a) Operate a raceway at which racing is conducted without applying for a licence, race dates and the post time for the first race of each program, and having them approved by the Registrar or received a temporary licence to operate pending finalization of the application for race dates;
- (b) Change its race dates or the post time for the first race on any race date by more than 30 minutes, without having such change approved by the Registrar;
- (c) Operate a racetrack without payment of the monthly fee for regulatory funding, as set forth each fiscal year in the Registrar's General Directive relating to Regulatory Funding.

**3.01.02** The Registrar will not approve race dates for December 24th and December 25th of any year.

**3.01.03** A decision of the Registrar regarding approval or non-approval of race dates is not appealable to the HRAP.

**3.02** A person shall not participate in the affairs of an Association as director, general manager, officer, pari-mutuel manager, agent, or employee of such Association without first receiving a licence from

the Commission, nor shall any person participate in racing as an official, owner, driver, trainer, groom, tradesperson, registered Ontario Sires Stakes stallion owner, veterinarian, or authorized agent nor shall anyone practice his or her profession, trade, occupation, or calling, including concessionaire or pari-mutuel employee, unless such person has applied for and been issued a Commission licence classified in the appropriate category. An Association may admit to its grounds the holder of a licence to enable the licensee to have access to the area where the licensee is obliged to perform his/her duties. With permission of the Registrar, a licence will not be required for an employee of a company, partnership or person with whom the Association has an agreement to supply goods or services.

**3.02.01** Where an Association has entered into an agreement with a horsepeople's organization, representing participants racing at that facility, that horsepeople's organization must be licensed by the Commission.

**3.02.02** Each Association shall ensure that it has an agreement with either of the following for the purposes of Section 3(1)(c)(iii) of the Pari-Mutuel Betting Supervision Regulations:

- (a) A horsepersons' organization licensed pursuant to Rule 3.02.01; or
  - (b) Individuals licensed in good standing by the Commission and racing at that Association.
- Failure to comply with this rule may result in a monetary penalty or suspension.

**3.03.01** An applicant for a licence shall complete a written application, pay any fee required by the Rules, submit satisfactory evidence of identity, including photographs, and furnish evidence of financial responsibility. Every person licensed by the Commission is deemed to have agreed to abide by the conditions set out in the application for the licence, the licence itself, the Act, the Rules and regulations thereunder.

**3.03.02** In an emergency situation, a temporary licence may be issued for an owner or trainer by completion of an Application for Standardbred Licence Form (for example John Doe, Owner, per Richard Doe, Trainer). A non-refundable fee shall be charged for such temporary licence status. The temporary licence status shall be revoked 14 clear days from the date of issuance of the temporary licence status, or upon receipt of a completed application form and payment from the owner, whichever comes first. In any event, the licence must be completed and paid for within the next 30 clear days following the issuance of the temporary licence.

**3.03.03** Notwithstanding rule 3.02, the Registrar will recognize for non-residents participating in racing in Ontario, valid licences from recognized racing jurisdictions that have an agreement with the Commission or the National Racing Compact. In order to be recognized the licensee must be in good standing in all jurisdictions and file or have filed on his or her behalf a Commission reciprocal licensing form or other form approved by the Registrar, outlining name, address and licensing particulars prior to racing. For the purpose of this rule, a non-resident of Ontario

shall have the definition attributed to a non-resident of Canada in the *Income Tax Act* (Canada). Non-residents of Ontario who have filed or who have had filed on their behalf a reciprocal licensing form shall be deemed to be licensees of the Commission and subject to the Commission Rules and Registrar's Directives. A validation sticker will be affixed upon request to licences when required for the purposes of allowing the recognized licensee access to those areas of the racing associations where the licensee is obliged to perform his or her duties.

**3.04** A licensee must serve the Registrar with a written notice of any change in permanent address not later than five (5) days after the change.

**3.05.01** The licence fees to be paid to the Commission by personnel concerned in racing are in such amounts currently established by the Board and approved by the Minister. An applicant for a licence will not be considered as a renewal owner if his/her licence has been in a state of lapse for five racing seasons prior to the season of application.

**3.05.02** Deleted.

**3.06** An employee or licensee of the Commission or employee of any Association shall not give to anyone, directly or indirectly, for reward or any other consideration, any information or advice pertaining to a race for the purpose of influencing any person, or that would tend to do so, in the making of a wager on any horse in any race. In the case of Association employees, this shall not apply to selections which appear in the official program, the media, or other approved publication.

**3.07 Deleted.****3.07.01 Each licensee**

- (a) Shall have in his or her possession a valid licence issued to the licensee whenever the licensee is:
  - (i) in the stable area of the Association, or
  - (ii) acting in a capacity for which a licence is required; and
- (b) Shall produce his or her licence upon request by an authorized representative of the Association, a racing official or a representative or member of the Commission.

**3.07.02 The Association shall ensure that no individual enters or is permitted to enter the restricted area of the Association unless that individual:**

- (a) Has in his or her possession a valid licence issued to that individual; or
- (b) Is a guest of a licensee who has in his or her possession a valid licence issued to that licensee and the guest is signed-in by that licensee and the Association has issued to the guest a "guest pass" which the guest is obliged to have in his or her possession while in the restricted area of the Association and to produce to an authorized representative of the Association, a racing official or the Registrar. Any Association that fails to comply with this rule, after written notice from the Registrar, shall be subject to a monetary penalty.

**3.07.03** Any person who fails or refuses to produce upon request by an authorized representative of the Association, a racing official or a representative or member of the Commission his or her valid licence or a guest pass issued to him or her pursuant to Rule 3.07.2 may be subject to a monetary penalty and/or suspension by the Judges in the case of a licensee or to removal from the premises by the Association in the case of a guest. The licensee shall be responsible for the conduct of their guest(s).

**3.08** Deleted.

**3.09** The Registrar may suspend the licence of any licensee who has accumulated unpaid obligations relating to racing, become bankrupt, or otherwise displayed financial irresponsibility reflecting on the sport. No such action shall be taken unless and until the Registrar is presented with a judgement or judgements from a court or courts having competent jurisdiction over the matter and the Registrar is satisfied that the participant is indebted and has been adjudged a debtor in a matter relating to Standardbred Racing in any of its forms.

In the case of a licensee who has become bankrupt, the Registrar may license such participant to work for wages for another licensed participant. However, the bankrupt licensee may not carry on his/her trade or calling as an independent business or operate as a public stable without the permission of the trustee in bankruptcy and the Registrar.

**3.09.01** Any act or omission in business practices related to Standardbred horse racing in any or all of its forms, which, when measured against generally

accepted standards of good conduct would be regarded as dishonest, unfair or unsportsmanlike or contrary to the public interest, shall be deemed to be a violation of these Rules and shall be dealt with accordingly at the discretion of the Judges. The ruling and subsequent publication regarding penalty shall include the specific part of the Rule which the licensee violated. In determining whether any act or omission offends this Rule, regard may be had to any Code of Ethical and Professional Business Conduct that may have been adopted by a horsemen's association.

The following subparagraphs of this Rule provide particulars of conduct contemplated by this Rule but are not meant to be exhaustive.

- (a) Without limiting the generality of the foregoing, the relationship between an owner and trainer shall be based on integrity, disclosure, maintaining the health and welfare of the horse and acting in the best interests of racing. Conduct unbecoming an industry participant also refers to conduct that occurs outside of the business of horse racing but which brings the industry into disrepute;
- (b) Any person who may gain a benefit, financial or otherwise, directly or indirectly, in connection with the sale, purchase, lease or claiming of a race horse shall disclose in writing to all affected parties involved in the transaction the details of such benefit or the existence of any arrangement that would lead to such a benefit;
- (c) All of the terms of a trainer's engagement should be set out in a written contract between the owner and trainer. At minimum,

a trainer shall advise an owner in written form as to the services to be provided by the trainer for which the owner is to be financially responsible, the trainer's rate schedule including day rate and commissions on purses earned by the horses and the terms of payment;

- (d) A trainer shall ensure that an owner is advised as soon as it is practical to do so of any material problems affecting an owner's race horse in his/her care that could affect its racing potential or ability to be trained on a continuous basis;
- (e) If an oral offer is presented to a trainer to purchase or lease any interest in an owner's horse, the trainer shall request that such offer be reduced to writing. A trainer shall immediately notify the owner of any written offer received;
- (f) A trainer shall maintain records relating to the particulars of any medications administered to horses in his/her care. For the purposes of this Rule, the term medication shall mean a medication that could result in a positive test;
- (g) A trainer shall not put his/her interest above the interests of his/her owner;
- (h) An owner who wishes to cease using the services of a trainer and transfer some or all of his/her race horses to another trainer, shall pay prior to the time of transfer the outstanding account of the said trainer to the date of the transfer with respect to the horses being transferred;
- (i) The Registrar and/or the Judges may require

a licensee to provide documentary evidence of any transaction or record referred to or contemplated by this Rule. Refusal or failure to comply may result in a suspension of the licence;

- (j) Any act or omission which contravenes this Rule shall be dealt with at the discretion of the Registrar and/or the Judges and may include monetary penalty and/or suspension.

**3.10** Where the licensee is suspended by the Registrar, or by the pari-mutuel regulatory agency of another province or state recognized by the Commission, or Standardbred Canada or the United States Trotting Association, the suspended licensee shall be prohibited from participating in any activity regulated by the Commission. The suspension shall, in addition, render ineligible for declaration or starting, every horse in which the suspended licensee has any ownership interest or trainer responsibility. Eligibility for affected horses in such cases may be restored by transfer of the suspended licensee's interest or responsibilities to another licensed person, if approved by the Judges of the meeting.

**3.11** A licence becomes invalid if the licensee ceases to be employed or to act in the capacity named in the licence and that licence shall be surrendered to and retained by the Registrar.

**3.12** No licence shall be granted to any applicant who, at the time of such application was not licensed in the Province of Ontario and, in addition, was under suspension by any commission, Judges, Stewards or any pari-mutuel regulatory agency of another Province or State recognized by the Commission. The foregoing

prohibition shall apply to any applicant so affected irrespective of any appeal that may be pending in the jurisdiction or jurisdictions other than the Province of Ontario that have imposed a suspension.

## **Chapter 4: Commission Administration**

**4.01** Deleted.

**4.02** The Registrar delegates to the Administration responsibility for the supervision of Standardbred Racing in the Province of Ontario and the duties of the Administration shall include but not be limited to the following:

- (i) The issuing of orders in the name of the Registrar subject to appeal to the HRAP;
- (ii) The making of reports to the Registrar as the Registrar requires and/or as the Administration deems fit;
- (iii) The supervision of all Commission and Association officials and employees in the performance of their duties;
- (iv) Deleted.
- (v) Deleted.
- (vi) Deleted.

## **Chapter 5: Judges and Racing Officials**

**5.01** At an extended race meeting, except in the case of an emergency, there shall be a minimum of two Judges employed and appointed by the Commission, one of whom shall be designated by the Registrar as Senior Judge under whose supervision the Judges shall, collectively, carry out all the duties and responsibilities specified in the Rules. All decisions of

the Judges shall be determined by majority vote. In cases where there are only two Judges officiating, the Senior Judge or the Judge designated as the Senior Judge by the Registrar, shall have in addition to the regular vote, a casting vote.

**5.02** Deleted.

**5.02.01** Deleted.

**5.03** At all extended pari-mutuel race meetings there shall be the following licensed Racing Officials approved by the Registrar:

- (a) Judges;
- (b) Race Secretary and/or Assistant Race Secretary;
- (c) Timers;
- (d) Charter;
- (e) Starter;
- (f) A Patrol Judge or Patrol Judges in accordance with Rule 33.01;
- (g) Paddock Judge;
- (h) Equipment Inspector/Horse Identifier;
- (i) Assistant Paddock Judge;
- (j) Paddock Security Custodian;
- (k) Paddock Security Guard;
- (l) Chief Test Inspector and Test Inspectors;
- (m) Deleted.

**5.04** Each Association shall ensure that it has an agreement with either of the following for the purposes of Section 3(1)(c)(iii) of the Pari-Mutuel Betting Supervision Regulations:

- (a) A horsepersons' organization licensed pursuant to Rule 3.02.01; or

- (b) Individuals licensed in good standing by the Commission and racing at that Association. Failure to comply with this rule may result in a monetary penalty or suspension.

**5.05** A person, unless accredited by Standardbred Canada, will not be licensed by the Commission in the following categories:

- (a) Judge;
- (b) Race Secretary;
- (c) Assistant Race Secretary;
- (d) Starter (accredited starters are recognized as accredited patrol judges);
- (e) Paddock Judge;
- (f) Patrol Judge;
- (g) Charter (effective July 1, 2008).

**5.06** An Association approved to conduct a race meeting shall submit to the Registrar a list of officials thirty (30) days prior to the commencement of racing in any calendar year.

**5.07** A Racing Official shall not occupy or serve, without the consent of the Registrar, in more than one official position and then only if the combined duties can be performed efficiently and adequately and without conflict of responsibility. Subject to ratification by the Registrar, the Judges may approve the filling of any emergency vacancy of an official position.

**5.08** A Racing Official shall not engage in any employment or activities at a racetrack during the conduct of an approved race-meeting other than the employment and activities for which he/she has been approved by the Registrar.

**5.09** An Official may be penalized or suspended at any time by the Registrar for cause.

**5.10** A special showing of the video tape, when available, of any race shall be ordered by the Judges upon the written request of any owner, driver or trainer who had a horse start in such a race, and such showing shall be held at a time fixed by the Judges as soon as practical after the race in question. A special showing of the video tape, when available, of any race also shall be ordered by the Judges upon request in writing of a member of the public, which showing shall be at a time and place fixed by the Judges. At least one of the three Judges shall attend all showings of the video tape and shall explain to those present at the showing what happened in the race as reflected by the tape.

**5.11** The Judges have the power, and it is their duty, to regulate and govern the conduct of all racing, and all participants. If any participant refuses to comply with the directions of the Judges, he/she shall be subject to a monetary penalty, suspended, or expelled.

**5.12** In the absence of the Registrar the Judges are the representatives of the Commission on the grounds of an Association when it is conducting a race meeting and they shall:

- (a) Issue Rulings in the name of the Registrar, subject to appeal in accordance with the rules;
- (b) Make such reports to the Registrar as required;
- (c) Supervise, in the performance of their duties, all Commission and Association officials and employees;

- (d) Report to the Registrar unless otherwise instructed; and
- (e) In the event Judges are unable to use any equipment which is used as an aid for reviewing a race or assigning the official order of finish, they shall decide all related matters on the basis of their visual observations and any reports received by them and their decisions, subject to an appeal to the HRAP, shall be final.

**5.13** In the performance of their duties, the Judges shall have reasonable control over and unrestricted access to all buildings, stables, rooms and all other places within the grounds of any Association.

**5.14** In all matters pertaining to racing, the orders of the Judges shall supersede the orders of the officers, Corporate Directors and officials of the Association.

**5.15** The Judges may:

- (a) Declare any horse disqualified or ineligible to race for violations of the Rules or for noncompliance with the conditions of any race in which the horse has been declared;
- (b) Demand proof that a horse in any particular race is eligible or that it is not owned or trained in whole, or in part, by a suspended person or has been declared to race by a suspended person. In the absence of satisfactory proof, the Judges may scratch the horse.

**5.16** Before the Judges order a disqualification in any race, they shall view the video tape, when available, of the race in question.

**5.17** The Judges may refuse the declaration of any horse for any reason they consider proper. A horse so refused shall be placed on the Judges' List

**5.18** The Judges may, at any time, place a horse in the temporary charge of a person they select and the owner shall be responsible for any reasonable costs incurred.

**5.19** The Judges may excuse a horse from starting for any reason they consider proper, and in accordance with the Rules.

**5.20** The Judges may allow a mistake on a declaration or nomination form or condition sheet to be corrected if satisfied that no fraud was intended.

**5.21** Corrections to information contained in official performance records can be made only by the Judges or an authorized official. Any participant tampering with the official performance records to effect unauthorized changes or entries may be subject to a monetary penalty, suspended or expelled.

**5.22** No Ruling made by the Judges, Commission Administration, the Registrar, or by the HRAP with regard to distribution of purse money or the placing of horses in the order of finish, after the race has been declared official shall have any bearing on the pay-out prices of the distribution of pari-mutuel pools. If an incorrect order of finish is posted, declared official and then ruled to be in error, the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada) respecting pay-out prices shall apply.

## **Chapter 6: Violations, Penalties and Expulsions**

**6.01** The Judges may impose any or all of the following penalties for conduct prejudicial to the best interests of racing, or for violation of the Rules:

- (a) Refuse a person admission to the grounds of an Association;
- (b) Expel a person from the grounds of an Association;
- (c) Impose a monetary penalty, suspension or both; or
- (d) Impose conditions on a licence.

**6.02** Violation of the following shall make a licensee subject to a monetary penalty or suspension:

- (a) Failure to drive when programmed without having been excused by the Judges;
- (b) Use of offensive or profane language;
- (c) Delete (SB Directive 2-2010);
- (d) Failure to wear silks when warming up a horse prior to racing;
- (e) Disturbing the peace;
- (f) Failure to have a proper saddle cloth on a horse when warming up for a race;
- (g) Failure to participate in, or being late for a post parade without permission of the Judges; or
- (h) Failure to have proper head number and saddle cloth on a horse when racing;
- (i) Smoking is prohibited within 10 feet of any designated signed areas, stall, tack room, shedrow or any portion of a barn including the paddock. For the purpose of this rule, the paddock will include the cafeteria, drivers' change room, washrooms and offices within

the paddock area. Smoking is also prohibited anywhere on the racetrack surface from two hours prior to the post time for the first race to the completion of the race card. Penalty for an infraction of Rule 6.02(i)

(i) First violation will result in a \$50 monetary penalty,

(ii) Second violation within a year of the first violation will result in a \$300 monetary penalty or a 5 day suspension or both,

(iii) Third violation within a year of the first violation will result in a minimum monetary penalty of \$500 and a 7 day suspension,

(iv) Fourth violation within a year of the first violation will result in a suspension and referral to the Registrar.

**6.03** Any participant alleged to have violated the Rules shall be notified by the official of the rules allegedly violated, prior to the Judge making a decision. In the event the violation occurs during the course of a race meeting, no decision shall be rendered without the consent of the participant until at least 24 hours have elapsed to enable the participant time to provide a response.

**6.04** The Registrar may determine that a person has violated the Rules and impose a monetary penalty, conditions and/or suspensions for any violation of the Rules on any matter deemed not to be in the best interest of the sport, subject to appeal to the HRAP in accordance with the Rules.

**6.05** Any attempt to violate any of the Rules of the Commission falling short of actual accomplishment shall constitute a violation of the Rules.

**6.06** Any person alleged to have violated any of the Rules may admit the violation in writing but this shall not be considered a waiver of their ability to appeal the penalty imposed.

**6.07** In the event that the Judges require a participant to appear before them and they are unable to notify the participant, they may suspend such participant if it is deemed in the best interest of the sport or having notified a participant and he/she fails to appear, the Judges may suspend or impose a monetary penalty on such participant.

**6.08** Before the Judges impose a penalty on any driver in a race, they shall view the video tape, when available, of the race and shall interview such drivers they deem necessary and shall consider any information concerning the race that can be ascertained.

**6.09** Once the Judges have viewed the video tape, when available, interviewed such drivers as they deem necessary, and considered any information as per Rule 6.08, a driver alleged to have violated the Rules shall be given an opportunity of appearing before the Judges and hearing all witnesses against him, and of seeing the video tape, when available, of the race before any penalty is imposed by the Judges.

**6.10.01** Whenever a suspension is prescribed it shall be construed to mean an unconditional exclusion from the grounds of all Associations where a licence is required and disqualification from any participation, either directly or indirectly, in racing unless otherwise specifically limited when such suspension is imposed, such as a suspension from driving.

**6.10.02** Notwithstanding the provisions of Rule 6.10.01, whenever a suspension is imposed by the Judges for a violation of Rule 10.01 (a) and/or (b), such suspension shall at all times be a full suspension which may be modified only by the Registrar. Reference must also be made to Rule 10.04.

**6.11** Where the penalty is for a driving violation and does not exceed in time a period of five days, the driver shall complete the engagement of all horses declared in before the penalty becomes effective. Such driver may only drive in stake, futurity, early closing or late closing races during a suspension of five days or less, but the suspension will be extended one day for each date on which he/she drives in such a race.

**6.12** Any participant who has been assessed a monetary penalty, suspended or expelled, may be advised verbally by an official, which shall constitute proper notice. In any event, written or printed notice thereof shall be delivered to the person penalized, notice shall be posted immediately at the office of the Racing Association and notice shall be forwarded immediately to the Commission and Standardbred Canada.

**6.13.01** A horse shall not be eligible to be entered to, or start in any race, if owned or controlled in whole or in part, by a suspended, disqualified, unlicensed or ineligible person.

**6.13.02** If a suspended, disqualified, unlicensed or ineligible person purports to transfer his or her interest in a horse during such period of ineligibility, the Judges may enquire into any transfer in order to ensure that the racing of a horse is not under the control or influence of the transferor.

**6.13.03** During such an enquiry the Judges may require the submission of documentary evidence to establish that the transfer is a bona fide transaction. Such documentary evidence may consist of, but may not necessarily be limited to, a statutory declaration relating the following facts:

- (i) That the transferee maintains separate books and records relating to the racing of his or her horses and all money earned from racing or used for the payment of debts relating to racing is neither deposited to a joint account nor paid from a joint account of the transferor;
- (ii) That the transferee is responsible for his or her own obligations and liabilities incurred in the course of his or her racing business and such obligations are paid from the transferee's separate and independent account;
- (iii) That the transferee contracts independently of the transferor with any tradespeople, with any other entity and with the Association at which he/she is racing;
- (iv) That the transferee maintains a wholly and independent financial interest from the transferor;
- (v) That the transferee conducts his or her business relating to the racing of Standardbred horses in a manner wholly independent of the transferor and neither the transferee nor the transferor influences the other in any matter whatsoever with respect to the racing of Standardbred horses.

**6.13.04** In the event a nomination or entry is made by or for a suspended person or horse, the owner of the horse shall be held liable for any nomination, sustaining or starting fees thus contracted and the horse shall not be eligible to compete.

**6.14** Where a trainer is suspended by reason of a positive drug test or violation of Rule 22.38 relating to a horse trained by him or her, all horses trained by the suspended trainer may be permitted to compete provided during the suspension the horses are transferred to another trainer approved by the Judges. Upon a second or subsequent violation(s) by the trainer, the horse or horses to which the violation applies shall be suspended and ineligible to start in any race for such period of time as the Judges or Registrar may order.

**6.15** Monetary penalties imposed in accordance with the rules are payable forthwith upon their imposition and before the participant races again, unless there has been an appeal filed. A licensee who fails to pay such monetary penalty may be suspended until the monetary penalty is paid.

**6.16** Any call, decision or penalty imposed by the Judges can be removed or modified by the Registrar.

**6.17** A person, at any time or place, shall not against any official or participant:

- (a) Commit assault or battery;
- (b) Threaten to do bodily injury;
- (c) Use insulting, offensive or improper language;  
or
- (d) Engage in any improper conduct.

**6.18** If any person is approached with any offer or promise of a bribe fraudulent in its nature, or for any improper, corrupt or fraudulent act in relation to racing, it shall be the duty of such person to report the details thereof immediately to the Judges.

**6.19** A participant shall be considered to have violated the Rules for wrongfully attempting to or succeeding to affect the outcome of any race, either individually or in concert with another.

**6.20** A participant shall be considered to have violated the Rules:

- (a) For any misconduct which is injurious to racing although not specified in these rules;
- (b) For any misconduct prejudicial to the best interests of racing; or
- (c) For committing or attempting to commit any other act injurious to racing.

**6.21** Providing inaccurate information about a horse, or attempting to have misleading information given in a program is prohibited and violators may be subject to a monetary penalty, suspended or expelled.

**6.22** Any participant committing an act of cruelty or neglect to a horse, whether on or off the grounds of an Association, shall be liable to a monetary penalty or suspension or both.

**6.23** It is the duty of all Racing Officials and employees of the Commission, or Association, to promptly report to the Judges all observed violations of the rules.

**6.24** When an alleged violation by or against a participant is being reviewed by the Judges, such participant may be represented by any person of his or her choice.

**6.25** Any person who pays any amount or charge due the Commission which upon presentation is protested, payment refused, or otherwise dishonoured, shall by order of the Registrar, be subject to a monetary penalty not exceeding the amount in default and shall be suspended until the amount and monetary penalty are paid to the Commission.

**6.26** A participant obtaining purse money through fraud or error shall surrender or pay same to the Commission upon demand, or he/she shall be suspended until such demand is complied with. Such purse money shall be awarded to the party justly entitled to the same.

**6.27** In any inspection or case, whether or not an oath is administered, if the participant knowingly withholds information or misleads the Inspectors or the Judges, it shall constitute a violation.

**6.28** Deleted.

**6.29** Subject to the *Horse Racing Licence Act, 2015*, whenever reasonable grounds exist for a belief that any participant can give material evidence that would aid in the detection or exposure of any fraud or wrongdoing concerning racing, such participant shall, on the order of the Judges or other authorized official, be required to provide information. Failure of any participant to comply may result in a suspension.

**6.29.01** A safety vest, meeting the standards for protective safety vest, must be worn at all times on the premises of an Association when:

- (a) Racing; or
- (b) Parading or warming up a horse prior to racing; or

- (c) Jogging, training or exercising a horse at any time. A violation of this rule will result in a suspension and/ or monetary penalty.

**6.30** An owner, lessee, agent, trainer or driver who has declared a horse to a race shall not demand of the Association a bonus of money or special award or consideration as a condition for starting the horse.

**6.31** Deleted.

**6.32** Deleted.

**6.33** Deleted.

**6.34** Deleted.

**6.35** Deleted.

**6.36** Deleted.

**6.37** Deleted.

**6.38.01** Deleted.

**6.38.02** Deleted.

**6.38.03** Deleted.

**6.38.04** Deleted.

**6.38.05** Deleted.

**6.38.06** Deleted.

**6.39** A protective helmet, meeting the Snell Foundation standards for protective harness racing headwear, securely fastened under the chin, must be worn at all times on the premises of an Association when:

- (a) Racing, parading or warming up a horse prior to racing; or

- (b) Jogging, training or exercising a horse at any time. A violation of this rule will result in a suspension or monetary penalty and the participant may be referred to the Registrar.

**6.40 Deleted.**

**6.41** In the event any participant is involved in an accident on the track, the Judges may order such participant to submit to a physical examination.

**6.42** If any owner, trainer or driver threatens to join with others in threatening not to race, or not to declare in because of the declaration of a certain horse or of a particular stable, thereby compelling or trying to compel the race secretary to reject certain eligible declarations, it shall be immediately reported to the Judges and, if found to be in violation, the parties may be suspended.

**6.43** Racing Officials are prohibited from racing horses they own wholly or in part or wagering on any horses at tracks where they are employed or officiating. Judges or their spouses are prohibited from racing horses they own wholly or in part or wagering on any horses at any tracks in Ontario at any time.

**6.44** A person having an interest in the result of a race by reason of ownership in a participating horse shall not act as a Racing Official during that entire program of racing.

**6.45** An owner, trainer, driver, agent, employee or groom shall not have pari-mutuel tickets in his or her possession, or bet or cause any other person to bet on his or her behalf, on any other horse in any race in which a horse owned, trained, or driven, or in which

he/she in any way represents or handles as a starter; except in the case of feature wagering events where an owner, trainer, driver, agent, employee, groom may bet, or cause any other person to bet on his or her behalf, only on combinations in which his or her horse is selected in the Win position.

**6.46.01** No person shall possess, administer, traffic, or attempt to possess, administer, or traffic, in a drug, substance or medication, or anything held out to be a drug, substance or medication, for a horse:

- (a) For which an official chemist shall classify an official sample as positive and issue a certificate of positive analysis in accordance with section 165 of the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada);
- (b) Which has not been labeled for veterinary use under the Food and Drugs Regulations under *The Food and Drugs Act* (Canada) or, if labeled for human use under the Food and Drugs Regulations, has not been prescribed by a veterinarian after conducting an examination of the horse and determining that the drug, substance or medication is medically required by the horse and the drug, substance or medication is used only for that horse in accordance with the prescription issued by the veterinarian; and/or
- (c) Which may endanger the health and welfare of the horse or endanger the safety of a driver; and/or
- (d) Which is not labeled, or accurately labeled, with the contained drug, substance, medication, or active ingredient; and/or

- (e) Which may adversely affect the integrity of racing; and/or
- (f) Which is listed here after:
  - (i) Erythropoietin or any of its synthetic derivatives, or
  - (ii) Any synthetic hemoglobin like substances.

For the purposes of this section, trafficking includes, but is not limited to, keep for sale, deliver, manufacture, sell, transport, distribute, give, import, and/or export. Notwithstanding (a) and (b), a veterinarian may possess the drug, substance or medication other than erythropoietin, or any of its synthetic derivatives or any synthetic hemoglobin like substances if the possession is in the ordinary course of the practice of veterinary medicine for purposes of prescribing or administering the drug, substance or medication for the treatment of a horse.

Notwithstanding (a) and (b), a person licensed as a trainer, owner, or groom may possess or use a drug, substance or medication for a horse that is on a list established by the Registrar provided that such possession or use is not otherwise contrary to the Rules, *the Food and Drugs Act* and its regulations, the *Pari-Mutuel Betting Supervision Regulations* under the *Criminal Code* (Canada), the *Livestock Medicines Act*, *Controlled Drugs and Substances Act* (Canada) and its regulations, the *Health Disciplines Act* and its regulations, the *Veterinarians Act* and its regulations, or any conditions to the possession and use imposed by the Registrar.

**6.46.02** The Registrar may establish a list of drugs, substances or medications for purposes of Rule 6.46.01 and may impose conditions to the possession or use of the drug, substance or medication.

**6.47.01** If a horse dies within 14 days of it being entered or qualified to race, the trainer of record at the time of the death of the horse shall:

- (a) Inform the Registrar in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died;
- (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death;
- (c) When directed to do so by the Registrar, transport the horse at the trainer's or owner's expense immediately, or as soon as transportation can be arranged but in any event no later than 2 days of the death of the horse, to a facility approved by the Registrar for a post-mortem and such testing as the Registrar may determine is appropriate; and
- (d) Instruct the person conducting the post-mortem and the testing to provide the results of the post-mortem and testing and any reports prepared with respect to the post-mortem and testing to the Registrar within 5 days of their completion.

**6.47.02** Where there is no trainer of record at the time of the death of the horse, the owner of the horse shall:

- (a) Inform the Registrar in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died;

- (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death;
- (c) When directed to do so by the Registrar, transport the horse at the owner's expense immediately, or as soon as transportation can be arranged but in any event no later than 2 days of the death of the horse, to a facility approved by the Registrar for a post-mortem and such testing as the Registrar may determine is appropriate; and
- (d) Instruct the person conducting the post-mortem and the testing to provide the results of the post-mortem and testing and any reports prepared with respect to the post-mortem and testing to the Registrar within 5 days of their completion.

**6.47.03** If a horse dies after 14 days but within 60 days of it being entered or qualified to race, the trainer of record at the time of the death of the horse shall:

- (a) Inform the Registrar in writing within 2 days of the death of the horse that the horse has died, the location and premises where the horse died and the cause or apparent cause of death; and
- (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death or who determined the cause or apparent cause of death and of any post-mortem or other tests conducted on the horse to determine the cause of death.

**6.47.04** If a horse dies after 14 days but within 60 days of it being entered or qualified to race, and there is no trainer of record at the time of the death of the horse, the owner of the horse shall:

- (a) Inform the Registrar in writing within 2 days of the death of the horse that the horse has died, the location and premises where the horse died and the cause or apparent cause of death; and
- (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death or who determined the cause or apparent cause of death and of any post-mortem or other tests conducted on the horse to determine the cause of death.

**6.47.05** If a horse dies after 14 days but within 60 days of it being entered or qualified to race, the Registrar may order the trainer of record at the time of the death of the horse or the owner of the horse if there was no trainer of record at the time of the death of the horse to transport the horse to a facility approved by the Registrar for a post-mortem and such testing as the Registrar may require to be conducted on the horse at the expense of the trainer or owner, as the case may be. The trainer or owner, as the case may be, shall instruct the person conducting the post-mortem or testing to provide the results of the post-mortem and testing and any reports prepared with respect to the post-mortem and testing to the Registrar within 5 days of their completion.

**6.47.06** If a horse being treated by a veterinarian dies within 60 days of being entered or qualified to race, the veterinarian shall inform the Registrar in writing within 2 days of the death of the horse that the horse has died, the location and premises where the horse died and the cause or apparent cause of death.

**6.47.07** The Registrar may:

- (a) Find that a trainer, owner or veterinarian failed to report a horse death pursuant to the Rules; and
- (b) Upon notice, impose a monetary penalty, period of suspension of a licence or such other penalty as is appropriate in the circumstances on that trainer, owner or veterinarian or impose conditions on the licence of that trainer, owner or veterinarian.

**6.47.08** The Registrar may approve a facility to conduct a post-mortem and testing if:

- (a) The Registrar is satisfied that the facility is adequately equipped and secure to carry out the post-mortem and testing;
- (b) The Registrar is satisfied that the facility operator is competent and that the individuals who will carry out the post-mortem and testing have the requisite training and professional designations or requirements to do so, including a veterinary pathologist; and
- (c) The facility operator and the Registrar have entered into an arrangement, memorandum of understanding or agreement with respect to, among other things, the standards for the carrying out of and reporting on the post-mortem and testing, the confidentiality and

use of the results of the post-mortem and testing and any reports prepared therefrom, including use for research purposes for the betterment of racing, protection of horses and their health, and enforcement purposes.

**6.47.09** The Registrar may provide or cause to be provided to Associations, Standardbred Canada or similar entities information that a horse has died and date of death.

**6.48.01** Horses may be tested for the indication of the administration of erythropoietin or any of its synthetic derivatives as follows:

- (a) Once entered to race;
- (b) When claimed;
- (c) When a horse has died and the trainer or owner is required to report the death of the horse;
- (d) Any horse that was entered or raced within the previous 60 days.

**6.48.02** The holder of a licence as an owner and/ or trainer issued by the Commission shall constitute permission to allow a person designated by the Registrar to collect or otherwise obtain biological samples from any horse owned and/or trained by a licensee, for purposes of testing. Samples may be collected and tested at any time, whether stabled on or off the grounds of the racing association. Where a blood sample has been collected for purposes of TC02 testing, that sample may be used for testing for the indication of the administration of erythropoietin or any of its synthetic derivatives, and/or any other substance as designated by the Registrar.

**6.48.03** The Registrar shall establish a protocol for the collection of or to obtain biological samples from horses and for the testing for the indication of the administration of erythropoietin or any of its synthetic derivatives. Licensees shall comply with the protocol.

**6.48.04** The Registrar may approve one or more tests where he or she is satisfied that the testing methodology used is appropriate to determine whether or not the sample will result in the indication of the administration of erythropoietin or any of its synthetic derivatives.

**6.48.05** The Registrar may approve a laboratory operator to conduct the testing:

- (a) If he or she is satisfied that the laboratory is adequately equipped and secure to carry out the testing;
- (b) If he or she is satisfied that the laboratory operator is competent and that the individuals who will carry out the testing have the requisite training to do so; and
- (c) The laboratory operator and the Registrar have entered into an arrangement, memorandum of understanding or agreement with respect to, among other things, the standards for the carrying out of the testing, the reporting of the results of the testing, the confidentiality and use of the results of the testing and any reports prepared therefrom, including use for research purposes for the betterment of racing, protection of the horse and the health of the horse, and enforcement purposes.

**6.48.06** If there is confirmation of the administration of erythropoietin or any of its synthetic derivatives in the biological sample obtained, the horse from which the sample was collected or obtained shall be placed on the Veterinarians' List (long term) and shall not be removed from the Veterinarians' List until the Registrar is satisfied that there is no indication of the administration of EPO or any of its synthetic derivatives in the biological sample from the horse.

**6.48.07** The Judges shall declare a claim invalid if there is indication of the administration of erythropoietin or any of its synthetic derivatives in the biological sample of a horse that was claimed in a race and the Judges are so notified in writing by the Registrar and the claimant of the horse requests that the claim be declared invalid. A request must be made within 48 hours of the claimant, the claimant's trainer or the claimant's authorized agent being advised that the administration of erythropoietin or any of its synthetic derivatives were detected. Once the claim is declared invalid, the horse shall be returned to the previous owner, that owner's trainer or that owner's authorized agent, and the amount of the claiming price shall be repaid to the claimant. The claimant shall be responsible for any reasonable costs incurred for care or training of the horse while it was in the possession of the claimant or his trainer.

**6.48.08** For purposes of testing for the indication of the administration of erythropoietin or any of its synthetic derivatives in the biological sample, the Registrar shall establish by Directive the detectable limit for each test that has been approved.

**6.49** An owner or trainer may be held wholly or partially responsible if any drug substance or medication administered or prescribed by him results in:

- (a) The indication of the use of erythropoietin or any of its synthetic derivatives for purposes of the Rules and, if held wholly or partially responsible, may be subject to a monetary penalty and/or suspended by the Judges;
- (b) The confirmation of the use of erythropoietin or any of its synthetic derivatives for purposes of the Rules and, if held wholly or partially responsible, may be subject to a monetary penalty and/or suspended by the Judges.

**6.50** When a change of ownership of a horse racing in Ontario has occurred, the former owner or his/her agent must make the written medical history of that horse available upon request to the new owner or his/her agent within 72 hours of the request. Failure or refusal to provide the written medical history may result in a monetary penalty and/or suspension. The request for medical records must be made within 30 days of any transfer.

**6.51** For the purposes of Rule 6.50, the written medical history of the horse shall include the records of administration, including brand and date for:

- (a) Vaccinations,
- (b) Dewormings.

**6.52** No person, other than a veterinarian licensed by the Commission, shall have or use Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy on any race horse and the following conditions of use must be met:

- (a) Be used only for a valid diagnostic or therapeutic treatment or procedure;
- (b) No treatment or procedure is allowed within 4 days (96 hours) prior to competing in a race; and
- (c) Any treatment or procedure must be recorded, including the date and time, and maintained as part of the record of the horse.

**6.53** No person shall administer, attempt to administer, or cause to be administered, any medication or substance by a nasogastric tube to a horse on race day prior to its race, except for emergency treatment, which treatment will result in the horse being scratched from the race.

**6.54** No person, other than a veterinarian licensed by the Commission, shall have or use a Blood Gas Machine on any race horse and the following conditions of use must be met:

- (a) Be used only for a valid diagnostic procedure;
- (b) Any treatment or procedure must be recorded, including the date and time, and maintained as part of the record of the horse.

## **Chapter 7: Racing Associations**

**7.01** Associations conducting extended meetings shall provide a paddock which shall have security and maintain records of all persons entering and leaving. The paddock must be constructed and policed so as to exclude unauthorized persons. Associations failing to comply with this rule, after notice from the Registrar, shall be subject to a monetary penalty.

**7.02** Associations shall provide in the paddock:

- (a) The services of a blacksmith during racing hours;
- (b) Suitable extra equipment necessary to prevent unnecessary delay to the racing program; and
- (c) Direct communication facilities to the Judges' stand.

**7.03** As a condition of its Racetrack Operator's Licence, an Association shall provide:

- (a) A Judges' stand, acceptable to the Registrar, to be located and constructed so as to afford the Judges an unobstructed view of the entire racing strip and having adequate facilities acceptable to the Registrar for the carrying out of their duties. Such adequate facilities to include washroom, outside telephone line and speaker phone to the paddock;
- (b) Adequate security measures to ensure that unauthorized persons do not gain entrance to the Judges' room in the Judges' stand unless invited by the Judges;
- (c) Offices within the grounds of each raceway for the use and at the disposal of the

Commission's designated representatives for the purposes of licensing and for the Judges to carry out their pre and post-race duties. These facilities are to be acceptable to the Registrar and will be subject to inspection at any time.

**7.04** At extended meetings where pari-mutuel wagering is conducted, Associations shall make available to the public a printed program which shall provide as a minimum:

- (a) Name, sex, colour and sire and dam of horses;
- (b) Names of owners and lessees of horses;
- (c) Names of breeders of horses;
- (d) Drivers' first and last names and colours;
- (e) In claiming races, the price for which a horse may be claimed;
- (f) Gross purse money for each race designated in dollars; and
- (g) Current summary of starts in purse races during the current year. The summary shall include the number of starts, firsts, seconds and thirds and also the earnings and best winning time for the current year. The best winning time must have been earned in either a purse or non-purse race, but not in a time trial. Qualifying races shall not be counted as a start or shown in the summary, but a winning time in a qualifying race must be shown in the summary and so designated;
- (h) The last six official past performance lines, if the horse has started six times at the gait;
- (i) Designation of drivers racing with provisional licences;

- (j) Designation of pacers that are racing without hoppers. In mixed races, the gaits of each horse shall be indicated by the words pacer or trotter beside their names;
- (k) Consolidation of races conducted at non-extended meetings. Consolidated lines shall include date, place, time of race, name of driver, finish position, track condition and distance, if race was not at one mile. Such races contested in heats or more than one dash may be consolidated into a single performance line;
- (l) Designation of a mare that has been spayed when such information is made available to the Association;
- (m) Summary of starts in purse races during the preceding year; and
- (n) At least weekly, a list of abridged Rulings issued by the Judges at that meeting, plus any abridged Rulings of the Registrar or Commission Administration.

**7.05** Races shall not be conducted until, in the opinion of the Judges, the Association has caused the racing strip to be suitably prepared for racing.

**7.06** Associations shall post track rules in the paddock and the race office. Track rules approved by the Registrar may be enforced by the Judges and monetary penalties or suspensions imposed.

**7.07** Associations must provide forty-eight hours notice to any participant to vacate from the grounds any horse that is legally upon their premises.

**7.08** The Commission and its designated representatives, in the performance of their duties, shall, subject to the *Horse Racing Licence Act, 2015*, have the right of full and complete entry to all parts of the grounds and buildings of any Association, whether or not racing is being conducted by the Association at the time.

**7.09** An Association shall have present during qualifying races and during the regular racing program an ambulance or mobile first aid vehicle, equipped and operated by the St. John Ambulance Brigade or equivalent, for participants and patrons.

**7.10** An association shall have a horse ambulance readily available on race and qualifying days for the removal of injured animals.

**7.10.01** An Association shall have warning lights available for use by the Judges in the event that the Judges determine that there is a health or safety concern on the racetrack requiring the Drivers to proceed with caution.

**7.10.02** An Association shall have a siren available for the use of the Judges in the event that the Judges determine that there is an emergency or accident requiring that the race be stopped.

**7.11** An Association is responsible for the general supervision and security of its meeting.

**7.12** An Association shall provide security of the grounds acceptable to the Registrar during the period for which the race dates have been granted.

**7.13** Any Association allowing a suspended, disqualified or excluded person or horse to participate in racing after notice from the Registrar, shall be subject to a monetary penalty.

**7.14** An Association during the hours of racing should not permit any unlicensed children to be admitted to the stable area unless in the custody of an adult and such children must remain in the custody of an adult at all times while in the stable area.

**7.15** No Association shall allow a person under 18 years of age to purchase or cash a ticket. For the purposes of this rule, a "ticket" is defined as a receipt or voucher that is issued by an Association for one or more bets on a race or races. The Association shall ensure that signs are clearly posted in all areas where tickets are purchased or cashed or on any Association wagering application forms, advising the public of the age restriction.

**7.16.01** Associations shall hold all monies from any source for purposes of purses in trust in one or more accounts designated as Purse Accounts for disbursement as set out in 7.16.05.

**7.16.02** Associations shall deposit all monies received for purposes of purses into the Purse Account(s) which include:

- (a) Deleted.
- (b) From nomination, sustaining, starting or similar fees for added money events within 5 days of receipt;
- (c) From pari-mutuel wagers (including the share of commissions on live, inter-track, export, simulcast and any other forms of betting

authorized by permit by Canadian Pari-Mutuel Agency) within 10 business days of receipt or settlement;

- (d) From any other source, including reimbursement of a purse that is required to be repaid, within 10 business days of receipt or settlement.

**7.16.03** An Association may, where authorized in writing by the Registrar, deposit the monies received from the fees for added money events or from pari-mutuel wagers into another account designated for that purpose and hold the monies in that account subject to the terms imposed by the Registrar.

**7.16.04** Any interest earned on the monies received from any source for purposes of purses less reasonable banking charges incurred and paid for with respect to the Purse Account(s) shall be deemed to be monies received for purposes of purses.

**7.16.05** An Association shall disburse the monies from the Purse Account(s) only as follows:

- (a) To pay purses in accordance with the Rules of Racing; or
- (b) Deleted
- (c) To reimburse owners for races that are cancelled or races that are declared 'no contest' by the Registrar or his delegate; or
- (d) For other purposes which are approved by the Registrar that are for the benefit of racing or will provide benefits to all or a sizeable proportion of horsepeople.

The Association, in a manner satisfactory to the Registrar, shall at the time of disbursement disclose or

cause to be disclosed to owners, trainers and others who receive purse money, the purposes under (d) above and the amount of any monies disbursed for such purposes.

**7.16.06** The costs for the management and administration of the Purse Account(s) or such other account as the Registrar may permit in writing shall not be paid from monies that have been received for purposes of purses.

**7.16.07** An Association shall manage and administer the purse account(s) or such other account as the Registrar may authorize in writing. The Association shall maintain the books and records related to the Purse Account(s) or such other account as the Registrar may authorize in accordance with generally accepted accounting principles or such other standards as may be approved in writing by the Registrar for use by the Association.

**7.16.08** An Association may retain the services of or delegate responsibilities that are permitted to be delegated under this Rule to a licensed Purse Account Manager provided that:

- (a) There is a written agreement between the Association and the Purse Account Manager that has been filed with the Registrar;
- (b) Any payments for the performance of services under this agreement are paid directly by the Association from monies other than purse monies;
- (c) The Purse Account Manager's functions and activities are limited to clerical services related to the distribution of the purse monies;

- (d) The Purse Account Manager shall be the agent of the Association in performing the services;
- (e) The Association remains responsible for the payment of all purses.

**7.16.09** The Association shall ensure that any person who is entitled to a purse or other payment from the monies that are intended for purposes of purses shall receive the purse or other payment. Where the person who is entitled to such purse or other payment cannot be located within one year of the end of the meeting, the Association may, with the permission of the Registrar, consider the monies as monies received for purposes of purses in the subsequent meeting.

**7.16.10** The Association shall provide statements to any association of horsepeople or person with whom it has an agreement for purposes of live racing or for purposes of the regulations under the *Criminal Code* (Canada) with respect to the issuance of a pari-mutuel betting permit setting out the monies received for purposes of purses, the source of those monies and the disbursements made of those monies and for what purposes. The statements shall be provided either within 15 days of the end of the month in which racing occurred or within 15 days of the end of a period other than a month that has been approved by the Registrar.

**7.16.11** Any responsibility regarding an approved disbursement of monies from the Purse Account(s) made by the Association ceases once the monies have been disbursed in accordance with Rule 7.16.05.

**7.16.12** Within 60 days of the end of its fiscal year, the Association shall make available to the Registrar for examination, the annual statements of the Purse

Account(s), and such other account that has been authorized by the Registrar. When completed, a copy of the report will be made available to the association of horsepeople. The cost of the examination and related expenses will be the responsibility of the Association.

**7.16.13** Any Association, Purse Account Manager or person who contravenes the Rules with respect to purses may be assessed a monetary penalty and/or suspended by the Registrar.

**7.16.14** The Association shall ensure that purse monies won are distributed to the owners, drivers, trainers and grooms within 38 days of the race. Exceptions included withholding for outcomes of appeal and by order of the Registrar.

**7.17** An Association shall not make a condition of entry requiring a licensee to consent to Association personnel or their agent(s) entering the licensee's property, including public training centres that the licensee occupies, for the purposes of

- (a) Conducting search and seizure; or
- (b) Collecting biological samples from horses.

**7.18** Associations or their delegate shall keep on file, race patrol film or video of each race for reference or reproduction upon request of the Registrar for one year after the last racing day of the previous year.

## **Chapter 8: Commission Veterinarians, Official Veterinarians and Other Veterinarians**

**8.01.01** The Commission veterinarians shall be those veterinarians appointed by the Registrar to officiate at extended race meetings.

**8.01.02** The Official Veterinarians shall be those veterinarians appointed by the Associations and approved by the Registrar to officiate at extended race meetings. At the discretion of the Registrar, the duties of the Official Veterinarian may be assumed by the Commission Veterinarian.

**8.02** The Commission Veterinarian or Official Veterinarian shall:

- (a) Serve as a professional advisor and consultant to the Registrar and Commission staff on veterinary matters including all regulatory aspects of the application and practice of veterinary medicine at the track;
- (b) Examine or observe each horse that is to race, at the following times and locations:
  - (i) During a warm-up on the track prior to the race;
  - (ii) During the parade to the post;
  - (iii) During the race;
  - (iv) After the race;
  - (v) During all qualifying races; and
  - (vi) At any other time considered appropriate.
- (c) If in his or her opinion any horse is unfit, unsound, or not ready for racing, immediately report to the Judges and have the horse scratched;

- (d) Be continuously available in the racetrack area from the time the horses enter the paddock until the last race is completed;
- (e) Maintain a list called the Veterinarians' List (Long Term or Short Term - see Rules 20.01.01 and 20.02) on which the Commission Veterinarian or Official Veterinarians shall enter the name of any horse considered unfit, unsound, or not ready for racing. A horse on the Long Term List shall be refused declaration until a Commission Veterinarian or Official Veterinarian removes its name from the list. Horses on the Short Term List are automatically removed after seven (7) clear days in accordance with Rule 20.04.

**8.03** During the period of their employment, Commission Veterinarians or Official Veterinarians shall not diagnose, treat or prescribe for any horse entered to race that day. For a period of 2 hours prior to first post time and throughout that racing program, the Commission Veterinarian or Official Veterinarian shall not diagnose, treat or prescribe for any horse except in case of an emergency when they may do so without compensation of any kind, except for out-of-pocket expenses.

**8.04** A Commission Veterinarian or Official Veterinarian shall inspect, as quickly as possible, all horses which have been involved in an accident during a race and, if necessary, provide appropriate emergency treatment.

**8.05** If in the opinion of a Commission Veterinarian or Official Veterinarian an injured horse should be destroyed, he shall destroy the horse quickly, humanely, and out of sight of the public unless any delay will prolong the suffering of the horse.

**8.06** Any owner or trainer whose horse has been placed on the Long Term Commission Veterinarians' List may have a veterinarian certify in writing that the horse is fit to race prior to the horse being declared to race, and file such certification in writing with the Commission Veterinarian or Official Veterinarian at the raceway where the horse is declared to race. Such certification shall be to the satisfaction of the Commission Veterinarian or Official Veterinarian.

**8.07** In any case where a horse has visibly bled during a race or a workout to the knowledge of one of the Commission Veterinarians or Official Veterinarians, the horse may be pre-race medicated, provided that the administration is of a substance which is a coagulant or other medicament recognized as a treatment to stop bleeding, and is also not included in the group of prohibited drugs under the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada). The administration of the medication must be done by a licensed veterinarian who shall report all details in writing to the Commission Veterinarian or Official Veterinarian who shall pass such report to the Judges for approval before the horse can start.

**8.08** Delete.

**8.08.01** A veterinarian shall maintain and keep the records required pursuant to the Rules for not less than two clear years and shall make such records available to the Registrar upon request.

**8.08.02** The records maintained and kept by a veterinarian shall include the name of the horse, the names of the owner and trainer, the date of the administration or prescription of the drug, substance or medication, and its nature.

**8.09** Except in emergency situations, veterinarians shall not parenterally or orally treat or medicate a horse in the paddock. When a horse has been treated parenterally or orally or medicated, the administering veterinarian shall report it to the Commission Veterinarian or Official Veterinarian who shall report such treatment or medication to the Judges immediately who shall then scratch the horse.

**8.10** Deleted.

**8.10.01** A veterinarian shall:

- (a) Determine from the trainer or owner what drugs, substances or medications are being administered to the horse before prescribing or administering any drug, substance or medication and shall maintain that information in his or her records;
- (b) Determine from the trainer or owner prior to prescribing or administering any drug, substance or medication to a horse if the horse is or will be entered to race during the period of time in which any drug, substance or medication may affect the performance of the horse or could result in the issuance of a certificate of positive analysis, if an official sample were tested for that drug, substance or medication, or metabolite or derivative of that drug, substance or medication;

- (c) Advise the trainer or owner in writing:
  - (i) Of the detection limit for any drug, substance or medication identified in the Schedule of Drugs, as amended from time to time, published by the Canadian Pari-Mutuel Agency and the circumstances which would or could alter that detection limit set out in the Schedule of Drugs, including those related to condition of the horse, dosage, method of administration, format in which the medication is administered, or other circumstances;
  - (ii) If no detection limit is provided for in the Schedule of Drugs, an estimate of the detection limit based upon the veterinarian's professional opinion, after carrying out such research as is required for him or her to form a professional opinion, and shall maintain a copy of that written advice in his or her records.
- (d) Advise the trainer or owner in writing of the potential or anticipated results of the administration of the drug, substance or medication on the horse and shall maintain a copy of that written advice in his or her records; and
- (e) Advise the trainer or owner in writing of any potential or anticipated side effects of the administration of the drug, substance or medication, including any that may result from interaction with any other drug, substance or medication that the veterinarian knows, ought to know or has reason to believe is being administered to the horse, and shall

maintain a copy of that written advice in his or her records.

**8.10.02** A veterinarian may comply with the requirements with 8.10.01(c), (d) and (e) if he or she provides the advice to the trainer in writing at least once every calendar year and there is no reason to provide the advice in writing again during that calendar year. The veterinarian, in deciding that there is no reason to provide the advice in writing again, shall take into account the health and safety of the horse, the integrity of racing, his or her knowledge of the practices and procedures of the trainer and the trainer's employees, his or her knowledge and experience with the drug, substance or medication, and such other factors that the veterinarian, acting reasonably, considers relevant.

**8.10.03** A veterinarian may comply with 8.10.01(a) and (b) if he or she obtains the required information from a bona fide representative of the trainer or owner who has been designated by the trainer or owner to act on his or her behalf and the veterinarian has no reason to believe otherwise. A veterinarian may comply with 8.10.01(c), (d) and (e) if he or she provides the written advice to a bona fide representative of the trainer or owner who has been designated by the trainer or owner to act on his or her behalf and the veterinarian has no reason to believe otherwise.

**8.10.04** A veterinarian shall only examine or treat a horse, or prescribe or administer a drug, substance or medication if he or she is in compliance with the requirements of the College of Veterinarians of Ontario including, but not limited to, the Minimum Standards for Veterinary Facilities in Ontario, as amended from time to time.

**8.11** A veterinarian may be held wholly or partially responsible if any drug, substance or medication administered or prescribed by him/her results in:

- (i) The issuance of a certificate of positive analysis under the Pari-Mutuel Betting Supervision Regulations;
- (ii) An excess level of total carbon dioxide for purposes of the Rules; or
- (iii) Confirmation of the administration of Erythropoietin or any of its synthetic derivatives for purposes of the Rules, and, if held wholly or partially responsible, may be assessed a monetary penalty and/or suspended by the Judges.

**8.12** Should any veterinarian licensed by the Commission be found in violation of the rules or be found to have engaged in any actions that would be considered a breach of ethics by the veterinary profession, that veterinarian may be assessed a monetary penalty, and/or suspended by the Judges, or may be referred to the Registrar for disciplinary action under the rules.

**8.13** Deleted.

**8.14** A veterinarian who dispenses a drug or medication shall label the container in which the drug or medication is dispensed with the following information:

- (i) Name and strength of the drug or medication;
- (ii) Date and quantity prescribed;
- (iii) Name and address of the dispensing veterinarian;
- (iv) Name of the horse for which it is prescribed;
- (v) Name of the trainer of the horse;
- (vi) The directions for use; and
- (vii) Detection limit determined in accordance with Rule 8.10.01.

In the event that a drug or medication is to be dispensed to multiple horses from a single container, such container shall be marked "BARN USE", and will be exempt from items (ii) and (iv) above and replaced by a written log, to include the following information:

- (i) Name of the horse for which it is prescribed; and
- (ii) Date and quantity prescribed.

**8.15** A veterinarian who owns, in whole or in part, a horse shall not treat another horse that is entered in a race in which the veterinarian's horse is entered. If the veterinarian has treated or otherwise provided veterinarian services for a horse that is entered in a race after the horse was entered, the horse owned by the veterinarian, in whole or in part, is not eligible to race and shall be scratched.

## **Chapter 9: Official Samples and Positive Tests**

**9.01** Part V of the Pari-Mutuel Betting Supervision Regulations, under the *Criminal Code* (Canada) establishing:

- (a) Retention areas, related facilities and equipment;
- (b) Test inspectors;
- (c) Collection procedures and conduct in retention areas;
- (d) Analytical procedures; and
- (e) Official chemists at laboratories;

is hereby adopted by the Registrar subject to the following rules.

**9.02.01** A certificate of positive analysis of an official sample completed in accordance with section 165 of the Pari-Mutuel Betting Supervision Regulations purporting to be signed by one or more official chemists and stating that the chemist or chemists has or have analyzed or examined the substance and stating the result of the analysis or examination, will be considered by the Judges in making any decision and, in absence of evidence to the contrary, is proof of the statements contained in the certificate without proof of the signature or official character of the person or persons appearing to have signed the certificate.

**9.02.02** Deleted.

**9.03** Horses in every heat or race or performance against time involving pari-mutuel wagering may be ordered to the retention area by the Judges. An official sample shall be taken for the purpose of determining

thereby the presence of any prohibited medications under the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada). In addition to the foregoing, the Judges may order any horse in any qualifying race to the retention area for the purpose of determining thereby the presence of any prohibited medications under the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada). Further, the Judges or the Commission Veterinarian in any meeting may order any horse other than the winner to the retention area for an official sample to be taken.

**9.04.01** A horse shall not be allowed to race in the Province of Ontario if the taking of an official blood sample is refused, unless the Commission Veterinarian or Official Veterinarian, for good cause, in his or her judgment, excuses the taking of the sample.

**9.04.02** The obtaining of all official samples shall be the responsibility of the chief test inspector, or his or her designate, except blood samples which shall be taken by the Commission Veterinarian or Official Veterinarian or a licensed veterinarian or other persons authorized by the Registrar.

**9.05** When a horse is in the retention area it shall be under the complete control and authority of the chief test inspector. In the case of all horses from which an official urine sample has been ordered, an effort shall be made to obtain the official urine sample by normal and natural means. If however, the chief test inspector is unable to secure an official urine sample within the time specified in the Pari-Mutuel Betting Supervision Regulations, a Commission or licensed veterinarian, at the request of the chief test inspector, may draw an official blood sample from the horse, provided a

statement duly signed by the owner or trainer is given to the Commission Veterinarian or Official Veterinarian to the effect that the owner or trainer accepts full responsibility for any adverse effects that such horse may incur as a result of such an official blood sample being taken. The official blood sample is to be delivered to the chief test inspector to be tagged and shipped to the Official Chemist in the same manner as is presently in effect for all other samples.

**9.06** Should an Official Chemist's report on an official sample taken from a horse be positive, he or she shall immediately notify the Commission. This notification shall be taken as prima facie evidence of a positive test. The Official Chemist shall then confirm such findings with the Commission.

**9.07** Upon being advised of the positive test the Commission shall notify the trainer or his or her responsible representative as expeditiously as possible.

**9.07.01** Once the Commission has notified the trainer or his or her responsible representative pursuant to Rule 9.07, the Judges or Administration may:

- (i) Inform the trainer that he/she will be permitted to continue with his or her business as trainer;
- (ii) Inform the trainer that he/she has been suspended and that none of the horses in his or her custody or under his or her care and control shall be allowed to start until the matter is considered and disposed of or until the horses have been turned over to another trainer or trainers approved by the Judges;

- (iii) Place conditions on the trainer's licence;
- (iv) Determine the eligibility of the horse.

**9.07.02** The Commission shall inform the owner and the Racing Association concerned, as expeditiously as possible, of their actions regarding the positive test.

**9.07.03** Deleted.

**9.08.01** Deleted.

**9.08.02** Upon a finding of a violation of the positive test rules, the Judges shall consider the classification level of the violation as currently established by the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International, Inc., or any other guidelines established by the Registrar.

**9.09** Any person has violated the rules who:

- (a) Administers or influences or conspires with any other person to administer to a horse, to affect the performance or condition of such horse, any drug which results in a positive test;
- (b) Enters a horse in a race, allows or authorizes a horse to compete in a race that has been administered any drug which results in a positive test.

**9.10** If the Judges find that there has been improper interference or substitution in the taking of an official sample, they shall consider it a violation and take such action as they deem proper against any person found by them to have committed such a violation.

**9.11** Any horse from which an official sample has been ordered by the Judges shall be taken directly and without delay to the retention area by the person or persons having care and control of such horse. Failure to do so is a violation of the Rules and they and/ or the horse may be suspended until the Judges have considered and dealt with the matter.

**9.12.01** Any owner, trainer or designated representative of the owner having the care, custody or control of any horse, who refuses to allow an official sample to be taken or who refuses to allow the horse to remain in the retention area for the minimum time period required by the Judges shall be subject to the same penalty as if a positive test had been obtained from such horse.

**9.12.02** Only the owner, trainer or designated representative of the trainer, to a maximum of two persons having a valid Commission licence on their person, are permitted to have care, custody or control of a horse in the retention area. Failure to present the licence may result in a monetary penalty and/or suspension.

**9.13** The detection of any drug in an official sample by the Official Chemist which constitutes a positive test shall disqualify the owner from participation in the purse distribution in that race and the horse shall be declared disqualified except for pari-mutuel wagering. In such case, the purse monies so affected shall be redistributed among the other horses in the race entitled to same, and any time record which may have been established shall be null and void.

**9.14** Subject to the Rules, all rulings made regarding positive tests may be subject to appeal to the HRAP.

**9.15** Deleted.

## **Chapter 10: Needles, Syringes and Seizures**

**10.01** No licensee except physicians, Commission Veterinarians or Official Veterinarians or veterinarians licensed by the Commission, or registered veterinary technicians or veterinary student assistants who are under the supervision of a veterinarian and licensed by the Commission shall, within the grounds of the Association, have in or upon the premises or vehicle which the licensee occupies or has the right to occupy, or in their personal property or effects:

- (a) Any hypodermic syringe, hypodermic needle or any other device which could be used for the injection or infusion into a horse of any substance; or
- (b) Any injectable (substance capable of being injected) which may be administered by a hypodermic syringe, hypodermic needle, or device (known technically as a substance for parenteral administration) without first securing written permission from the Judges or the Registrar.

**10.02** In accordance with the *Horse Racing Licence Act*, 2015, those persons authorized by the Registrar shall have the right to enter upon the buildings, stables, rooms, vehicles or other places within the grounds of any Association for the purpose of examining, inspecting and seizing the personal property and effects of any person in or upon such place.

**10.03** Subject to the *Horse Racing Licence Act, 2015*, participants acting in any capacity at a race meeting approved by the Registrar, by so participating, consent to the examination and inspection referred to in the Rules, and to the seizure of any hypodermic syringe, hypodermic needle or any other device described in the Rules, and all drugs and medicaments including those listed in 6.46.01 or any kind which might be in his or her possession. Any drugs, medicaments or other material or devices seized may be forwarded by the Registrar to the Official Chemist for analysis.

**10.04** A monetary penalty may be imposed in addition to, but not in lieu of, a suspension for a violation of Rule 10.01 (a) and/or (b). Reference must also be had to Rule 6.10.01.

**10.05** Any licensee, who in the course of their normal duties, locates any item listed in Rule 10.01(a) and (b) or any drug, substance or medication listed in Rule 6.46.01 shall forthwith advise the Judges of their findings and take direction from the Judges.

**10.06** After considering the evidence and making a Ruling concerning a violation of Rule 6.46.01 or Chapter 10, the Judges may order that the items seized be disposed of in accordance with the *Horse Racing Licence Act, 2015*.

## **Chapter 11: Horses Permitted to Race**

**11.01.01** A horse shall not be permitted to enter or start unless:

- (a) It is duly registered with and approved by the registry office of Standardbred Canada or United States Trotting Association (USTA),

subject to requirements under 11.01.02. Notwithstanding that a horse is registered with the USTA, any horse registered with the USTA that would not meet the registry requirements set out by Standardbred Canada shall not be eligible to race.

**11.01.02** A horse shall not be eligible to be declared in to race at any raceway unless:

- (a) The eligibility fee, which shall become due and payable when a horse makes its first start in any type of race in a calendar year, has been paid to Standardbred Canada, if Canadian owned, or, the lifetime eligibility fee has been paid to the United States Trotting Association, if American owned. The eligibility fee for a horse owned in partnership by a Canadian and an American, shall be payable to either Standardbred Canada or the United States Trotting Association;
- (b) If wholly Canadian owned, the horse has been registered in the current ownership with Standardbred Canada;
- (c) If leased, a copy of the lease is on file with, and is acceptable to Standardbred Canada. The horse must race in the name of the lessee;
- (d) For overnight races, the horse has qualified at an extended meeting in accordance with the Rules, including Chapter 12 where applicable, prior to the time of closing of declarations in accordance with the qualifying standards of the track presenting the race;

- (e) For added money events, the horse has qualified at an extended meeting in accordance with the Rules, including Chapter 12 where applicable, prior to the time of closing of declarations and in accordance with Rule 11.02.01 and 11.02.02;
- (f) Not more than 45 clear days prior to the time of closing of declarations, the horse was credited with a clean charted past performance line obtained in a purse, qualifying or schooling race conducted at an extended meeting;
- (g) The horse is at least two years of age to race at any meeting but not older than 14 years of age;
- (h) The horse has not been denerved by any method above its pastern. The decision at any given time whether the horse has been denerved shall be the Commission Veterinarian's or the Official Veterinarian's;
- (i) If a mare has been spayed or a horse has been gelded, Standardbred Canada has been notified in writing by the owner, trainer or veterinarian;
- (j) The horse does not have a tube in its throat;
- (k) The horse has at least partial vision;
- (l) The horse has been lip tattooed or freeze branded in accordance with the constitution and by-laws and regulations of Standardbred Canada.

**11.02.01** If a horse meets the conditions of Rule 11.01.01 and 11.01.02 it will be considered qualified and eligible to be declared to added money event races provided that one of its last three charted lines is a clean line in a purse, qualifying or schooling race, not more than forty-five (45) clear days before the closing of declarations and its individual time in that clean charted line meets the following standards for age and the size of the track where it raced or qualified after the Judges have given appropriate allowances for track conditions on that day:

	1/2 MILE TRACKS	5/8 MILE TRACKS	7/8 MILE + TRACKS
<b>TWO YEAR OLDS:</b>			
Pacers	2:03	2:01	2:00
Trotters	2:09	2:06	2:05
<b>THREE YEAR OLDS:</b>			
Pacers	2:00	1:58	1:57
Trotters	2:05	2:02	2:01

Where an added money event is to be conducted for three year olds during the period December 1 through April 30, the qualifying times in effect at the track will apply.

#### **FOUR YEAR OLDS AND UP:**

Qualifying times in effect at a track where an added money event is conducted shall apply to the following:

- a) Events for four year olds and up; and
- b) Events where two and/or three year olds are eligible to compete against horses four years old and up.

**11.02.02** Notwithstanding the provisions of 11.02.01 no horse shall be considered qualified and eligible to be declared to added money event races if that horse, since having obtained the clean charted line referred to in 11.02.01, is required to qualify in accordance with the Rules, including Chapter 12 where applicable, or is on the Judges List or is otherwise ineligible to race.

**11.03** Notwithstanding Rules 11.01.01, 11.01.02 and 11.02.01, if a horse participates in a race or event after having been declared into a subsequent race or event it shall be ruled ineligible to the subsequent race or event and scratched if its performance in the initial race or event makes it ineligible under the Rules. If the race or event from which the horse is scratched is an added money event, any starting fee paid or payable shall be forfeited.

**11.04** Any participant who declares, or causes to be declared, an ineligible horse to start shall be in violation of the Rules and subject to disciplinary action by the Judges. If after declarations close, and prior to the race, the Judges become aware that an ineligible horse has been declared, they shall immediately scratch the horse and starting fees, if applicable, shall be forfeited.

**11.05** If the ownership of a horse changes, such horse may start under the new ownership not more than once without reasonable evidence being given to the Judges that the registration certificate has been forwarded to Standardbred Canada or the United States Trotting Association.

**11.06** Any participant skipping or omitting transfers of ownership of any horse shall be in violation of the Rules.

**11.07**

- (a)** Deleted.
- (b)** Deleted.
- (c)** Deleted.

**11.08** Horses not under lease must race in the name of the bona fide owner.

**11.09** For the purposes of eligibility to race at extended meetings, past performance lines charted at non-extended meetings in Ontario shall not be considered other than for the purpose of crediting the horses with the number of starts, wins and purse money earned at non-extended meetings.

**11.10.01** Deleted.

**11.10.02** Deleted.

**11.10.03** Deleted.

## **Chapter 12: Qualifying Races**

**12.01** Qualifying races and starting gate schooling shall be held according to the demand as determined by the Registrar.

**12.02** Declarations for overnight events, other than schooling races or matinee races, at extended meetings shall be governed by the following:

- (a) A horse shall be deemed unqualified if it has not shown a performance meeting the qualifying standards for the meeting, or fails to perform in accordance with such standards. Such horses shall be placed on a Qualifying List by the Judges who shall not remove the horse therefrom until it has qualified in accordance with the standards for the meeting;
- (b) Names of horses placed on the Qualifying List shall be posted by the Judges at a place in the race office accessible to owners or trainers;
- (c) Qualifying standards shall apply only to the raceway where established;
- (d) Qualifying races shall be charted by a licensed Charter and a photo finish camera shall be used to determine beaten lengths and individual times of the horses; and
- (e) Qualifying races must be conducted under the supervision of a Judge.

**12.02.01** When entering into overnight races, a horse's individual time in its last clean charted line in a purse, qualifying or schooling race must meet the following time standard for the track at which it is entering to race, after the Judges have given appropriate allowances for track conditions on that day:

**Track size of last clean line**

Track size where entering to race		1/2 Mile Tracks	5/8 Mile Tracks	7/8 Mile+ Tracks
<b>1/2 Mile</b>	Pacers	2:04	2:03	2:02
	Trotters	2:07	2:06	2:05
<b>5/8 Mile</b>	Pacers	2:03	2:01	2:00
	Trotters	2:06	2:04	2:03
<b>7/8 Mile</b>	Pacers	2:02	2:00	1:59
	Trotters	2:05	2:03	2:02

**12.02.02** Time allowances for overnight races are as follows:

Reason	Allowance
Seasonal – For starts from November 1 to April 30, inclusive.	1 second
2 year-olds	2 seconds
3 year-olds	1 second

**12.03** A horse that does not show a charted line at the chosen gait within its last six starts, or does not show a charted line within the previous 45 clear days, must perform in a qualifying race.

**12.04** Deleted.

**12.05** Deleted.

**12.06** Any horse that chokes or bleeds while warming-up for a race or during a race and/or that is suspended in accordance with these rules shall be placed on the Veterinarian's List and will be required to go a qualifying race and perform to the satisfaction of the Judges and a Commission Veterinarian or Official Veterinarian before being allowed to be declared in to race notwithstanding the expiry of any period of suspension otherwise applicable pursuant to this Rule.

**12.07.01** Any horse that is qualified to race with hobbles shall not be permitted to be declared to a race without hobbles unless first having qualified with this equipment change. In addition to the foregoing any horse that is qualified to race with hobbles and which is not on a qualifying list or the Judges' List, is allowed one start without hobbles in a qualifying race and this single performance shall not affect its eligibility to race with hobbles in its next start to which it is declared.

**12.07.02** Any horse that is qualified to race without hobbles shall not be permitted to be declared to a race with hobbles unless first having qualified with this equipment change. In addition to the foregoing any horse that is qualified to race without hobbles and which is not on a qualifying list or the Judges' List, is allowed one start with hobbles in a qualifying race and this single performance shall not affect its eligibility to race without hobbles in its next start to which it is declared.

**12.08** When, for the purpose of qualifying the driver, a horse is declared in to race in a qualifying race, its performance shall be applicable to the horse's eligibility to race and the chart line shall be notated to indicate driver qualifying.

**12.09** A horse making a break in or off a qualifying, matinee or schooling race must qualify again unless the break was an equipment break or caused by interference, or unless the horse is declaring into an Ontario Sires Stakes or other added money event.

**12.10.01** A horse making a break in each of two consecutive races must qualify unless the breaks were equipment breaks or caused by interference.

**12.10.02** A horse making a break off a qualifier or its second consecutive break in a row in an elimination heat will be allowed to race in the final.

**12.11** A horse must qualify if:

- (a) It is distanced for reasons other than interference, broken equipment or breaking stride; or
- (b) It does not finish for reasons other than interference or broken equipment.

**12.12** A charted line containing only a break or breaks caused by interference or an equipment break shall be considered a clean charted line.

**12.13** The Judges shall use the interference break mark only when they have reason to believe that the horse was interfered with by another horse or the equipment of another horse.

## **Chapter 13: Types of Races Permitted**

**13.01** In presenting a program of racing, the race secretary shall use exclusively the following types of races:

- (a) Overnight events which include:
  - (i) Conditioned races;
  - (ii) Claiming races;
  - (iii) Preferred, invitational, handicap, open or free-for-all races;
  - (iv) Schooling races;
  - (v) Matinee races.
- (b) Added money events which include:
  - (i) Stakes;
  - (ii) Futurities;
  - (iii) Early closing events;
  - (iv) Late closing events.
- (c) Match races.

## **Chapter 14: Overnight Events**

**14.01** For the purpose of this rule, overnight events shall include conditioned, claiming, preferred, invitational, handicap, open, free-for-all, schooling or matinee races or a combination thereof.

**14.02** At extended meetings, condition sheets must be available to participants at least 24 hours prior to closing declarations to any race program contained therein. At other meetings, conditions must be posted and available to participants at least 18 hours prior to closing declarations.

**14.03** Deleted.

**14.04** Substitute races may be provided for each race program and shall be so designated in condition books. A substitute race may be used when a regularly scheduled race fails to fill.

**14.05** Regularly scheduled races or substitute races may be divided where necessary to fill a program of racing, or may be divided and carried over to a subsequent racing program, subject to the following:

- (a) No such divisions shall be used in the place of regularly scheduled races which fill;
- (b) Where races are divided in order to fill a program, starters for each division must be determined by lot after preference has been applied, unless the conditions provide for divisions based upon age, performance, earnings or sex.

**14.06** Conditions:

- (a) May be based only on:
  - (i) Horses' money winnings in a specified number of previous races or during a specified previous time;
  - (ii) Horses' finishing positions in a specified number of previous races or during a specified period of time;
  - (iii) Age;
  - (iv) Sex;
  - (v) Number of starts during a specified period of time;
  - (vi) Special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada;
  - (vii) The exclusion of schooling races; or

- (viii) Ontario Sired, Ontario Bred, or Ontario Sired Stakes eligible; or
- (ix) A combination of any one or more of the qualifications listed under this section.
- (b) Shall not be written in such a way that any horse is deprived of an opportunity to race in a normal preference cycle. Where the word preference is used in a condition, it shall only supersede date preference as provided in the Rules. Not more than three also eligible conditions shall be used in writing the conditions for overnight events;
- (c) The Registrar may, upon application from the race secretary, approve conditions other than those listed above for special events.

**14.07** In the event there are conflicting published conditions and neither one nor the other is withdrawn by the Association, the one more favourable to the declarer shall govern.

**14.08** For the purpose of eligibility, a racing season or racing year shall be the calendar year. All races based on winnings will be programmed Non-Winners of \$ ..... or Winners over \$...... Additional conditions may be added. When recording winnings, gross winnings shall be used and cents shall be disregarded.

**14.09** Records, time bars or place of residence of the owner of a horse declared into an event shall not be used as a condition of eligibility, save and except in the case of stakes races where time bars as provided in Rule 11.02.01 constitute a condition of eligibility.

**14.10** Horses must be eligible when declarations close subject to the provision that:

- (a) Wins and winnings on or after the closing date of declarations shall not be considered;
- (b) Age allowances shall be given according to the age of the horse on the date the race is contested;
- (c) In mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait at which it is stated in the declaration the horse will perform.

**14.11** When conditions refer to previous performances, those performances shall only include those in a purse race. Each dash or heat shall be considered as a separate performance for the purpose of condition races.

**14.12** In overnight events, not more than one trailer shall be permitted, regardless of the size of the track. At least eight feet per horse must be provided the starters in the front tier. Exceptions on field sizes can be granted with the written permission of the Commission.

**14.13** The race secretary may reject the declaration to an overnight event of any horse whose past performance indicates that it would be above or below the competitive level of other horses declared to that particular event.

## Chapter 15: Claiming Races

**15.01** No horse will be eligible to start in a claiming race unless the owner has provided written authorization, which must include the minimum price for which the horse may be claimed, to the race secretary at least one hour prior to post time of its race. If the horse is owned by more than one party, all parties must sign the authorization. Any question relating to the validity of a claiming authorization shall be referred to the Judges who shall have the authority to disallow a declaration or scratch the horse if they deem the authorization to be improper.

**15.02** Unless a horse is on the electronic registration system, the registration certificate in current ownership must be filed with the race secretary for all horses claimed within forty-eight (48) hours after the race from which the horse was claimed. All horses claimed out of a claiming race will automatically be put on electronic registration by Standardbred Canada (See Rule 15.19).

**15.03** The price allowances that govern for claiming races are as follows. Any deviation from these allowances will constitute a violation:

	<b>Colts, Stallions, Geldings and Spayed Mares</b>	<b>Fillies and Mares</b>
<b>2-year-old</b>	75%	100%
<b>3-year-old</b>	50%	75%
<b>4-year-old</b>	25%	50%
<b>5-year-old and up</b>	0	25%

Claiming prices recorded on past performance lines in the daily race program and on eligibility certificates shall not include allowances.

**15.04** The claiming price, including any allowances, of each horse shall be printed on the official program adjacent to the horse's program number and claims shall be for the amount designated, subject to correction if printed in error.

**15.05** In handicap claiming races, in the event of an also eligible horse moving into the race, the also eligible horse shall take the place of the horse that it replaces provided that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the also eligible horse shall take the trailing position, regardless of its handicap. In handicap claiming races with one trailer, the trailer shall be determined as the 4th best post position.

**15.06** To be eligible to be claimed a horse must start in the event in which it has been declared to race. For the purposes of this rule, a horse shall be deemed to have started if it is behind the gate when the field is released at the starting point by the starter. If a horse that has been drawn in to start in a claiming race in Ontario is scratched for reason other than being ineligible to the race, the horse shall be subject to claim in its next start in Ontario, provided such start occurs within 30 days of the date of the scratch, regardless of type and condition of the race, at the claiming price it was subject to in the race in which it was scratched. Where

a horse drawn in to start in a claiming race has been declared to start in a subsequent race, the successful claimant, if any, of the horse, in the first race shall have the option of scratching the horse from the subsequent race and the 30 day provision of this section will not apply.

**15.07** Any person or the authorized agent of such person who holds a current valid Commission licence may claim any horse, or any person who has properly applied for and been granted a claiming certificate shall be permitted to claim any horse. Any person or authorized agent eligible to claim a horse shall be allowed access to the grounds of the Association in order to effect a claim at the designated place of making claims and to take possession of the horse claimed.

**15.08** Claiming certificates are valid on day of issue and expire 30 days after issue day. These certificates may be applied for at the Association's licensing office prior to post time on any day of racing.

**15.09**

- (a) A claimed horse, regardless of ownership, shall only race at a track or tracks in the province of Ontario for the next 60 days, except where such a horse has been nominated to participate in an added money event before it was claimed. Any person who violates this rule shall be subject to a suspension or monetary penalty of 10% of the claiming price or 100% of the purse for each race, whichever is greater and the horse may be suspended. A claimant shall be held

in violation of this rule if he or she disposes of the horse in any manner other than by claiming and the horse races outside of the province of Ontario within 60 days of the horse being claimed.

**15.09**

- (b) Deleted.

**15.10 Prohibitions on claims:**

- (a) A person shall not claim directly or indirectly his or her own horse or a horse trained by him/ her or cause such horse to be claimed directly or indirectly for his or her own account;
- (b) A person shall not directly or indirectly offer, or directly or indirectly enter into an agreement, to claim or not to claim or directly or indirectly attempt to prevent another person from claiming any horse in a claiming race;
- (c) A person shall not have more than one claim on any one horse in any claiming race;
- (d) A person shall not directly or indirectly conspire to protect a horse from being claimed by arranging another person to lodge claims, a procedure known as protection claims;
- (e) A trainer shall not have more than one claim on any one horse in any claiming race. In the event of multiple claims for the same designated trainer, the qualifying claim from within that group shall be drawn by lot for the claim. All claim forms must identify a designated trainer.

**15.11 Claiming procedure:**

- (a) Person desirous of making a claim, hereinafter referred to as the claimant, must remit the required amount. The required amount shall include the claiming price plus the transfer of ownership fee and applicable taxes;
- (b) The claimant shall provide all information required on the claim form provided by the Association;
- (c) The claim form shall be completed and signed by the claimant prior to placing it in an envelope provided for this purpose by the Association. The claimant shall seal the envelope and identify on the outside the date, race number and track name only;
- (d) The envelope shall be delivered to the race secretary, or licensed delegate, at least 30 minutes before post time of the race from which the claim is being made. That person shall certify on the outside of the envelope the time it was received, the current licence status of the claimant and whether credit in the required amount has been established;
- (e) It shall be the responsibility of the race secretary to ensure that all such claim forms are delivered to the Judges prior to the race from which the claim is being made;
- (f) The Judges shall disallow any claim made on a form or in a manner which fails to comply with all requirements of this rule;
- (g) Deleted.
- (h) Copies of claim forms may be delivered directly to the Judges stand from the race

office. The original claim form must be kept on file in the race office for the period of twelve months.

**15.12** When a claim has been lodged it is irrevocable, and is at the risk of the claimant.

**15.13** In the event more than one claim is submitted for the same horse, the successful claimant shall be determined by lot by the Judges, and all unsuccessful claims involved in the decision by lot shall, at that time, become null and void, notwithstanding any future disposition of such claim.

**15.14** Upon determining that a claim is valid, the Judges shall forthwith notify the paddock judge of the name of the horse claimed, the name of the claimant and the name of the person to whom the horse is to be delivered. Also, the Judges shall cause a public announcement of the claim to be made prior to the race.

**15.15** Every horse entered in a claiming race shall race for the account of the owner who declared it in the event, but title to a claimed horse shall be vested in the successful claimant from the time the horse is deemed to have started, and the successful claimant shall become the owner of the horse, whether it be alive or dead, or sound or unsound, or injured during or after the race. If a horse is claimed out of a heat or dash of an event having multiple heats or dashes, the Judges shall scratch the horse from any subsequent heat or dash of the event.

**15.16** Deleted.

**15.16.01** Transfer of possession of a claimed horse to the successful claimant or their representative shall take place in the paddock immediately after the running of the race. The horse's halter must accompany the horse. Altering or removing the horse's shoes prior to the transfer is not permitted.

**15.16.02** Notwithstanding the requirements under 15.16.01, in the case where a claimed horse must submit for post race testing, physical custody of the claimed horse shall transfer from the original owner to the successful claimant outside the retention area following completion of the test and after the sample tags have been signed by the original owner or their representative.

**15.17** Any person who refuses to deliver a horse legally claimed out of a claiming race shall be suspended, together with the horse, until delivery is made.

**15.18** A claimed horse shall not be eligible to start in any race in the name or interest of the original owner for 30 days, unless reclaimed out of another claiming race. Nor shall such horse remain in or be returned to the same stable or care or management of the first owner or trainer for the same period of 30 days, unless reclaimed out of another claiming race.

**15.19** The claiming price shall be paid to the original owner only when the Judges are satisfied that the successful claim is valid and the registration certificate has been received by the race secretary for transfer to the new owner (See Rule 15.02).

**15.20.01** The Judges, at the option of the claimant, shall rule a claim invalid:

- (a) If the Official Chemist reports a positive test on a horse that was claimed, provided such option is exercised within 48 hours following notification to the claimant of the positive test by the Judges;
- (b) If the horse has been found ineligible to the event from which it was claimed;
- (c) If approved post-race testing procedures discloses that an improper medication or drug was found to be present in the sample of the claimed horse and reported in the analysis report from the lab, provided such option is exercised within 48 hours following notification to the claimant by the Judges.

**15.20.02** In the event that the sex of a claimed horse has been inaccurately described in the racing program, the claimant or his/her authorized representative must notify the Judges of the error within a one half ( $\frac{1}{2}$ ) hour from the time that the horse is physically retrieved by the claimant or his/her authorized representative whether he/she wishes to retain the horse. If the claimant or his/her authorized representative fails to notify the Judges of the error within this prescribed time, the claimant shall be deemed to have accepted the horse so claimed.

**15.21** Mares and fillies who are in foal are ineligible to claiming races. If a claimant determines within 48 hours that a claimed filly or mare is in foal, he/she may, at their option, return the horse to the original owner.

**15.22** When the Judges rule that a claim is invalid and the horse is returned to the original owner:

- (a) The amount of the claiming price shall be repaid to the claimant;
- (b) Any purse monies earned subsequent to the date of the claim and before the date on which the claim is ruled invalid shall be the property of the claimant; and
- (c) The claimant shall be responsible for any reasonable costs incurred through the care, training or racing of the horse while it was in his or her possession.

## **Chapter 16: Added Money Events**

**16.01** For the purpose of this rule, added money events include stakes, futurities, early closing events and late closing events as defined in Chapter 2.

**16.02** All sponsors and presenters of added money events must comply with the rules and must submit to the Registrar the conditions and other information pertaining to such events.

**16.03** Any conditions contrary to the provisions of any of these rules are prohibited.

**16.04** Conditions for added money events must specify:

- (a) Which horses are eligible to be nominated;
- (b) The amount to be added to the purse by the sponsor or presenter, should the amount be known at the time;
- (c) The dates and amounts of nomination, sustaining and starting payments;

- (d) Whether the event will be raced in divisions or conducted in elimination heats;
- (e) The distribution of the purse, in percent, to the money winners in each heat or dash, and the distribution should the number of starters be less than the number of premiums advertised; and
- (f) Whether also eligible horses may be carded prior to the running heats or legs of added money events.

**16.05** Sponsors or presenters of stakes, futurities or early closing events shall provide a list of nominations to each nominator or owner and to the Associations concerned within 60 days after the date on which nominations close, other than for nominations payable prior to January 1st of a horse's two-year-old year.

**16.06** In the case of nominations for futurities payable during the foaling year, such lists must be forwarded out prior to October 15th of that year and, in the case of nominations payable in the yearling year, such lists must be forwarded out not later than September 1 of that year.

**16.07** Sponsors or presenters of stakes, futurities or early closing events shall also provide a list of horses remaining eligible to each owner of an eligible within 45 days after the date on which sustaining payments are payable. All lists shall include a resume of the current financial status of the event.

**16.08** The Registrar may require the sponsor or presenter to file with the Commission a surety bond in the amount of the fund to ensure faithful performance of the conditions, including a guarantee that the

event will be raced as advertised and all funds will be segregated and all premiums paid. Registrar's consent must be obtained to transfer or change the date of the event, or to alter the conditions. In any instance where a sponsor or presenter furnishes the Commission with substantial evidence of financial responsibility satisfactory to the Registrar, such evidence may be accepted in lieu of a surety bond.

**16.09** Dates for nominations payments:

- (a) Stakes: The date for closing of nominations on yearlings shall be May 15th. The date for closing of nominations to all other stakes shall fall on the fifteenth day of a month;
- (b) Futurity: The date for closing of nominations shall be July 15th of the year of foaling;
- (c) Early Closing Events: The date for closing of nominations shall fall on the first or fifteenth day of a month. Nominations on two-year-olds shall not be taken prior to February 15th;
- (d) Late Closing Events: The date for closing of nominations shall be at the discretion of the sponsor or presenter.

**16.10** Dates for sustaining payments:

- (a) Stakes and Futurities: Sustaining payments shall fall on the fifteenth day of a month. No stake or futurity sustaining fee shall become due prior to February 15th of the year in which the horses nominated become two years of age;
- (b) Early and Late Closing Events: Sustaining payments shall fall on the first or fifteenth day of a month.

**16.11** The starting fee shall become due when a horse is properly declared to start and shall be payable in accordance with the conditions of the added money event. Once a horse has been properly declared to start, the starting fee shall be forfeited, whether or not the horse starts. Should payment not be made 30 minutes before the post time of the event, the horse shall be scratched and the payment shall become a liability of the owner who shall, together with the horse or horses, be suspended until payment is made in full, providing the Association notifies the Registrar within 30 days after the starting date.

**16.12** Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.

**16.13** Conditions that will eliminate horses nominated to an event, or add horses that have not been nominated to an event by reason of performance of such horses at an earlier meeting, are invalid. Early and late closing events shall have not more than two also eligible conditions.

**16.14** The date and place where early and late closing events will be raced must be announced before nominations are taken. The date and place where stakes and futurities will be raced must be announced as soon as determined but, in any event, such announcement must be made no later than March 30th of the year in which the event is to be raced.

**16.15** Deductions may not be made from nomination, sustaining and starting payments or from the advertised purse for clerical or any other expenses.

**16.16** All nominations to added money events must be made in accordance with the conditions.

**16.17** Every nomination shall constitute an agreement by the person making the nomination and the horse shall be subject to these rules. All disputes and questions arising out of such nomination shall be submitted to the Registrar, whose decision shall be final.

**16.18** Nominations and sustaining payments must be received by the sponsor or presenter not later than the hour of closing, except those made by mail must bear a postmark placed thereon not later than the hour of closing. Payments made by electronic transaction to a third-party providing a staking service must be processed and the sponsor notified, not later than the hour of closing. In the event the hour of closing falls on a Saturday, Sunday, or legal holiday, the hour of closing shall be extended to the same hour of the next business day. The hour of closing shall be midnight of the due date.

**16.19** If conditions require a minimum number of nominations and the event does not fill, the Registrar and each nominator shall be notified within 20 days of the closing of nominations and a refund of nomination fees shall accompany such notice to nominators.

**16.20** If conditions for early or late closing events allow transfer for change of gait, such transfer shall be to the lowest class the horse is eligible to at the adopted gait, eligibility to be determined at the time of closing nominations. The race to which the transfer may be made must be the one nearest the date of the event originally nominated to. Two-year-olds, three-year-

olds, or four-year-olds, nominated in classes for their age, may only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event they were originally nominated to, and entry fees to be adjusted.

**16.21** A nominator is required to guarantee the identity and eligibility of nominations, and if this information is given incorrectly he/she may be subject to a monetary penalty, suspended, or expelled and the horse declared ineligible. If any purse money was obtained by an ineligible horse, the monies shall be forfeited and redistributed among those justly entitled to the same.

**16.22** Minimum declarations required to race:

- (a) Early or late closing events must be contested if five or more betting interests are declared to start. If fewer horses are declared to start than required, the race may be declared off, in which case the total of nominations, sustaining and starting payments received shall be divided equally to the horses declared to start. Such distribution shall not be credited as purse winnings;
- (b) Stakes or futurities must be contested if one or more horses are declared to start. In the event only one horse, or only horses in the same interest start, it constitutes a walk-over. In the event no declarations are made, the total of nomination and sustaining payments shall be divided equally to the horses remaining eligible after payment of the last sustaining payment, but such distribution shall not be credited as purse winnings.

**16.23 Deleted.**

**16.24** The maximum size of fields permitted in any added money event shall be:

- (a) For races which go in 1 division no more than 2 trailers;
- (b) For races which go in more than 1 division a maximum of 1 trailer.

An Association may elect to go with less than the number of trailers specified in (a) above. Exceptions on field sizes can be granted with the written permission of the Registrar.

**16.25** In the event more horses are declared to start than allowed in one field, the race will be conducted in divisions or eliminations, as specified in the conditions.

**16.26**

- (a) In added money events conducted in divisions, the Association shall contribute at least 75% of the Association's advertised added money to the purse in each division. To this amount shall be added the contributions by sponsors other than the Association and the total of nomination and sustaining fees, and the revised total purse shall be divided equally between or among the divisions. Each starting fee shall be added to the division in which the horse starts. The Ontario Sires Stakes Program and the Trillium Series are excluded from the rule;
- (b) Notwithstanding the provisions of rule 16.26 (a), where an Association is adding \$50,000 or more to the added money event, and the event is conducted in divisions, the

Association may divide the purse equally between or among the divisions, provided however, that no division shall be contested for less than the Association's added money.

**16.27** In added money events conducted in eliminations, starters shall be divided by lot. Sixty (60) percent of the total purse will be divided equally among the elimination heats. The final heat will be contested for forty (40) percent of the total purse. Unless the conditions provide otherwise, all elimination heats and the final heat must be raced on the same day. If the conditions provide otherwise, elimination heats must be contested not more than 6 days, excluding Sundays, prior to the date of the final heat. The winner of the final heat shall be the winner of the race. If the estimated value of the purse for the event is \$50,000 or more, the division of the purse between elimination heats and the final may be other than the formula above; however, the purse for an elimination heat shall not be less than \$10,000 and the distribution must be contained in the printed conditions of the event.

**16.28** The number of horses allowed to qualify for the final heat of an event conducted in elimination heats shall not exceed the maximum number permitted to start in accordance with the Rules.

**16.29** The Judges' decisions in arriving at the official order of finish of elimination heats on the same program shall be final and irrevocable and not subject to appeal or protest.

**16.30** Unless the conditions for the added money event provide otherwise the Judges shall draw by

lot the post positions for the final heat in elimination events, i.e. they shall draw positions to determine which of the two elimination heat winners shall have the pole, and which the second position; which of the two horses that were second shall start in the third position, and which in the fourth, etc. The trailing position shall be determined as the 4th best post position.

**16.31** Deleted.

## **Chapter 17: Declarations and Drawing of Post Positions**

**17.01** The Association shall specify the time for closing of declarations, but in any event the declaration box shall not close more than three clear days, omitting Sundays, Christmas Eve and Christmas Day, before the date of the race. The time must be published on condition sheets.

**17.02** A declaration received after the specified time of closing shall not be accepted, except those omitted due to error or negligence by an official or employee of the Association.

**17.03** The Association shall provide a locked box with an aperture through which declarations shall be deposited. Participants shall deposit their declarations in the declaration box, except as provided in Rule 17.06.

**17.04** The submitting of declarations for one horse to races scheduled for the same day at different tracks is prohibited.

**17.05** The submitting of a declaration for a horse that is ineligible to race because it has been placed on the

Judges' List or Veterinarians' List, and not removed therefrom, is prohibited.

**17.06** Declarations made by mail, facsimile, or telephone are acceptable and shall be subject to the same terms and conditions as written declarations, providing evidence of same is deposited in the declaration box before the time specified for declarations to close and provided that adequate program information is furnished by the declarer. The race secretary or licensed delegate is responsible for depositing such declarations. A mail, facsimile, or telephone declaration must state the name of the horse, the event it is to be declared to, and be signed or made by the person who received and deposited it. It is the responsibility of the trainer to ensure that the person declaring a horse which had its last start outside Canada, advises the race secretary of where and when the horse last raced.

**17.07** Prior to the opening of the box for the draw, the race secretary or licensed delegate shall be in charge of the declaration box. The box may be opened prior to the time of closing to provide an opportunity to process declarations. Information as to the names of horses declared shall not be given by any person to any person until after the time for closing of declarations has passed.

**17.08** Although the trainer has primary responsibility for the eligibility of each of his/her horses declared to race, the race secretary shall verify the eligibility of each horse and confirm its eligibility to the Judges.

**17.09** When the draw is available to be viewed, a licensed participant may witness the draw.

**17.10** Starters and also eligibles for overnight events shall be drawn by lot from horses properly declared to start, except as follows:

- (i) First preference shall be given to a horse that is stabled in Canada the day of the draw and remains in Canada until the race is contested; and
- (ii) Second preference shall be given according to a
- (iii) Horse's last scheduled start in a purse race, other than races designated as schooling races, at the gait for which it is declared.

In addition preference shall be governed by the following:

- (a) If more than the required number of horses are declared in with the same preference date, the previous two preference dates shall apply. A race secretary may draw by lot if more than two previous preference dates are identical. These procedures are to be carried out at the time of the draw in the presence of licensed participants;
- (b) When a horse is racing for the first time at the gait declared, it shall have preference over other horses regardless of their preference dates;
- (c) If a declaration is made for a horse that has already been drawn in to start in a race that has not yet been contested, the date of that uncontested race shall be its preference date;
- (d) The declarer shall be responsible for providing acceptable evidence of exact preference dates governed by eligible declarations or starts in uncontested races made at other tracks;

- (e) When a race has been reopened for additional declarations, preference shall be given those horses eligible and declared at the time declarations closed originally;
- (f) If conditions so specify, preference can be given two-year-olds, regardless of preference date;
- (g) If a horse was scratched due to error or negligence by an official or employee of the Association;
- (h) When otherwise determined by the Judges;
- (i) Notwithstanding Rule 22.33.

**17.10.01** Notwithstanding the requirements under 17.10 (i), Ontario Sires Stakes eligible horses will be exempt from the requirement to meet first preference for the period of May 1 to November 1 of the current year inclusive.

**17.11** Not more than two horses may be drawn as also eligibles, except for races on which triactor and superfecta wagering is conducted, in which case more than two also eligibles are permitted, in accordance with the following provisions:

- (a) Notwithstanding Rule 17.10, also eligibles shall be drawn from horses having the best preference, except priority may be given to horses stabled on the grounds;
- (b) No horse shall be added to the race as an also eligible unless it was drawn as such at the time declarations closed or omitted in error by an official, provided that its inclusion does not exceed the maximum allowable number of also eligibles;

- (c) No horse shall be drawn as an also eligible if the required program information cannot be published in the official program;
- (d) No horse may be barred from another race to which it is eligible and had preference, due to the fact that it has been drawn as an also eligible;
- (e) Also eligible horses moved into races shall be posted in the office of the race secretary and their owners or trainers shall be so notified at once;
- (f) Also eligible horses not moved in by program time or scratch time as set by the Association may be released;
- (g) If an also eligible horse is moved into a race it shall be scratched from any subsequent race it has been drawn into, unless preference allows it in;
- (h) Also eligible horses shall be carried on the program in added money events.

**17.12 Deleted.**

**17.12.01** A trainer or owner may not enter and start more than two horses of the same or separate ownership in a purse race or overnight event as separate betting interests, except under the following conditions:

- (a) Stake races; or
- (b) All overnight races. In these races a trainer may not enter more than two horses. The second entry may not exclude a single entry.

**17.12.02 Deleted.**

**17.13 Deleted.**

**17.14** If a race is split into divisions or elimination heats, horses shall be seeded in separate divisions or elimination heats insofar as possible; first by owners, then by trainers, then by stables; but the divisions or elimination heats in which they are to compete and their post positions shall be determined by lot.

**17.15** The drawings of post positions shall be final, except:

- (a) When there is conclusive evidence that a horse was properly declared but omitted due to error or negligence by an official or employee of the Association; then:
  - (i) If the horse omitted by error was declared to an overnight event, it may be added to the race and given the last post position, providing its addition does not exceed the maximum number of starters allowed in a single field and provided the error;
  - (ii) Is discovered prior to the printing of the program. Otherwise, such horse shall not be permitted to start;
  - (iii) If the horse was omitted by an error in calculating preference date and the horse is carded as an also eligible it may move in and the programmed horse with the most recent date shall be scratched. In the event that two or more horses programmed have identical dates more recent than the also eligible, the horse to be scratched shall be determined in accordance with Rule 17.10 (a). The post position of the horse moving in shall be determined in accordance with Rule 17.16; or
  - (iv) If the horse omitted by error was declared to a stake, futurity, early closing event or late

closing event, the race shall be re-drawn provided the error is discovered prior to the printing of the program.

- (b) When it is found that horses have not been seeded in accordance with Rule 17.14, with the permission of the Registrar, time permitting, the event shall be redrawn. If time does not permit the redrawing, the event shall go as drawn.

**17.16** In the event one or more horses are excused by the Judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the also eligible horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the also eligible horse shall take the trailing position, regardless of its handicap. In handicap claiming races, in the event of an also eligible horse moving into the race, the also eligible horse shall take the place of the horse that it replaces in the event that the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with similar handicap, except when the horse that is scratched is a trailing horse, in which case the also eligible horse shall take the trailing position, regardless of its handicap.

**17.17** A horse properly declared and drawn in to start, or as an also eligible, shall not be withdrawn or scratched from the race without the permission of the Judges. A monetary penalty or suspension may be imposed when this requirement is violated, and the horse may be suspended.

**17.18** After having been drawn in to start in any race, or as an also eligible, a horse shall not be sold or leased nor shall any interest in the horse be sold or leased prior to the racing of that particular race, unless the horse is sold at a public horse auction and the horse remains under the care, custody and responsibility of the trainer who entered the horse into the race.

**17.19** It is responsibility of trainers to name the drivers of horses declared to race and it is the trainer's further responsibility to ensure that the drivers are available and willing to drive the horses. Drivers shall be named not later than the time to permit this information to be published in the official program. The deadline for naming of drivers will be set by the Association, and no driver may be changed thereafter without permission of the Judges. When a programmed driver fails to appear the Judges may impose a monetary penalty or suspend the trainer and/ or the driver.

**17.20** When post positions are handicapped or when post positions are assigned the trailing position shall be determined as the 4th best post position. No horse shall be permitted to start in more than one race on any one racing day except that at non-extended meetings a horse may be declared to race in no more than two single dashes in any one racing day. Races decided by more than one heat are considered a single race.

## **Chapter 18: Placing and Money Distribution**

**18.01** Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's position in each separate dash or heat of the race.

**18.02** Unless otherwise specified in the conditions, purse money distribution in dashes shall be 50 percent, 25 percent, 12 percent, 8 percent and 5 percent. In added money events, if there are less than 5 starters, the remaining premium shall go to the race winner, unless the conditions call for a different distribution. In overnight events, if there are less than 5 starters, the premium for the positions for which there are no starters may be awarded to the race winner or may be retained by the Association but such premiums retained are not to be included in percentages of any agreement between the Association and any recognized participants' association.

**18.03** If there are any premiums for which horses started but were unable to finish due to an accident or interference, all unoffending horses that did not finish shall share equally the premiums they would have been entitled to had they finished, and any remaining premiums shall be paid to the race winner.

**18.04** If there are any premiums for which horses started but were unable to finish and the situation is not dealt with by these rules, all such premiums shall be paid to the race winner.

**18.05** Every heat is a race and the purse shall be distributed as in dash races with nothing being

required to be set aside for the race winner, unless otherwise stated in the conditions of an added money event.

**18.06** In elimination heats, the total purse shall be distributed in accordance with the provisions of Rule 16.27 and the purse for each heat shall be distributed in accordance with these rules.

**18.07** If the placing system is specified in the conditions, the purse shall be distributed according to the standing of the horses in the summary. In order to share in the purse distribution each horse must complete the race and compete in each heat to which it is eligible. A horse must win two heats to be declared the race winner and such horse will stand first in the summary. In deciding the rank of the horses other than the race winner, a horse that has been placed first in one heat shall be ranked better than any other horse that has been placed second in any number of heats; a horse that has been placed second in one heat shall be ranked better than any other horse that has been placed third in any number of heats, etc., e.g., a horse finishing 3-6 would be ranked ahead of another horse finishing 4-4. A horse finishing in a dead heat would be ranked below another horse finishing in the same position and not in a dead heat. If there be any premium for which no horse has maintained a position, it shall go to the race winner.

**18.08.01** If for any reason a horse is disqualified or declared ineligible, any purse monies or trophies received by the owner, or driving and/or training fees (paid under Rule 18.11 to the driver and/or trainer of the horse in the race) shall be returned, within 15 days of notification, to the Association for redistribution.

**18.08.02** A horse while on stride, or part of the horse's sulky, that leaves the race course by going inside the pylons which constitutes the inside limits of the course, when not forced to do so as a result of the actions of another driver and/or horse, shall be in violation of this rule. In addition, when an act of interference causes a horse, or part of the horse's sulky, to cross inside the pylons and the horse is placed by the Judges, the offending horse shall be placed behind the horse with which it interfered. For purposes of placing the following shall apply:

- (a) If a horse while on stride, or part of the horse's sulky, goes inside two (2) consecutive pylons, the offending horse shall be placed behind all horses that are lapped on to the offending horse at the wire;
- (b) If a horse while on stride, or any part of the horse's sulky, goes inside three (3) or more consecutive pylons, the offending horse shall be placed last;
- (c) If in the opinion of the Judges a horse while on stride, or part of the horse's sulky, goes inside a pylon(s) and that action gave the horse an unfair advantage over other horses in the race or the action helped improve its position in the race, the horse may be placed at the discretion of the Judges.

Drivers who in the opinion of the Judges leave the racing course when not forced to do so as a result of another driver and/or horse may be subject to a monetary penalty or suspended.

Penalties for drivers violating Rule 18.08.02 are as follows:

- (a) For the 1st violation, a monetary penalty of \$100 shall be imposed;
- (b) For the 2nd violation within a year of the 1st violation and within 750 drives of the 1st violation, a monetary penalty of \$300 shall be imposed;
- (c) For the 3rd violation within a year of the 1st violation and within 750 drives of the 1st violation, a minimum monetary penalty of \$500 plus a suspension for 3 days shall be imposed;
- (d) For the 4th violation within a year of the 1st violation and within 750 drives of the 1st violation, a minimum monetary penalty of \$1,000 and a suspension for 5 days shall be imposed.

**18.08.03** When a horse is disqualified as the result of being ineligible, or as a result of a positive test, it shall lose any purse money, its finishing position and its time in the following manner:

- (a) The horse will be disqualified and placed last;
- (b) The horse will lose all purse money earned from the race;
- (c) All remaining horses will move up in position, their summaries adjusted, and the money re-distributed accordingly.

In the event the horse won the race, it shall lose the winning time and the actual time of the horse will read: TDIS (time disallowed). Further, the horse that finished second and placed first will be awarded with a win and, credited with a winning time as determined by electronic timing from the official chart.

**18.09** If any division of an early or late closing event, stake or futurity is declared no contest by the Judges, the total of nomination, sustaining and starting payments applicable to that division shall be divided equally to all unoffending horses deemed to have started. Such distribution shall not be credited as purse winnings.

**18.10** Purses earned outside of North America will be calculated in U.S. dollars based on the conversion rate as at January 1st of the year the foreign earnings are amassed. Winnings in the United States will be deemed to be at par with Canadian funds.

**18.11** Where an agreement exists between a recognized harness participants' association and a racing association, drivers', trainers and/or grooms' fees may be deducted from the purses payable to owners and paid to the drivers, trainers and/or grooms within 30 days. A copy of such agreement must be filed with the Commission.

**18.12** All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No arrangement for equal distribution of the purse money is permitted.

**18.13** Associations that default in the payment of a premium that has been raced for shall stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse, nomination, sustaining or starting payments, except those deductions made from purse monies for overnight events and paid to recognized participants' organizations through agreements with the Associations.

**18.14** No addition shall be made to any purse after it is contested unless through error. Money due through contractual arrangements with recognized participants' organizations shall be added to the purse account of the next meeting. Any bonus payments or awards made to owners by Associations that is not money due through contractual arrangements with recognized participants' organizations shall not be considered earnings of a horse and shall be excluded from the records of the horse involved.

**18.15** If a race is contested which has been promoted by another party and the promoters thereof default in payment of the amount raced for, the same liability shall attach to the Association, as if the race had been offered by the Association.

**18.16** An Association shall not pay a purse for less than the amounts specified on the condition sheet for that race, unless the amount so specified results from a clerical, typographical or other unintended error.

## **Chapter 19: Time and Records**

**19.01** A record will be the fastest time made by a horse in a heat or dash which it won, or in a performance against time.

**19.02** The time of each heat or dash shall be accurately taken by two timers or an approved electric timing device, in which case there shall be one timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat the time thereof shall be publicly announced or admitted to the record. When the timers fail to act, no time shall be announced or recorded.

**19.03** In any case of alleged error in the record, announcement or publication of the time made by a horse, the time so questioned shall not be changed to favour said horse or owner, except upon the sworn statement of the Judges and timers who officiated in the race.

**19.04** In order that performances thereon may be recognized or published as official, every Association shall have filed with the Commission the certificate of a duly licensed civil engineer or land surveyor that the track has been measured from wire to wire three feet out from the pylons, which constitute the inside limits of the course and certifying exactly the result of such measurement. Each track shall be measured and re-certified in the event of any changes or relocation of the pylons, which constitute the inside limits of the course.

**19.05** The leading horse shall be timed and its time only shall be announced. The horse shall not obtain a

win-race time record by reason of the disqualification of another horse unless a horse is declared the winner by reason of the disqualification of a breaking horse on which it was lapped, or, unless the time of the horse that is being placed first, as the result of a disqualification due to ineligibility or a positive test, can be determined by electronic timing from the official chart.

**19.06** If a horse takes a win-race record in a qualifying race or schooling race, such record must be prefaced with the letter Q wherever it appears, except in a case where the horse was subjected to the collection of an official sample. The senior Judge shall note on the Judges' official race reports each qualifying race from which official samples were collected.

**19.07** In the case of a dead heat, the time shall constitute a record for the horses making the dead heat and both shall be considered winners.

**19.08** The time shall be taken from the first horse leaving the point from which the distance of the race is measured until the winner reaches the wire.

**19.09** Any person found to have fraudulently misrepresented time or altered the record thereof, in any race, shall be suspended or expelled, and time declared not a record.

**19.10** Deleted.

## **Chapter 20: Judges' and Veterinarians' Lists**

**20.01.01** A horse may be placed on the Judges' List for the following reasons:

- (a) The horse has been declared unfit to race by the Commission Veterinarian or Official Veterinarian because it is sick, lame or otherwise physically unfit to race. This will be known as the Short Term Veterinarians' List;
- (b) The horse has been declared dangerous or unmanageable by the Judges shall be placed on the Judges list for performance.
  - (i) A horse placed on the long term Veterinarians' List due to chronic physical or health problems by the Commission Veterinarian shall remain on the Veterinarians' List for a minimum of 14 days.
- (c) Proof of a negative Coggins' Test required in accordance with Rule 22.34 is not presented;
- (d) Deleted.
- (e) the horse is required to school for the starter in accordance with Rule 30.03;
- (f) the Judges have determined that the horse must qualify on two consecutive occasions before being eligible to race;
- (g) the horse was scratched due to a transportation problem; or
- (h) the horse was scratched due to a violation of Rule 22.38;
- (i) Deleted.
- (j) Any reason the Judges or Administration deem to be proper.

**20.01.02** No horse that is on the Judges' List either by virtue of the operation of this chapter, or any other rule, shall be eligible to compete in any added money or overnight event until it has been removed from the Judges' List. Notwithstanding the provisions of this rule, any horse to which Rules 20.01.01(a), (g) and (h), and/or 20.04.02 apply, shall be eligible to compete in added money events.

**20.02** A horse that has been placed on the Judges' List in accordance with the rules will be ineligible to race until removed therefrom, as follows:

- (a) Only the Judges at an extended meeting shall have the authority to remove a horse that is on the Judges' List in accordance with Rules 5.17, 20.01.01 (b), (e), (f) or (i);
- (b) Horses on the List in accordance with Rule 20.01.01 (a), (g) and (h) shall come off the List after seven (7) clear days. Horses on the List in accordance with Rule 20.01.01 (g) may also be removed when documentation has been presented to the satisfaction of the Judges;
- (c) Horses on the Judges' List for 20.01.01 (c) and (d) shall be removed from the List when the documentation has been presented to the Standardbred Canada field representative;
- (d) Deleted.
- (e) In all other cases, at the discretion of the Judges or Administration.

**20.03** At a meeting where a veterinarian is not available, the Judges may order withdrawn from a race a horse that is in their opinion sick, lame or otherwise physically unfit to race.

**20.03.01** Where a horse, entered to race, is scratched by the Judges, as a result of the horse having received any:

- (i) Medication,
- (ii) Medical treatment, or
- (iii) Medical procedure,

the Judges may impose a monetary penalty upon the trainer of the horse unless the trainer satisfies the judges that the medication, medical procedure or treatment was in the best interests of the health of the horse.

**20.04.01** When a horse has been placed on the Judges' List, it shall be recorded in the official performance records by an authorized person. The owner or trainer shall be notified of the reason for such action being taken and it shall be their responsibility to scratch the horse from any races for which the horse may have been declared in to start.

**20.04.02** A horse which has been scratched sick as a result of a veterinarian's slip or by order of the Commission Veterinarian or Official Veterinarian shall not be permitted to race, other than to added money events or qualifiers for seven (7) clear days from the date of the race from which it was scratched.

- (i) A horse which has been scratched lame as a result of a veterinarian's slip or by order of the Commission Veterinarian or Official Veterinarian shall not be permitted to race or qualify other than in added money events for seven (7) clear days from the date of the race from which it was scratched.

**20.04.03** A horse which has been scratched twice consecutively as a result of a veterinarian's slip or by order of the Commission Veterinarian or Official Veterinarian must qualify to race. Such qualifying race must be more than seven (7) clear days from the date of the second race from which it was scratched.

**20.04.04** A horse scratched in accordance with (g) shall not be permitted to race other than to added money events for seven (7) clear days from the date of the race from which it was scratched.

**20.05** A horse that bleeds in a race in Ontario for the first time will be placed on the Veterinarian's List.

- (a) If it is on the EIPH Program, it will also be placed on the long term Veterinarian's List and suspended for 14 days from the date of the race in which it bled;
- (b) If a horse on the EIPH Program bleeds in a race in Ontario a second time within 365 days of the first time it bled in a race in Ontario, it will be suspended from racing in Ontario for 90 days from the date of the race in which it bled a second time;
- (c) If a horse on the EIPH Program bleeds in a race in Ontario a third time within 365 days of the first time it bled in a race in Ontario, it will be suspended for 365 days from racing in Ontario from the date of the race in which it bled a third time;
- (d) In any of the above occasions the owner/trainer has the option to have the horse examined with a fiberoptic bronchoscope by a veterinarian licensed to practice in Ontario by the College of Veterinarians of Ontario and the Commission. The horse must be examined within two hours of the race in question in which it was alleged to have bled. If the veterinarian

certifies, in writing, to the Commission that on bronchoscopic examination there was no blood in the trachea or bronchi, the horse shall be exempted from suspension under this Rule.

## **Chapter 21: Postponement and Cancellation**

**21.01** In case of unfavourable weather or other unavoidable cause, Associations with the consent of the Judges shall postpone or cancel races in accordance with this Chapter.

**21.01.01** If the track or weather conditions are questionable for the warming up or racing of horses, including actual temperature as defined in 21.01.02, the Judges shall convene a meeting with the representative of the drivers and trainers and a representative of management. If required by the Judges, the representative of the drivers and trainers shall conduct a secret ballot of the drivers and trainers of horses participating in that program of racing to determine whether racing should be conducted. If the vote of the drivers and trainers determines that more than 50% vote against racing, the card shall be cancelled. If more than 50% and less than 75% vote to race, trainers will be allowed to withdraw horses without penalty. If more than 75% vote to race, the regular rules of withdrawal and scratching of horses will apply. If the drivers vote alone is more than 50% to cancel they should be allowed to withdraw their services without penalty. The foregoing does not prevent racetrack management from canceling the races due to track or weather conditions without

consultation with the Judges and the horsepeople's representative.

In the event of a forecasted extreme temperature, the Extreme Temperature Standards at Rule 21.01.02 shall be applied.

### **21.01.02 Extreme Temperature Standard**

In the event of extreme temperature, the decision to cancel racing shall be made by an Association applying the Extreme Temperature Standard and Policy Directive 1-2009 Cancellation Fees.

**Actual temperature:** temperature at racetrack at post-time, or at any point during the race program as agreed upon by an Association representative and a Racing Official.

**Extreme temperature:** any temperature which falls within Tier 1 or Tier 2 below.

**Forecasted extreme temperature:** the temperature based on a publicly accessible local forecast at 5 hours to post-time. At the beginning of each race season the Association shall advise the industry which weather source will be used for temperature forecasts failing which the weather source shall be the Weather Network.

	Tier 1	Tier 2
<b>Forecasted Temperature Range</b>	31 C to 37.9 C	equal to or greater than 38 C
	-15 C to -24.9 C	equal to or less than -25 C
<b>Weather Related Scratches Permitted Without Penalty</b>	Yes	Yes
<b>Additional Measures</b>	Additional measures must be put in place to ensure the well-being of the horse and any licensees with positions that may be impacted by extreme temperature.	<p>The following additional measures must be put in place to ensure the well-being of the horse and any licensees with positions that may be impacted by extreme temperature:</p> <p>Heat: 2 additional Veterinarians, or 1 additional Veterinarian and 1 registered Veterinarian Technician to monitor temperature, pulse, and respiration rate of equine athletes pre-race and post-race; Additional hosing stations or mobile cooling station with trained attendant; access to water for horses at all times; shaded areas provided for unsaddling horses; ice made available in numerous locations; Racing Officials to minimize post parade time.</p> <p>Cold: 2 additional Veterinarians, or 1 additional Veterinarian and 1 registered Veterinarian Technician to monitor temperature, pulse and respiration rate of equine athletes pre-race and post-race, as well as conditions related to cold temperature including frost bite; tongues not tied outside of horse's mouth; blankets shall be available for each horse; Racing Officials to minimize post parade time.</p>
<b>Cancellation Required</b>	Decision to be made by Association	Decision to be made by Association

**21.02 Deleted.**

**21.03** An early closing event or a late closing event that cannot be raced during the scheduled meeting shall be declared off and the total of nomination, sustaining and starting payments divided equally among the owners of eligibles in proportion to the number of horses declared to start.

**21.04** An early closing event or late closing event that has been started, but remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary.

**21.05** Stakes and futurities should be raced where advertised and the meeting may be extended to accomplish this. Any stake or futurity that has been started, but which remains unfinished on the last day of the scheduled meeting shall be declared ended and the full purse divided according to the summary, except where the Association elects to extend the meeting to complete the race. Horses that are scratched after a heat and before the race is declared finished shall not participate in purse distributions for subsequent heats in the event the race is called off and declared finished.

**21.06** Unless otherwise provided in the conditions, in order to transfer stakes and futurities to another meeting, unanimous consent must be obtained from the Association and all those having eligibles in the event.

**21.07** At extended meetings, overnight events may be postponed and rescheduled within two days, or may be cancelled if circumstances or weather conditions warrant. Postponed overnight events not raced within two days shall then be cancelled.

**21.08** At non-extended meetings, overnight events shall be cancelled, unless the Association is willing to add the postponed races to the advertised program for subsequent days of the meeting. At the option of the Association, any postponed races may be contested in single one-mile dashes. Where races are postponed under this rule, the Association shall have the privilege of selecting the order in which events will be raced in any combination program.

**21.09** Deleted.

**21.10** If qualifying races are postponed or cancelled, an announcement shall be made to the participants as soon as the decision is made.

## **Chapter 22: Racing Rules**

**22.01** The pari-mutuel manager shall establish post time for each race and the Judges shall call the horses onto the track at such time to allow the horses to parade and be exhibited before the public but to preclude an excessive delay before the start.

- (a) The time between separate heats of a single race shall be no less than 40 minutes;
- (b) Horses called for a race shall have the exclusive right of the course, and all other horses shall vacate the racing strip as soon as possible;
- (c) In the case of accidents, only so much time shall be allowed as the Judges may deem necessary and proper;
- (d) A curfew shall be set at 11:55 p.m., for post time for the last race on any program;
- (e) All sulkies must be equipped with mudguards

- at all extended meetings when deemed necessary by the Judges;
- (f) Horses are required to parade in program order. All horses must remain in proper order until the parade has passed in front of the grandstand. The Judges may impose a penalty for a violation of this rule;
  - (g) Horses are to be exhibited before the public at least once after the post parade, unless excused by the Judges, before going to the post. After being exhibited to the public, the horses shall be gathered by the starter and then immediately moved into their positions behind the gate. Horses may be held on the backstretch not to exceed two minutes awaiting post time, except when delayed by emergency;
  - (h) In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier, except as provided for in handicap claiming races. Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy. When there is only one trailer, it may start from any position in the second tier. When there is more than one trailer, they must start from inside any horse with a higher post position.

**22.02** All races must be started with a mobile starting gate of a design approved by the Registrar. No person shall be allowed to ride in the starting gate except

the starter, the driver and a patrol judge without the permission of the Judges. The starting gate must be equipped with two-way communications to the Judges' stand and a mechanical loudspeaker to be used for the sole purpose of communicating instructions to drivers. Other use of the loudspeaker is a violation.

**22.03** The starter shall have control of the horses from the formation of the post parade until a start has been determined. For purpose of this rule, the determination of the start is when the horses have passed the starting point and have been released by the starter.

- (a) The horses shall be brought to the starting gate as near one quarter of a mile before the start as the track will permit;
- (b) The starter shall cause the gate to move towards the starting point, gradually increasing the speed of the gate to maximum speed;
- (c) The starting point will be the point marked on the inside rail, a distance of not less than 200 feet from the first turn. The starter shall release the horses at the starting point;
- (d) When a speed has been reached in the course of a start there shall be no decrease, except in the case of a recall;
- (e) The horses shall be deemed to have started when released by the starter at the starting point which will be the official start unless a recall has been sounded and all horses must go the course unless dismissed by the

starter or, in the opinion of the Judges, it is impossible to do so;

- (f) If, in the opinion of the Judges or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn. When this action is taken, the starter will notify the Judges who shall scratch the horse;
- (g) In case of a recall, a light visible to the drivers shall be flashed and a recall sounded. If possible, the starter shall leave the wings of the starting gate open and gradually slow the speed of the gate to assist in stopping and turning the field. Drivers shall take up their horses and return, without delay, to the point where fields are gathered for the start;
- (h) There shall be no recall after the horses have been released by the starter;
- (i) The starter shall endeavour to get all horses away in position and on gait. The starter shall only sound a recall when the starter notices any one of the following reasons:
  - (i) A horse scores ahead of the starting gate,
  - (ii) There is interference before the horses have reached the starting point,
  - (iii) A horse has broken equipment, which the starter notices,
  - (iv) A horse falls before the starting point.
  - (v) A horse coming to the starting gate in the wrong position,
  - (vi) A malfunction of the starting gate or in the interests of safety;
- (j) A monetary penalty not to exceed \$500.00 and/ or a suspension not to exceed five days

may be applied by the starter or by the Judges for any of the following violations contained in subsections (i)-(vii). In addition, the Judges may place the offending horse for a violation of subsections (i)(iii), (iv) or (vi) of this rule.

- (i) Delaying the start,
- (ii) Failure to obey the starter's instructions,
- (iii) Allowing a horse to pass the inside or the outside wing of the gate,
- (iv) Coming to the starting gate in the wrong position,
- (v) Crossing over before reaching the starting point,
- (vi) Interference with another horse or driver during the start,
- (vii) Failure to come into position or remain in position on the gate;
- (k) The Fair Start Pole is a pole erected at the point approximately 200 feet before the start. The Fair Start Pole shall be yellow in colour and shall protrude at least two feet above the inner rail;
- (l) If a horse has not reached the Fair Start Pole when the horses are released at the starting point by the starter, the Judges shall cause the inquiry sign to be displayed immediately and shall request the horse be scratched from the mutuels.

**22.04** When, before a race starts:

- (a) If a horse is a runaway or a horse falls, such horse shall be examined by the Commission Veterinarian or Official Veterinarian and if the horse is not ordered scratched by the

veterinarian, the Judges may permit the horse to compete and have this decision announced;

- (b) A driver is unseated and appears to have been injured, the horse that was being driven by that driver may compete with a substitute driver.

**22.05.01** A driver shall not commit any of the following acts which are considered violations of driving rules:

- (a) Change course or position, or swerve in or out, or bear in or out during any part of the race in such a manner as to compel a horse to shorten its stride or cause another driver to change course, take his or her horse back, or pull his or her horse out of its stride;
- (b) Impede the progress of another horse or cause it to break from its gait;
- (c) Cross over too sharply in front of another horse or in front of the field;
- (d) Crowd another horse by 'putting a wheel under it';
- (e) Allow another horse to pass needlessly on the inside, or commit any other act that helps another horse to improve its position;
- (f) Carry another horse out;
- (g)
  - (i) Take up or slow up in front of other horses so as to cause confusion or interference among the trailing horses,
  - (ii) Take up or slow up in front of other horses and then subsequently come on when challenged,
  - (iii) Maintain an outside position without making the necessary effort to improve his or her overall position;

- (h) Strike or hook wheels with another sulky;
- (i) Lay off a normal pace and leave a hole when it is well within the horse's capacity to keep the hole closed;
- (j) Drive in a careless or reckless manner;
- (k) Fail to set or maintain a pace comparable to the class in which he/she is racing considering the horse's ability, track conditions, weather and circumstances confronted in the race;
- (l) Fail to properly contest a slow pace;
- (m) Converse with other drivers from the forming of the post parade until released by the starter.

**22.05.02.1** With approval of the Commission, a track may extend the width of its homestretch up to 10 feet inward in relation to the width of the rest of the racetrack.

**22.05.02.2** In the event the home stretch is expanded pursuant of subsection (a), the following shall apply on 1/2 mile and 5/8 mile tracks:

- (i) No horse shall pass on the extended inside lane entering the stretch the first time,
- (ii) The lead horse in the homestretch shall maintain as straight a course as possible while allowing trailing horses full access to the extended inside lane, and
- (iii) Horses using the open stretch must first have complete clearance of the pylons.

**22.06** A complaint by a driver of any foul, violation of the Rules, or other misconduct during a race shall be made immediately after the race to which it relates, unless the driver is prevented from doing so by an accident or injury or other reasonable excuse. A driver

desiring to enter a claim of foul, or other complaint of violation of the Rules, shall make this known to the nearest patrol judge and shall proceed forthwith to the paddock telephone to communicate immediately with the Judges. The Judges shall not cause the official sign to be posted until the matter has been dealt with.

**22.07** A driver violates the Rules if the driver fails to report any infraction that occurred during a race, or for lodging a complaint which the Judges deem to be frivolous.

**22.08** Deleted.

**22.09** In the case of interference, collision, or violation of any rules, the offending horse may be placed back one or more positions in that heat or dash, and in the event of such collisions, interference or violation preventing any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings and the driver may be assessed a monetary penalty or suspended. If a horse is set back, it must be placed behind the horse with which it interfered. If an offending horse has interfered with a horse involved in a dead heat and the offending horse is set back, it must be placed behind the horses in the dead heat.

**22.10** If the Judges believe that a horse is, or has been driven with design to prevent it winning a race or races, they shall consider it a violation by the driver.

**22.11** If the Judges believe that a horse has been driven in an inconsistent manner, they shall consider it a violation.

**22.12** If the Judges believe that a horse has been driven in an unsatisfactory manner due to lack of effort, they shall consider it a violation.

**22.13** If the Judges believe that a horse has been driven in an unsatisfactory manner, not otherwise specified in these rules, they shall consider it a violation and furnish particulars thereof to the driver, prior to the instituting of any action therefor.

**22.14** If a horse chokes or bleeds during a race, the driver of that horse is required to report this to the Judges immediately after the race. This information shall be contained in the official past performance line of that horse.

**22.15** If, in the opinion of the Judges, a driver is for any reason unfit or incompetent to drive, or is reckless in his or her conduct and endangers the safety of horses or other drivers in a race, he/she shall be removed and another driver substituted at any time and the offending driver may be assessed a monetary penalty, suspended or expelled.

**22.16** If, for any cause other than being interfered with or broken equipment a horse fails to finish after starting a race, that horse shall be ruled out. If it is alleged that a horse failed to finish a race because of broken equipment, this fact must be reported to the paddock judge who shall make an examination to verify the allegation and report the findings to the Judges.

**22.17.01** A driver must be mounted in the sulky at the finish of the race or the horse must be placed as not finishing.

**22.17.02** A horse shall be placed as not finishing where the driver at any time during the running of the race was not mounted in the sulky but was mounted in the sulky at the finish of the race. In such case, the Judges may invoke the provisions of Rule 22.32 if they deem it in the public interest to do so.

**22.18** Deleted.

**22.19** Drivers shall keep both feet in the stirrups during the post parade and from the time the horses are brought to the starting gate until the race has been completed. Drivers shall be permitted to remove a foot from the stirrups during the course of the race solely for the purpose of pulling ear plugs and once these have been pulled, the foot must be placed back into the stirrup. Drivers who violate this rule shall be subject to a monetary penalty of \$100.00 for a first violation, a monetary penalty of \$300.00 for a second violation within 6 months, and a monetary penalty of \$500 for a third violation within 6 months of the first violation. A fourth violation within six months will result in a 5 day suspension from driving being imposed by the Judges and the driver shall be referred to the Commission for determination of further sanction which may include a suspension, monetary penalty and/or conditions on the licence.

**22.20** Whips shall:

- (a) Be no more than 48 inches in length, not including the snapper;
- (b) Be made of a material other than rawhide;
- (c) Include a snapper that is no less than 6 inches and no more than 12 inches in length; and
- (d) Not include a snapper that is altered from original manufacture or knotted.

**22.21** The possession or use on a horse of any goading device, or chain, or spur, or mechanical or electrical device other than a whip used in the manner prescribed by the rules upon a horse shall constitute a violation.

**22.21.01** Deleted.

**22.21.02** Deleted.

**22.21.03** Deleted.

**22.21.04** Use of bent shaft sulkies in any race is prohibited. Only USTA approved conventional sulkies will be permitted to be used.

**22.22** The Judges shall have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interests of racing.

**22.23.01** At any time while on the grounds of an Association, it is a violation of the Rules for a driver, or the person in control of the horse, to engage in any of the following actions with respect to their driving conduct:

- (a) Indiscriminate action, which is characterized by unrestrained or careless activity;
- (b) Excessive action, which is characterized by unreasonable quantity or degree;
- (c) Aggressive action, which is characterized by inhumane, severe or brutal activity.

**22.23.02** The whip shall not be used on a horse in a race:

- (a) Where the horse is not visibly responding; or
- (b) Where the horse is not in contention for a meaningful position.

**22.23.03** At any time while on the grounds of an Association, it is a violation of the Rules for a driver, or the person in control of the horse, to use the whip to hit or make contact with the horse as follows:

- (a) To raise their hand(s) above their head;
- (b) To cause the whip to move back beyond a 90-degree angle relative to the track;
- (c) To cause any portion of the whip to be outside the confines of the wheels of the race bike;
- (d) To strike the shaft of the race bike, or the horse below the level of the shaft of the race bike;
- (e) To cut or severely welt a horse.

**22.23.04** A driver, or the person in control of the horse, is required to:

- (a) Keep a line in each hand for the entire race, from the starter's call to the gate until the finish of the race, except for the purpose of adjusting equipment;
- (b) Keep both hands in front of their body;
- (c) Keep their hands below their head; and
- (d) Have control of their horse at all times when on the racetrack.

**22.23.05** Violation of any of the provisions in Rule 22.23.01 to 22.23.04 may result in any of the following penalties:

- (a) Monetary penalty;
- (b) Suspension;
- (c) Placement;
- (d) Disqualification; and/or
- (e) Any other penalty as ordered.

Further particulars in respect to the penalties are provided in Policy Directive 5 - 2009, which also

provides principles which serve as a guide for interpretation. The Directive may be modified from time to time by the Registrar.

**22.24** Any person removing or altering a horse's equipment or hobbles without permission of the Judges, is in violation of the Rules.

**22.25** Any trainer who wishes to change any bridle, hobbles, length of hobbles or shoes on a horse from one race to another shall apply to the Judges at least one (1) hour prior to the first scheduled post time of the day, or a time prescribed by the Association, for permission to do so, and no change shall be made without such permission. The Judges shall assure themselves of the necessity for any change of bridles, hobbles, length of hobbles or shoes before granting permission. Any such change, or change(s) of a nature which the Judges are of the opinion that the public should be advised shall be communicated to the public as soon as possible.

**22.26** No horse will be permitted in a race to wear any type of equipment that covers, protrudes, or extends beyond its nose or that in any way could interfere with the true placing of the horse.

**22.27** When a horse breaks from its gait in a race the driver shall:

- (a) Take the horse to the inside or outside of other horses where clearance exists;
- (b) Properly attempt to pull the horse to its gait; and
- (c) Continuously loses ground while on the break.

If there has been no violation of (a), (b) or (c) above, the horse shall not be set back unless a contending horse

on its gait is lapped on the hind quarter of the breaking horse at the finish, however, notwithstanding the foregoing, if interference caused by another driver(s) or horse(s) has caused the horse to be on a break at the finish, the Judges may, in their discretion, determine not to set the horse back even if a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish. The Judges may set any horse back one or more places if, in their judgment, any of the above violations have been committed, and the driver may be subject to a monetary penalty or suspension or both.

**22.28** If, in the opinion of the Judges, a driver allows a horse to break for the purpose of losing a race, he/ she shall be in violation of the Rules.

**22.29** It shall be the duty of one of the Judges to call out every break made and have them duly recorded in Judges official race reports.

**22.30** The horse whose nose reaches the wire first is the winner. If there is a dead heat for first, both horses shall be considered winners. In races having more than one heat or dash, where two horses are tied in the summary, the winner of the longer dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same distance and the horses are tied in the summary, the winner of the faster dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same time, both horses shall be considered winners and the entitlement of the trophy will be decided by lot.

**22.31.01** The wire or finish line is a real line established with the aid of a surveyor's transit, or an imaginary line running from the centre of the Judges' stand to a point immediately across and at right angles to the track.

**22.31.02** Notwithstanding that a horse is declared a non-contestant, the Judges may permit the horse to participate in the purse distribution.

**22.32** Where the Judges determine that, after the horses have been released at the starting point, a horse was prevented from having a fair chance to contest a race due to exceptional circumstances, and it is deemed in the public interest to do so, such horse shall be declared a non-contestant and the provisions of the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada) pertaining to refunds shall apply.

**22.32.01** At any point during the conduct of a race, where the Judges determine there is a condition on the racetrack requiring the Drivers to proceed with caution, the Judges will activate the warning lights.

**22.32.02** At any point during the conduct of a race, where the Judges determine there is an emergency or accident or any other situation which could negatively affect the health and safety of the participants, the Judges may order the race stopped by activating both the siren and the warning lights.

**22.32.03** All drivers in a race shall proceed with caution upon the activation of the warning lights, and will follow any instructions of the Judges.

**22.32.04** All drivers in a race shall cease racing upon the activation of the siren and the warning, and will follow any instructions of the Judges. Drivers refusing to stop racing may be subject to a monetary penalty or suspension.

**22.33** If, in their opinion, the Judges are unable to properly judge the running or finish of a race they may declare the race to be "No Contest". When a race has been declared "No Contest" by the Judges, all monies wagered on that race will be distributed in accordance with the provisions of the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada). No purse distribution is to be made to any of the horses that started in such race except as provided for in Rule 18.09 or with the approval of the Registrar. The line for the race will be charted by the charter to the best of his/her ability to indicate the performance of each horse in the race, however, such charted line shall not be used for the determination of preference dates or eligibility to any future race. In the event that the race that is declared "No Contest" is a claiming race the provisions of Chapter 15 of these rules are applicable, and notwithstanding a determination that the race is "No Contest", title to the horse shall be deemed to have passed to the claimant if the claimed horse is behind the gate when the field is released at the starting point by the starter.

**22.34** It is the responsibility of the trainer that all horses racing in his/her custody have a negative Coggins Test Certificate. The certificate, properly identifying the horse, must have been issued by a laboratory approved by Canadian Pari-Mutuel Agency,

certifying that within the prior 2 years the horse has been tested negative for equine infectious anemia (EA.). For racing purposes, proof of a negative Coggins' Test may be one of the copies of the stamped and signed serum test reports presented to the race secretary before the horse starts. If at that time it is determined that a horse already declared to race does not have proof of a negative Coggins' Test, the horse shall be permitted to contest the race and immediately thereafter the Judges shall place the horse on the Judges' List. The horse shall not race thereafter until such time as proof of a negative Coggins' Test is presented to a Standardbred Canada representative.

**22.35** If, during the preliminary scores or during a race a driver is unseated in such a manner that he/she falls to the ground, the Judges may direct the driver to report to the infirmary or to the emergency department of the nearest hospital for examination and receive written clearance to continue with driving assignments on that day of racing.

**22.36** If a horse is to warm up it must go its last warm-up mile on the same racing strip as it will compete on unless excused by the Judges.

**22.37** If a horse is scratched in error and cannot be added back into the pari-mutuel system, the horse may race for purse only. The Judges shall ensure that the race announcer informs the public that the horse will be racing without pari-mutuel wagering.

**22.38** An excess level of total carbon dioxide (TCO<sub>2</sub>) in a race horse is deemed to be adverse to the best interests of harness racing, and adverse to the best

interests of the horse in that such condition alters its normal physiological state. Accordingly, a person designated by an approved TCO<sub>2</sub> laboratory may, subject to the *Horse Racing Licence Act, 2015*, obtain venous blood samples from the jugular vein of a horse for the purpose of the testing of said samples by that laboratory for TCO<sub>2</sub> levels as outlined in Rule 22.38.05. Where the TCO<sub>2</sub> level, based upon such testing, equals or exceeds the following levels, the Judges or Administration shall order the relief authorized pursuant to Rule 22.38.06:

- (a) Thirty-seven (37) or more millimoles per litre of blood for horses not competing on Furosemide; or
- (b) Thirty-nine (39) or more millimoles per litre for those horses competing on furosemide at a track where the EIPH Program is offered.

### **22.38.01 Approved TCO<sub>2</sub> Laboratory**

In any part of Rule 22.38, “approved TCO<sub>2</sub> laboratory” means a laboratory approved by the Registrar under 22.38.02, on the recommendation of Racetracks of Canada, to conduct the testing of Standardbred horses in accordance with Rule 22.38.05.

### **22.38.02 Laboratory Approval Process**

The Registrar may approve a laboratory recommended by Racetracks of Canada under Rule 22.38.01, if:

- (a) The Registrar is satisfied that the laboratory employs competent staff, and has the necessary facilities and technical capability to conduct the testing of Standardbred horses in accordance with Rule 22.38.05; and

- (b) The laboratory conducts the testing of Standardbred horses in accordance with Rule 22.38.05; and
- (c) The laboratory undertakes to permit the Registrar or any person designated by the Registrar such access to its facilities and records, at any reasonable time selected by the Registrar that will allow the Registrar to audit the laboratory operations for the purposes of determining its compliance with the requirements of Rule 22.38.02 (a) and (b).

### **22.38.03 Withdrawal of Approval**

The Registrar may withdraw his or her approval under Rule 22.38.02 if the approved TCO<sub>2</sub> laboratory, in the opinion of the Registrar, does not comply with the provisions of 22.38.02 or 22.38.05.

### **22.38.04 Association Obligations**

No Association may hold a race meeting unless the Association assures, at its sole cost and expense, that approved TCO<sub>2</sub> laboratory personnel are present at the track, at the time of the race, who are ready, willing and able to conduct the collection of blood in Standardbred horses in accordance with Rule 22.38.05. Each Association is required to engage the approved TCO<sub>2</sub> laboratory to obtain an average of 24 samples per live race day over the period of the meet.

**22.38.05** All horses that race are eligible to be selected by the Judges for blood gas testing. The entry of a horse shall constitute permission for a person designated by the approved TCO<sub>2</sub> laboratory to obtain blood samples. To the extent that it is feasible, the owner, trainer or other person responsible for

the horse will be given notice that the horse is to be tested and may be present when the blood sample is taken. Refusal by an owner, trainer or other person responsible for the horse to attend the taking of the sample will not affect the validity of the test. Any owner, trainer or other person responsible for the horse who refuses or fails to permit the taking of a sample from a horse shall have all applicable horses scratched by the Judges or Administration. Such refusal shall be deemed an admission of a violation of Rule 22.38 empowering the Judges or Administration to take any necessary action in accordance with the Rules. It shall be the responsibility of the trainer of a horse selected for post-race testing to see that the horse is taken directly to the testing barn or retention area immediately after being notified of the horse's selection for testing. Commission Judges will select the horses to be tested and advise the approved TCO<sub>2</sub> laboratory personnel accordingly. Commission Judges may also instruct the approved TCO<sub>2</sub> laboratory personnel to collect samples from every horse in selected races.

The approved TCO<sub>2</sub> laboratory is responsible for:

- (a) Collecting blood samples, by an authorized person (veterinarian or RVT - Registered Veterinary Technician, or other person approved by the Registrar) from each selected horse into two plasma separator tubes;
- (b) Collecting the samples within approximately 20 minutes immediately preceding the start of the race in which the selected horse is entered, or as directed by a Commission Judge. The Commission Judges may also

- direct the collection of the sample from a selected horse at least 90 minutes after a race in a secured area designated by the Judges;
- (c) Ensuring that the samples are centrifuged within approximately 20 minutes of collection and kept under refrigerated conditions until shipped;
  - (d) Shipping the samples to the laboratory in an insulated container;
  - (e) Analyzing samples for TCO<sub>2</sub> using a Beckman Synchron EL-ISE;
  - (f) Analyzing samples within 48 hours, or up to a maximum of 96 hours in exceptional circumstances, of collection and reporting all results to the Commission and the Canadian Pari-Mutuel Agency.

### **22.38.06 Penalties**

Where the TCO<sub>2</sub> level in a horse is determined to equal or exceed the levels set forth in Rule 22.38 above, the Judges or Administration shall assess penalties in accordance with Policy Directive: Guidelines – Penalties for Equine Drug, TCO<sub>2</sub> and Non-Therapeutic Drug Violations.

### **22.38.07 Quarantine**

If the level of TCO<sub>2</sub> is determined to equal or exceed those set forth in Rule 22.38 above, and the licensed owner or trainer of that horse contends in writing to the Judges within three calendar days of notification of the results that such levels are physiologically normal for the particular horse, said licensee may request, in writing, that the horse be held in guarded quarantine. If quarantine is so requested, the track association

shall make such guarded quarantine available, for a period of time to be determined by the Judges but in no event less than 72 hours, at the sole expense of the licensee requesting same. During any quarantine, the horse shall be re-tested periodically and, although the horse may not race during such quarantine period, it may be exercised and trained at times prescribed by the track Association and consistent with the ability to monitor the horse. The horse will only be fed hay, oats and water during the quarantine period. If the Judges are satisfied, on the basis of the evident facts, the quarantine, and the testing of the horse's blood during the quarantine period utilizing a Beckman Synchron EL-ISE, that the level of TCO<sub>2</sub> set forth in 22.38. above is physiologically normal for that particular horse, the Judges shall not order the relief set forth in Rule 22.38.06 above and the horse shall be permitted to compete. In such case, the Judges, Commission Veterinarian, or other Commission staff in their discretion may require that the horse re-establish that such TCO<sub>2</sub> level is physiologically normal to it pursuant to the quarantine procedure set forth in this rule.

**22.38.08** When the Judges receive a report that the TCO<sub>2</sub> level in a horse is determined to equal or exceed the levels set forth in Rule 22.38 above, they shall establish as soon as possible the horse from which the reading was obtained and at once summon the trainer or his/her responsible representative and ask for an explanation.

After the Judges have informed the trainer, or his/her representative of such high reading, and failing a satisfactory explanation, they may require the

Registrar, or his/her delegate, to accompany the trainer, or his/her responsible representative, to the stable and, in accordance with the *Horse Racing Licence Act*, 2015, conduct a thorough search of the trainer's barn, automobile or any other vehicles which he/she may have in his/her possession or under his/her control.

In addition to conducting the review into the TCO2 level of the horse, the Judges will inform the trainer of the horse having a TCO2 level equal or exceeding the level set forth in rule 22.38 and that pursuant to Rule 26.02.01 he/she is responsible for the condition of the horse and either that the Judges are still reviewing the matter or are now prepared to hear the relevant evidence. In the event that either the Judges or trainer are not prepared to proceed forthwith, the Judges shall then:

- (a) Fix a date and a place when the matter will be considered and disposed of;
- (b) Inform the trainer that until that time,
  - (i) He/she will be permitted to continue with his or her business as trainer; or
  - (ii) That he/she has been suspended and that none of the horses in his or her custody or under his or her care and control shall be allowed to start until the matter is considered and disposed of or until the horses have been turned over to another trainer or trainers approved by the Judges.

**22.39** An owner and/or trainer wishing to race a horse upon the grounds of an Association in accordance with the regulations set forth by the Canadian Pari-Mutuel Agency for the use of penicillin G procaine must so declare on the applicable form which fulfills

the requirements of the Canadian Pari-Mutuel Agency. This form must be signed by the horse's veterinarian or trainer and deposited in a locked box in a place designated by the Registrar or provided to a test inspector no later than one half (1/2) hour before the post time of the race in which the horse is entered.

## **Chapter 23: Protests**

**23.01** A protest is an objection charging that a horse is ineligible to a race, alleging improper nomination or declaration of a horse, or citing any act of an owner, trainer, driver or official prohibited by the rules and which, if true, would exclude the horse or driver from the race.

**23.02** Protests must be made no later than 15 days following the race in question and must contain at least one specific charge which, if true, would prevent the horse from competing in the race or from winning purse money. The Judges may require that protests be reduced to writing and sworn to or solemnly affirmed. If more than 15 days have passed since the race was run, no adjustments shall be made to purses or placing or records in the races contested after that time other than for positive tests. Notwithstanding the above, the Registrar may review any allegation, at any time, that a horse was ineligible and take what action he or she deems appropriate against the owner, trainer, driver or race secretary who declared the horse or allowed the horse to be declared and to race.

**23.03** Every protest shall be determined by the Judges. Should the protest not be determined prior to the race, the horse shall be allowed to race under

protest. Any purse money that may be affected by the outcome of the protest shall be held by the Association pending the Judges' decision.

**23.04** When a protest has been duly made it shall not be withdrawn or surrendered without approval of the Judges.

**23.05** Any person found to make a protest falsely or without cause shall be subject to a monetary penalty, or suspension, or expulsion.

**23.06** If the placings of a race are altered as a result of a protest, purse money for the race shall be distributed according to the decision made on the protest. The eligibility of horses involved in protests that may participate in subsequent races pending determination of the protest is not affected.

**23.07** Rulings on protests which affect purse money or order of finish after the race was declared official shall have no effect on the distribution of pari-mutuel pools.

## **Chapter 24: Appeals**

**24.01** Subject to rule 3.01.03 and the *Horse Racing Licence Act, 2015*, any person aggrieved by a decision or ruling of the Judges, Registrar or delegated officials may appeal the decision or ruling to the HRAP.

**24.02** Deleted.

**24.03** Deleted.

**24.04** Deleted.

**24.05** Purse money affected by an appeal shall be held by the Association pending disposition.

**24.06** Pending disposition of an appeal, all penalties imposed shall continue in full force and effect except when stayed by order of the HRAP.

**24.07** The official performance records shall reflect the Judges' decision in all cases until all appeal procedures and remedies are exhausted. The eligibility of horses to the conditions of races will be in accordance with the Judges' decision as shown in the official performance records and will not be subsequently affected by the outcome of the appeal process. Whatever the final outcome of the appeal, the horse cannot be retroactively declared ineligible to races already contested prior to the appeal decision.

**24.08** Deleted.

**24.09** A decision of the HRAP which affects the distribution of purse money or order of finish of a race after the race had been declared official shall have no bearing on the distribution of pari-mutuel pools.

**24.10** Deleted.

**24.11** Deleted.

## **Chapter 25: Drivers**

**25.01** A person shall not drive a horse in any race or performance against time, other than an exhibition race, without having first obtained a driver licence valid for the current year by meeting the standards as established by Standardbred Canada or the United

States Trotting Association and being licensed by the Commission. The licences shall be presented to the Judges prior to participating for the first time at any race meeting. Valid categories of licences are:

- (a) A, a full general licence valid for all meetings;
- (b) B, an apprentice licence valid for all meetings, subject to satisfactory performance;
- (c) C, a beginner's licence valid for non-extended meetings and for qualifying and overnight races at extended meetings, subject to the approval of the Judges;
- (d) F, a fair licence valid for non-extended meetings and fairs;
- (e) P, a probationary licence valid for all meetings in accordance with the terms of the probation.

Failure to comply with this rule shall constitute a violation by the participant.

**25.02.01** Drivers must carry their licence on their person at all times while participating. Failure to do so is a violation.

**25.02.02** The Judges may review the performance of a driver at any time and may take the following actions:

- (i) Amend the licence category;
- (ii) Revoke the licence;
- (iii) Apply conditions to the licence; or
- (iv) Require the driver to re-qualify for his or her licence in accordance with Standardbred Canada regulations.

**25.02.03** All Rulings issued by the Judges under Rule 25.02.02 may be appealed to the HRAP. Notice of Appeal is to be lodged in accordance with the HRAP Rules of Procedure.

**25.03** Drivers must report to the paddock judge at least one hour before post time of any race in which they are programmed to drive, unless excused by the Judges. When programmed to drive in any race that is part of the Daily Double races, drivers must be in the paddock at least one hour before post time of the race which comprises the first half of the Daily Double, unless excused by the Judges. Where advanced wagering takes place on any feature betting race, drivers programmed to drive in such races must make their presence known to the paddock judge prior to commencement of the advanced wagering.

**25.04** Drivers must wear distinguishing colours, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the Judges, they are well groomed and properly attired in clean driving outfits. During inclement weather conditions, drivers must wear rain suits made in their colours or made of a transparent material through which their colours can be distinguished. No person may use more than one design at any one time.

**25.05** A driver cannot decline to be substituted by the Judges. Any driver who refuses shall be suspended and may be subject to a monetary penalty.

**25.06** Once a driver reports to the paddock he shall not enter the public stands or the betting area until his driving duties for the day have been completed and upon completion of his driving duties he shall not enter the public stands until he has replaced his driving outfit with ordinary clothing.

**25.07** The Judges may remove a driver at any time if, in their opinion, his or her driving would not be in the best interests of harness racing.

**25.08** A driver shall not drive for any other person in a race in which one of the horses he/she trains or owns has been declared into race.

**25.09** Drivers shall fulfill all engagements, unless excused by the Judges.

**25.10** Any driver programmed to drive in a race shall attend at the race paddock stall assigned to the horse he or she is programmed to drive at least two (2) minutes prior to the commencement of the post parade for the race.

## **Chapter 26: Trainers and Grooms**

**26.01** A person shall not train horses, or be programmed as trainer of record at extended meetings, without first having obtained a trainer licence valid for the current year by meeting the standards for trainers, as established by Standardbred Canada or the United States Trotting Association and being licensed by the Commission. The holder of a driver's licence issued by Standardbred Canada or the United States Trotting Association is entitled to all privileges of a trainer and is subject to all rules respecting trainers. Valid categories of licences are:

- (a) A, a full licence valid for all meetings and permitting operation of a public stable;
- (b) C, an apprentice licence valid for all meetings and permitting operation of a public stable, subject to satisfactory performance and ongoing approval of the Judges. The Judges

may impose any conditions as deemed appropriate. This licence must be held for a minimum period of six months before applying to the Judges for an upgrade to an "A" licence;

- (c) F, a licence restricted to the training of horses while owned by the holder and/or his or her immediate family at all race meetings. Any "F" trainer who wishes to upgrade his/her licence must first upgrade to "C". If the trainer has satisfied the requirements of the "C" licence in the past, at the discretion of the Judges that trainer may be upgraded to "A".

**26.01.01** The Judges may review the performance of a trainer at any time and may take the following actions:

- (i) Amend the licence category,
- (ii) Recommend that the Registrar revoke the licence,
- (iii) Apply conditions to the licence, or
- (iv) Require the trainer to re-qualify for his or her licence in accordance with Standardbred Canada regulations.

**26.02.01** A trainer shall be responsible at all times for the condition of all horses trained by him/her. The trainer must safeguard from tampering each horse trained by him/her and must exercise all reasonable precautions in guarding, or causing any horse trained by him/her to be guarded, from the time of entry to race until the conclusion of the race. No trainer shall start a horse or permit a horse in his/her custody to be started if he/she knows, or, if by the exercise of a reasonable degree of care having regard to his/her duty to safeguard their horse from tampering, he/

she might know or have cause to believe, the horse is not in a fit condition to race or has received any drug that could result in a positive drug test. Without restricting the generality of the foregoing, every trainer must guard, or cause to be guarded by the exercise of all reasonable standards of care and protection, each horse trained by him/her so as to prevent any person from obtaining access to the horse in such a manner as would permit any person not employed by or not connected with the owner or trainer from administering any drug or other substance resulting in a pre-race or post race positive test. Every trainer must also take all reasonable precautions to protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of an official sample.

**26.02.02** Any trainer who fails to protect or cause any horse trained by him to be protected and a positive test thereby results or who otherwise violates this rule, violates the rules.

**26.02.03** Notwithstanding 26.02.01, the Commission and all delegated officials shall consider the following to be absolute liability violations:

- (a) Any trainer whose horse(s) tests positive for any substances determined to be non-therapeutic;
- (b) Any trainer whose horse(s) tests positive resulting from the out-of-competition program;
- (c) Any trainer whose horse(s) tests positive resulting from testing in accordance with or under the Pari-Mutuel Betting Supervision Regulations;

- (d) Any trainer whose horse(s) level of TC02 equals or exceeds the levels set out in Rule 22.38.

**26.03** Failure by a trainer to protect a horse and guard it against wrongful interference or substitution in connection with the taking of a urine sample will result in the trainer being held responsible for the wrongful interference or substitution.

**26.04** If a trainer is to be absent from the track where his or her horses are participating in races, he/she must ensure that a competent and reliable licensed participant is substituting during his or her absence. The original trainer is responsible for the horses he/she has declared in to start and the substitute trainer will then become responsible for any additional horses the licensed substitute may declare to start.

**26.05** When the Judges decide that someone other than the officially named trainer of record is actually in charge, custody of, or in care of a horse, the Judges shall have the right to hold such person responsible instead of, or in addition to, the person named as trainer of record.

**26.06.01** A person shall not represent himself or herself to be the trainer of a horse unless he/she is actually training that horse.

**26.06.02** If an owner changes his/her trainer, the new trainer shall immediately notify the Race Secretary and cause a notation in the race program of a trainer change.

**26.07** The trainer of record of a horse shall be responsible to ensure that any person he/she delegates

or permits to take the horse on the track for a warm-up before a race is capable and competent to perform these duties.

**26.08** Whenever a trainer is suspended under any provisions of the Rules, any horse trained by him/her or under his or her care, but not owned wholly or in part by him/her, may, with the consent of the Judges at that meeting, be released to the care of another licensed trainer and may race.

**26.08.01** Deleted.

**26.09** Applicants for groom licences must be bona fide grooms and must have their status confirmed by the trainer actively utilizing their services. A person under 10 years of age will not be issued a groom licence.

**26.10** It shall be the responsibility of a trainer to determine that every assistant trainer or groom employed by him/her during a meeting is licensed for the current year by the Commission and, if applicable, licensed by Standardbred Canada for insurance purposes.

**26.11** It shall be the responsibility of a trainer to refuse employment to any person required to be licensed when he/she has reason to believe that the person has not been licensed by the Commission or Standardbred Canada, where applicable. He/she is required to report the circumstances to the Judges. A monetary penalty may be imposed for a violation of this rule.

**26.12** It shall be the responsibility of a trainer to have the horses under his or her care, and which are programmed to race, properly equipped and in the paddock at least one hour before the scheduled post

time or by the time prescribed by the track.

**26.12.01** A trainer shall be responsible to ensure that all horses under his/her care and control, while training or racing on Association grounds are properly equipped with safety reins/lines.

**26.13** A trainer shall not start a horse or permit a horse in his or her custody to be raced if he/she knows or if by the exercise of reasonable care he/she might have known or have cause to believe that the horse is not physically fit to race. When a trainer believes that a horse is not physically fit to race, it is his or her responsibility to have the horse checked by a veterinarian and have that veterinarian certify that the horse is unfit to race and present such certification to the Commission Veterinarian or Official Veterinarian.

**26.14** The trainer of record of a horse declared to race is responsible for the eligibility of the horse.

**26.15** The trainer of record of a horse shall be a licensed trainer who has the day-to-day care and or custody and or control of the horse and is responsible for the training, allocation or direction of training duties at the stable.

**26.16** In determining the identity of the actual trainer of a horse the Judges shall consider the following:

- (a) The identity of the person who is responsible for the business decisions of the training or racing stable including, but not limited to, business arrangements with and any payments to or from owners or other trainers, licensed or otherwise, veterinarians, feed companies, hiring and firing of employees, obtaining workers' compensation or proof

- of adequate insurance coverage, payroll and horsemen's bookkeeper;
- (b) The identity of the person responsible for communicating with the racing secretary's office, the stall manager, the Racing Association and the owners regarding racing schedules;
  - (c) The identity of the person responsible for the conditioning of a horse or horses;
  - (d) The identity of the person responsible for race day preparation including but not limited to accompanying the horses to the paddock, selection of equipment, authority to warm up horses before the public, and discussion of driving strategy;
  - (e) The total number of horses in the control of the training or racing stable;
  - (f) The number of active licensed trainers on the payroll of the training stable;
  - (g) The number of different stabling locations; and
  - (h) Any other relevant matters.

**26.17** For any medication or drug requiring a prescription and any treatment ordinarily requiring the services of a veterinarian for any horse under his/her care and control, a trainer is required to use a veterinarian licensed by the Commission. A trainer of a horse may apply to the Registrar for an exemption from this rule, where the trainer trains a horse in an area under-served by equine veterinarians licensed by the Commission. Further a trainer may use a veterinarian not licensed by the Commission for the purposes of emergency treatment of a horse, provided

the trainer advises the Registrar of the circumstance in writing as soon as practical.

**26.18** Deleted.

## **Chapter 27: Owners**

**27.01** An owner is the full owner, part owner, lessor, or lessee of a registered Standardbred horse that has qualified or has been programmed to race at an Ontario raceway within the preceding six months.

**27.02** An owner, lessor, lessee or stable member shall not have any interest whatsoever in any horse declared to race without first having obtained a licence valid for the current year from the Commission.

**27.03** Owners, lessors, lessees or stable members of horses competing on the date of the race shall be entitled to admission to the paddock.

**27.04** If an owner changes his/her trainer, the owner shall immediately notify the Race Secretary and cause a notation in the racing program of a trainer change.

## **Chapter 28: Racing, Farm, Corporate or Stable Name**

**28.01** Stable names, multiple ownerships and estates may be licensed to race provided the stable name, multiple ownership or estate is first registered with Standardbred Canada or the United States Trotting Association and licensed by the Commission.

Where the owner of a horse is a stable name, multiple ownership or an estate, the following persons must apply for and be granted licences:

- (a) In the case of a corporation with less than 10 shareholders:
  - (i) The corporation;
  - (ii) Every corporate director; and
  - (iii) Every shareholder.
- (b) In the case of a corporation with 10 or more shareholders, but less than 50:
  - (i) The corporation;
  - (ii) Every corporate director; and
  - (iii) Every shareholder holding or controlling a number of shares giving the shareholder 5 percent or more of the voting rights in the corporation.
- (c) In the case of a corporation with 50 or more shareholders or which is registered with a Canadian stock exchange:
  - (i) The corporation;
  - (ii) Every corporate director or every member of the executive committee of the board of Directors;
  - (iii) Every person acting as chairperson, secretary or holding a similar office;
  - (iv) The person responsible within the corporation for the activities for which the licence is required; and
  - (v) Every shareholder holding or controlling a number of shares giving the shareholder 5 percent or more of the voting rights in the corporation.
- (d) In the case of a general partnership:
  - (i) The partnership, if 5 or more partners;
  - (ii) The manager or any person holding a similar office; and
  - (iii) Every partner.

- (e) In the case of a limited partnership:
  - (i) The limited partnership;
  - (ii) The general partner and where the general partner is a corporation or a general partnership, the persons covered by sub-sections (a), (b), (c) and (d) of this section; and
  - (iii) The manager or the general partner or any person holding a similar office.
- (f) In the case of a registered stable name:
  - (i) The stable name; and
  - (ii) The owner or owners of the stable.
- (g) In the case of an estate:
  - (i) The estate; and
  - (ii) The executors of the estate.
- (h) The foregoing provisions of this section do not apply with respect to any shareholder of a corporation, to a maximum of 2 shareholders per corporation, not otherwise in violation of this rule, if each of the one or two such shareholders:
  - (i) Legally holds shares in a corporation merely in order to meet the statutory requirements of the jurisdiction in which the corporation is incorporated and otherwise has no beneficial interest in the corporation; or
  - (ii) Is not an active participant in the management of the affairs of the corporation, apart from being a corporate director; or
  - (iii) Holds less than one (1) percent of the issued and outstanding shares of the corporation.

**28.02** Any liability of a registered stable, multiple ownership or estate and any penalty imposed upon it shall apply to all of the members or shareholders required to be licensed under Rule 28.01 and/or any horse owned wholly or in part by the stable, multiple ownership or estate.

**28.03** Any suspension of a participant required to be licensed under Rule 28.01 will include any horse owned wholly or in part by the stable, multiple ownership or estate.

- (a) Any liability of a registered stable and any penalty imposed upon the stable shall apply to all its members and/or horses owned wholly or in part by the stable. In the event one or more of the members of a registered stable is suspended, the suspension shall also include any horses owned wholly or in part by the stable.

**28.04.01** Stable names, multiple ownerships, and general estates which are either partnerships or corporations must present to the Commission the following documentation in order to be eligible for a licence:

**Partnerships (General and Limited)**

1. In the case of a partnership, the applicant must provide an official business names report from Service Ontario.
2. In addition, the applicant must provide the names and addresses and consent for a record check of each partner in the partnership.

## **Corporations**

1. In the case of a corporation, the applicant must provide an official corporation profile report for the corporation from Service Ontario.
2. In addition, the applicant must provide the names and addresses and consent for a record check of all of the directors and officers of the corporation.

**28.04.02** Once a licence is granted to a partnership or corporation, either a partner, corporate director or officer, as the case may be, of the business entity, must inform the Registrar of any changes in the status of the business entity. The Registrar may require supporting documents regarding the change in status.

**28.04.03** Failure by a partner, corporate director, officer, as the case may be, to inform the Registrar of change in status of the business entity may result in suspension or revocation of the business entity's licence.




## **Chapter 29: Race Secretary**

**29.01** The race secretary shall:

- (a) Receive and keep safe in his or her custody any documents required to permit a horse to compete at the race meet or stabled on the grounds owned or cared for by the Association and return same to the owner or representative upon request;
- (b) Be familiar with the age, class and competitive ability of all horses racing at the meeting;

- (c) Classify and reclassify horses in accordance with the Rules;
- (d) Write conditions and schedule the racing programs to be presented at the racetrack and post same not less than 24 hours before declarations close;
- (e) Provide for the listing of horses in the racing program, examine all entry blanks and declarations and verify all information set forth therein; select the horses to start and the also eligible horses from the declarations in accordance with the rules governing these functions;
- (f) Examine nominations and declarations in early closing, late closing, futurity and stake events; verify the eligibility of all declarations and nominations and compile lists thereof for publication;
- (g) Establish standards and allowances for horses in accordance with commission and track rules and display such information in the Judges' office, the racing office, on condition sheets and on the racing program; and
- (h) Ensure that no one other than officials and those assisting the race secretary are permitted in the office during the taking and sorting of entries;
- (i) Using the Standardbred Canada database the Race Secretary is required to inform the printer of the program, by way of the Standardbred Canada database, of the horses treated with Furosemide for the start for which the program is printed but not so treated for their last start, and horses treated

with Furosemide for their last start but not so treated for the start for which the program is printed, as more specifically set forth below:

	Denotes horse treated with Furosemide
	Denotes horses treated with Furosemide for the first time
	Denotes horses not treated with Furosemide but who were previously treated with Furosemide

## **Chapter 30: Starter**

### **30.01** The starter shall:

- (a) Be appointed by the Association;
- (b) Be subject to the supervision of the Judges;
- (c) Be in the starting gate 15 minutes before the first race;
- (d) Have control over the horses from the formation of the post parade until the field is released at the starting point; and
- (e) Notify the Judges of all violations of the Rules, giving detailed information thereof.

**30.02** The starter may situate the starting gate in accordance with the instructions of the Judges and fulfill the function of a patrol judge in accordance with Rule 33.01.

**30.03** The starter shall advise the Judges of all horses ordered to be schooled behind the starting gate. The

Judges shall place such horses on the Judges' List and these horses shall not be permitted to be declared to race until removed from the list by the request of the starter.

## **Chapter 31: Standardbred Canada Field Representative**

**31.01** A Standardbred Canada field representative shall:

- (a) Represent Standardbred Canada during at least two consecutive hours to provide services to racing participants; and
- (b) Input to and maintain accurately the Standardbred Canada database, including:
  - (i) Adding non-Ontario horses to the data base when racing for the first time at tracks in Ontario;
  - (ii) Recording racelines not already on the database, immediately upon receipt of same;
  - (iii) Inputting changes of ownership to the data base, necessitated by claims and transfers;
  - (iv) Inputting change of sex information for horses to the data base;
  - (v) inputting all race results and printing reports for all types of races to the data base as soon as they become available, and providing reports to the Judges and the charter for proof reading and verification by the Judges before completion of the program;
  - (vi) Inputting Coggins' Test information from laboratory certificates and removing horses from Judges' List if required, immediately

- upon receipt of such test result;
- (vii) Updating and maintaining Judges' List, on the written instruction of a Judge;
- (viii) Inputting requests for first-time starters and maintaining individual track files of such requests and requests for hard-copy certificates;
- (ix) Insuring eligibility of first-time starters by adding same to electronic eligibility system;
- (x) Inputting suspensions to the data base, and removing same upon written request of a Judge;
- (xi) Deleted.
- (xii) Maintaining a list of all horses enrolled in the Exercise Induced Pulmonary Haemorrhage Program to be made available to the Chief Test Inspector or to his designate at least five (5) hours before the post time;
- (xiii) Recording the date of a horse's initial or most recent certification in the program; and
- (xiv) Maintaining the past performance line of the horses, indicating when Furosemide was used and when it was not used, as the case may be.

### **31.02 Deleted.**

## **Chapter 32: Paddock Judge and Equipment Inspector**

### **32.01 The paddock judge shall:**

- (a) Under the direction and supervision of the Judges, have complete charge of all paddock activities;

- (b) Get the fields on the track for post parades in accordance with the schedule given by the Judges;
- (c) Inspect horses for changes in equipment, broken or faulty equipment, head numbers and saddle pads;
- (d) Be responsible for the equipment inspector who shall keep a record of the equipment and harness worn by every horse racing at the meeting. The equipment and harness worn by every horse shall be checked in the paddock against such records before each race. All changes from the previous race shall be noted and the Judges notified if a written authorization on the prescribed form is not presented for any change of equipment;
- (e) Supervise paddock security guards;
- (f) Check horses and drivers in and out;
- (g) Direct the activities of the paddock blacksmith;
- (h) Immediately notify the Judges of anything that could in any way change, delay or otherwise affect the racing program;
- (i) See that only properly authorized persons are permitted in the paddock;
- (j) Supervise the identification of horses in the race which shall include verifying the tattoo or freeze brand number;
- (k) Inspect and supervise the maintenance of all emergency equipment kept in the paddock;
- (l) Notify the Judges of the reason for any horse returning to the paddock after having entered the track for the post parade and before the start of the race;

- (m) Notify the Judges of all drivers, trainers and grooms who leave the paddock in an emergency;
- (n) Supervise and maintain cleanliness of the paddock;
- (o) Supervise the conduct of all participants in the paddock and report any rule violations or abuses to the Judges;
- (p) Report any observed cruelty to a horse;
- (q) Submit all paddock reports and attendance records to the Judges on request. Such reports and records must be retained for twelve months; and
- (r) Ensure that all entrances and exits to the racetrack are closed before the starter calls the field to the post.

**32.02** A record shall be maintained indicating the names and times of entry and departure of all persons admitted to the paddock. The persons entitled to admission to the paddock area are:

- (a) Owners, lessees, trainers, drivers or grooms of horses which have been summoned to the paddock;
- (b) Officials whose duties require their presence in the paddock; and
- (c) Other persons authorized by the Judges or the Registrar.

**32.03** Once admitted to the paddock, the horse shall not leave the restricted area, other than to warm up or until the races for which the horses were admitted are completed.

**32.04** Deleted.

**32.05** The post parade from the paddock shall commence at a time designated by the Judges. The paddock judge shall cause all horses in a race to be formed in a parade line in the programmed order. Such horses shall be attended by their drivers unless specifically excused by the paddock judge.

**32.06** It shall be the duty of the paddock judge to report to the Judges any equipment or harness which he/she considers dangerous or unsafe or not in the best interests of racing.

**32.07** The paddock is a secure area for the period beginning two hours before post time and ending one hour after the last race. After a horse has entered the paddock, parenteral or oral medication of that horse is strictly prohibited whether the medication is on the prohibited list or not.

## **Chapter 33: Patrol Judges and Placing Judges**

**33.01** An Association shall appoint a patrol judge. In all cases the patrol judge will be strategically located by the Judges. The starter may, with the permission of the Judges, be designated as a patrol judge. Further the starter may, when acting as a patrol judge, follow the field in the starting gate, weather and track conditions permitting.

**33.02** The patrol judges shall:

- (a) Be subject to the supervision of the Judges;
- (b) Be observant of and report to the Judges on all activity on the racetrack in their areas at all times during the race program. Particular attention to be applied to the rules of

decorum, lameness and fitness of any horse, and any lack of or broken racing equipment; and

- (c) Be in constant communication with the Judges during the course of every race and immediately advise of every rule violation, improper act or unusual occurrence which happens within their station that could affect the result of the race.

**33.03** Deleted.

**33.04** Deleted.

**33.05** Deleted.

**33.06** Deleted.

**33.07** Deleted.

**33.08** Deleted.

**33.09** On all tracks a proper camera shall be installed as an aid to the Placing Judge, however, in all cases, the camera is merely an aid and the decision of the Judges shall be final.

**33.10** Photo finish photographs shall not be released to anyone for publication without permission of the Judges, except to the Association for its public display at the racetrack at which racing is being conducted.

## **Chapter 34: Charter**

**34.01** An Association shall appoint at least one charter who shall be responsible for properly and accurately completing the official chart by doing the following:

- (a) Reporting to the Judges' stand at least one-half hour before first post-time, and proof-

reading each chart against the program, noting program changes, and changes made subsequent to the printing of the program;

- (b) Accurately recording the following information on the chart, regardless of type of race, and providing the completed chart to the Judges for verification and approval and also checking with the Standardbred Canada field representative after he/she has had the opportunity to input the chart information to the data base for error checks within the chart, for each race and making corrections as required;
  - (i) Date, place, and size of the track, if other than one-half mile;
  - (ii) Symbol for free-legged pacers and hopped trotters;
  - (iii) Track condition, track variant (in increments of full seconds), distance of race, temperature;
  - (iv) Claiming prices;
  - (v) Post positions, position at the one-quarter, one-half, three-quarter, and stretch, with lengths behind the leader at each call;
  - (vi) At the completion of each race, determine from the photo-finish film the individual time and beaten lengths of each horse by using the formula of one-fifth of a second per length. Separations such as nose, neck, one-quarter, and one-half length do not signify one-fifth of a second difference, but separations of three-quarters of a length signify one-fifth of a second (the same as one full length), the order of finish will be determined by the Judges;

- (vii) Closing dollar odds and wagering information such as betting favourite, mutual field, etc.;
- (viii) For qualifying and schooling races, notation is to be made for individual horses subjected to urine or blood tests, using indicator 'TE' with the dollar odds;
- (ix) Name of driver;
- (x) Name of trainer;
- (xi) Names of horses placed first, second, and third by the Judges;
- (xii) The standard symbols for breaks, interferences, and parked-outs, where applicable;
- (xiii) Explanations of placings and disqualifications in 'comments' section of official chart;
- (xiv) Wagering pools and pari-mutuel pools and pay offs; and
- (xv) In the case of horses enrolled in Exercise Induced Pulmonary Haemorrhage Program, the appropriate symbol for Furosemide use as set forth in Chapter 31 hereof is assigned to the racelines for each certified horse.

**34.02** An Association will supply the charter with the following tools for creating an official chart:

1. Binoculars appropriate for the size of the track;
2. Charter worksheets;
3. Recording device;
4. Calculator;
5. Television;
6. DVD/VCR.

## **Chapter 35: Ontario Standardbred Exercise Induced Pulmonary Haemorrhage (EIPH) Program**

**35.01** All licensees owning or training a horse or horses participating in the EIPH Program shall complete, in full, the EIPH Certification Forms 1 or 2 as applicable. Form 1 is that form to be used for horses ordinarily competing in Ontario and Form 2 is that form for horses shipping in to compete in Ontario. Each form shall contain certification by a veterinarian licensed in Ontario, or as provided in Form 2, from any other jurisdiction recognized by the Commission to the effect that the subject Standardbred horse has displayed symptoms of EIPH and is qualified for the EIPH Program in their opinion to justify the use of Furosemide in pari-mutuel racing in accordance with the program accepted by the Commission. In instances where Form 2 is applicable, the Judges must also be provided with a signed statement from a veterinarian licensed in another jurisdiction who fulfills the duties ordinarily performed by a Commission Veterinarian or Official Veterinarian in Ontario certifying the horse has qualified for the EIPH Program in the jurisdiction in which it is enrolled. The certification form and any other applicable form(s) must be filed with and accepted by the Judges prior to the time of entry (subject to any time extension permitted by Rule 35.03).

**35.01.02** Any person providing false or misleading information on Form 1 or Form 2 may be subject to a suspension and/or monetary penalty being levied by the Judges or by the Commission.

**35.02.01** A veterinarian who is duly licensed by the College of Veterinarians of Ontario and the Commission who certifies that a horse displays symptoms of Exercise Induced Pulmonary Haemorrhage (EIPH) shall, upon request, issue Form 1 to the trainer of the horse.

**35.02.02** Any owner or trainer who intends to race a horse within the EIPH Program that is properly certified as per Rule 35.02.01 is required to submit the Form 1 certificate to a Standardbred Canada representative. The Standardbred Canada representative shall cause the Form 1 to be entered into the Standardbred Canada computer data indicating that the subject horse has been certified to receive Furosemide. Such information shall be entered into the computer by the Standardbred Canada representative at or before the time of the entry of the horse into the race following the date upon which it was certified.

**35.02.03** Deleted.

**35.02.04** The Form 1 certificate shall, in no case, be valid for any period which is the earlier of 30 days from the date upon which the veterinarian licensed by the Commission certified that the horse was qualified to perform on Furosemide or until the first time the horse races in a pari-mutuel race following the issuance of said certificate by the veterinarian. In any case, the certificate must properly identify the horse entitled to receive Furosemide.

**35.02.05** Where a horse has bled in another jurisdiction the Commission Veterinarian shall certify that horse as being eligible to contest races when using Furosemide upon presentation by the owner or

trainer of the subject horse of a duly completed Form 2 containing certification from a veterinarian licensed in another jurisdiction recognized by the Commission that the horse displays symptoms of EIPH.

**35.02.06** After a horse is certified as a bleeder, the said horse may not race for 15 clear days from the date it was certified.

**35.03** If a horse to which Form 2 applies and with respect to which enrolment is sought in the EIPH Program has not been enrolled prior to the time of entry of the subject race, such enrolment may be extended to immediately prior to the time it is required to receive Furosemide on the date of the first occasion in which it races in Ontario and seeks certification. Such extension of time is solely within the discretion of the Judges and may be granted by them if evidence is presented to the Commission Veterinarian or Official Veterinarian by the owner or trainer or the authorized representative of the owner or trainer of the subject horse that the horse has raced on Furosemide in such other jurisdictions where the use of Furosemide is authorized.

**35.04** The status of all horses enrolled in the EIPH Program must be declared on the entry form at the time of entry.

**35.05** If a horse has been enrolled in the EIPH Program, it shall remain on the Exercise Induced Pulmonary Haemorrhage (EIPH) List for 100 days from the date of its first or most recent certification and be administered Furosemide prior to any of its races regardless of any change of owner or trainer. After being on the program for at least 100 days, if upon

certification by a duly qualified veterinarian licensed by the Commission, (provided that the horse has not been treated with furosemide prior to certification, shows no evidence of Exercise Induced Pulmonary Haemorrhage) and the results of that examination are endorsed by the Commission Veterinarian or Official Veterinarian, such horse may be removed from the EIPH Program and after this examination date shall be eligible to be entered to race without being treated with furosemide prior to racing. At a later date, if such horse bleeds it may be readmitted to the EIPH Program upon certification by the Commission Veterinarian or Official Veterinarian in accordance with Rule 35.02.06.

**35.06** Any horse that is declared eligible (referred to in these Rules as a “certified horse”) to receive Furosemide must have, in fact, been accepted to the EIPH Program at the time of such declaration. Any licensee who falsely declares that the horse has been enrolled in the EIPH Program when such horse is not a certified horse shall be deemed to have violated these rules by such false declaration and shall be subject to discipline by the Judges in accordance with the provisions of Rule 6.01.

**35.07.01** Any certified horse must be presented by the owner or trainer, or his or her duly licensed representative at a retention facility at the track where the horse is racing on that occasion at least four hours and fifteen minutes prior to the post time as published on the overnight sheet of the race in question and shall remain there until medicated with the correct dosage of Furosemide. Any certified horse that does not receive Furosemide no earlier than four hours and fifteen minutes and no later than three hours and

forty-five minutes before the published post time for the race in which it is entered to compete shall be automatically scratched.

**35.07.02** All racing associations shall provide a secure retention facility for the administration of the EIPH program.

**35.07.03** The certified horse must be medicated with the correct dosage of Furosemide intravenously by the designated veterinarian or technician acting under the supervision of the designated veterinarian, or by a veterinarian licensed by the Commission who shall use only Furosemide, syringes and needles supplied by the designated veterinarian or technician.

**35.07.04** The veterinarian or his or her designate shall intravenously administer to the horse a dosage of Furosemide which is no less than 150 mg. and no more than 250 mg.

**35.07.05** The trainer, or his or her authorized representative with a valid licence, shall remain with the certified horse from the time of its arrival in the retention facility until it is removed there from after having been medicated or scratched. During the time that the horse is in the retention facility the trainer or a duly licensed representative, is responsible to give such assistance as is required by the veterinarian or his designate or such other person involved in the EIPH Program in identifying the horse and guarding the horse from the administration of any other substance. Any horse left unattended for any time during the period when it is in the retention barn shall be automatically scratched and the trainer thereof shall be

deemed to have violated this rule and may be subject to discipline by the Judges in accordance with Rule 6.01.

**35.07.06** In the event that the trainer, or his or her authorized representative with a valid licence, has failed to assure that the certified horse was medicated, the trainer and/or his duly authorized licensed representative shall be in violation of these rules and may be subject to discipline by the Judges in accordance with Rule 6.01.

**35.07.07** Any trainer of a horse that has been certified to receive Furosemide in accordance with the provisions of the EIPH Program, who fails or refuses, without reasonable justification, to bring the certified horse, or to have the certified horse brought to the retention facility within the time prescribed time by the provisions of the Pari-Mutuel Betting Supervision Regulations under the *Criminal Code* (Canada) and these Rules for any race in which that horse is programmed to start shall be deemed to have violated these rules and shall be subject to a monetary penalty and/or suspension being imposed by the Judges in accordance with Rule 6.01.

## **Chapter 36:**

### **Alcohol and Drug Violations - Human**

**36.01** A licensee in a Safety Sensitive Position is prohibited from the following:

- (a) Using an Illegal Drug or a Prohibited Substance at a licensed facility;
- (b) Performing activities of the Safety Sensitive Position at a licensed facility while an Illegal

Drug or a Prohibited Substance is present in his or her body;

- (c) Consuming Alcohol at a licensed facility while performing, or reasonably prior to performing activities, of a Safety Sensitive Position;
- (d) Performing activities of the Safety Sensitive Position at a licensed facility while having a BAC of .02 or higher;
- (e) Using, at a licensed facility, any Impairing Prescription Medication without a prescription for the licensee's use of that medication;
- (f) Performing activities of the Safety Sensitive Position at a licensed facility while an Impairing Prescription Medication for which the licensee does not have a prescription for use is present in his or her body;
- (g) Intentionally using, at a licensed facility, any Impairing Prescription Medication prescribed for the licensee's use in a manner not prescribed and which use has the potential to impair the licensee's abilities to perform the activities of his or her position safely;
- (h) Performing activities of the Safety Sensitive Position at a licensed facility while,
  - a. An Impairing Prescription Medication intentionally used in a manner not prescribed to the licensee is present in his or her body, and
  - b. He or she displays signs that his or her physical or cognitive abilities are impaired to the extent that there is a potential that the licensee cannot safely perform the activities of the Safety Sensitive Position.

- (i) Within the first eight hours of an event described in 36.03(a) or until tested or advised by a Commission Representative under 36.03(a) that a test is not required, using an Illegal Drug or a Prohibited Substance or consuming Alcohol or using any Impairing Prescription Medication without a prescription for the licensee's use or intentionally using any Impairing Prescription Medication prescribed for the licensee's use in a manner not prescribed.

**36.02** A licensee in a Safety Sensitive Position called in unexpectedly activities of a Safety Sensitive Position in a manner that would violate 36.01(b), (d), (f) or (h) shall decline the request.

**36.03** A licensee or Designated Racing Official shall not be present at a licenced facility in the following circumstances:

- (a) Alcohol, an Illegal Drug, a Prohibited Substance or an Impairing Prescription Medication is present in his or her body, and
- (b) He or she displays signs that his or her physical or cognitive abilities are impaired to the extent that there is a potential that the licensee or Designated Racing Official cannot safely perform his or her activities or duties related to the business of racing, he or she poses a safety risk to himself or herself, to other persons or to horses or, in a situation where the licensee or Designated Racing Official has been involved in an incident, accident or near miss, the licensee or Designated Racing Official displays signs of physical or cognitive impairment.

**36.04** A licensee in a Safety Sensitive Position is subject to testing in the following situations:

(a) **Post Incident/Accident**

A Commission Representative investigating a significant accident, incident or near miss that occurs at a licensed facility may require a licensee in a Safety Sensitive Position to undergo testing for the presence of Illegal Drugs, Prohibited Substances, Impairing Prescription Medication or a combination of these substances in his or her body, if the Representative has a reasonable belief that the licensee's activities are or were relevant to the accident, incident or near miss being investigated.

(b) **Required Alcohol Testing**

At times or in circumstances set by the Commission or a Commission Representative or upon direction of a Commission Representative, a licensee in a Safety Sensitive position shall undergo testing for Alcohol in his or her body when they are performing, scheduled to perform or have completed performing the activities of the position.

(c) **Unannounced Drug Testing**

A licensee in a Safety Sensitive Position shall undergo testing for the presence of Illegal Drugs, Prohibited Substances, Impairing Prescription Medication or a combination of these substances in his or her body without notice to the licensee at any time during the racing season. The selection of the licensee

for testing will be by an objective selection system managed by the Commission's Program Coordinator.

(d) **Return to Duty – Post Violation**

Where a licensee seeks to return to a Safety Sensitive Position after a suspension for a violation of a prohibition in 36.01, he or she will be required to undergo testing for the presence of Alcohol, Illegal Drugs, Prohibited Substances, Impairing Prescription Medication, or a combination of these substances in his or her body and the test or tests must show no presence of such substances in his or her body before the licensee may return to such a position. In addition, it shall be a condition of the licensee's licence as set out in a Post-Violation Agreement described in 36.13 that the licensee will be required to undergo testing for the presence of Illegal Drugs, Prohibited Substances, Impairing Prescription Medication or a combination of these substances in his or her body without notice to the licensee at any time.

(e) **Return to Duty – Post Treatment**

Where a licensee is returning to a Safety Sensitive Position after receiving treatment for abuse of or addiction to Alcohol, Illegal Drugs, Impairing Prescription Medication or a combination of these substances, the licensee may be subject to testing for such substances in his or her body as a monitoring tool on a case by case basis to support the licensee's recovery.

(f) **Additional Testing**

Where a laboratory conducting a test for the presence of an Illegal Drug, a Prohibited Substance or an Impairing Prescription Medication reports that the testing of the sample cannot provide an accurate determination of the presence or the amount of the substance in the licensee's body for whatever reason, including that the sample is a dilute sample, the licensee shall submit to an additional test, if directed by a Commission Representative.

**36.05 Reasonable Cause Testing**

Any licensee and any Designated Racing Official engaged in the business of racing at a licenced facility, whether or not he or she is in a Safety Sensitive Position, shall submit to the testing for the presence in his or her body of Alcohol, Illegal Drugs, Prohibited Substances or Impairing Prescription Medications on the request of a Commission Representative where,

- (a) That Representative has reasonable grounds to believe that the licensee's or Designated Racing Official's physical and cognitive abilities are impaired to the extent that there is a potential that the licensee or Designated Racing Official cannot safely perform their activities or duties related to the business of racing, poses a safety risk to other persons or horses; or
- (b) The licensee or Designated Racing Official has been involved in an incident, accident or near miss and a Commission Representative has reasonable grounds to believe that that the licensee's or Designated Racing Official's

physical and cognitive abilities are impaired or were impaired at the time of the incident, accident or near miss.

### **36.06 Testing Protocol – Alcohol**

A person required to undergo testing for the presence of Alcohol in his or her body shall provide a breath sample to a Commission Representative for analysis at a time and place and in a manner directed by the representative.

### **36.07 Testing Protocol – Illegal Drugs, Prohibited Substances and Impairing Prescription Medications**

A person required to undergo testing for the presence in his or her body of Illegal Drugs, Prohibited Substances or Impairing Prescription Medications, or a combination of these substances, shall provide a sample of bodily fluid to a Commission Representative at a time and place and in a manner directed by the Representative.

### **36.08 Immediate Suspension – Illegal Drugs, Prohibited Substances in a Licensee in a Safety Sensitive Position**

Should an Illegal Drug or a Prohibited Substance be found to be present in the body of a licensee in a Safety Sensitive Position at the time of testing, the licensee is suspended from his or her duties until a Medical Review Officer has reviewed the result and provided a report to the Commission or a Commission Representative. Upon reviewing the report the Commission Representative will make a recommendation to the Registrar concerning the future status of the licensee.

### **36.09 Immediate Suspension – Impairing Prescription Medication without a Valid Prescription in a Safety Sensitive Position**

Should an Impairing Prescription Medication be found to be present in the body of a licensee in a Safety Sensitive Position at the time of testing and the licensee cannot show that he or she has a valid prescription for the medication, the licensee is suspended from his or her duties until a Medical Review Officer has reviewed the result and provided a report to the Commission or a Commission Representative. Upon reviewing the report the Commission Representative will make a recommendation to the Registrar concerning the future status of the licensee.

### **36.10 Immediate Suspension – Impairing Prescription Medication with a Valid Prescription in a Safety Sensitive Position**

Should an Impairing Prescription Medication be found to be present in the body of a licensee in a Safety Sensitive Position at the time of testing and, notwithstanding that the medication has been validly prescribed to the licensee, a Commission Representative has reasonable grounds to believe that the licensee displays signs that the licensee's physical or cognitive abilities are impaired extent that there is a potential that the licensee cannot safely perform the activities of the Safety Sensitive Position, the licensee is suspended from his or her duties until a Medical Review Officer has reviewed the result and provided a report to the Commission or a Commission Representative. Upon reviewing the

report the Commission Representative will make a recommendation to the Registrar concerning the future status of the licensee.

### **36.11 Immediate Suspension – Reasonable Cause Testing for Illegal Drugs, Prohibited Substances or Impairing Prescription Medication**

A licensee or Designated Racing Official is suspended from his or her duties until a Medical Review Officer notifies the licensee or Designated Racing Official that he or she may return to his or her duties, if, after a test under 36.05, Alcohol, an Illegal Drug, Prohibited Substance or Impairing Prescription Medication is present in the body of a licensee or Designated Racing Official at the time of testing and,

- (a) A Commission Representative has reasonable grounds to believe licensee's or Designated Racing Official's physical and cognitive abilities are impaired to the extent that there is a potential that the licensee or Designated Racing Official cannot safely perform their activities or duties related to the business of racing or poses a safety risk to other persons or horses; or
- (b) A situation where the licensee or Designated Racing Official has been involved in an incident, accident or near miss, the Commission Representative has reasonable grounds to believe that the licensee's or Designated Racing Official's physical and cognitive abilities are impaired or were impaired at the time of the incident, accident or near miss.

### **36.12 Penalties for Violations of 36.01 – Safety Sensitive Positions**

(a) The penalties for a violation of 36.01(d) are the following:

- a. Where the breath sample provided results in a test result of .02 to .039 BAC,
  - (i) For a first violation, a suspension from performing the duty or duties for which he or she is licensed for that day, a \$100 monetary penalty, a reminder of the policy requirements and a suggested referral for assistance;
  - (ii) For a second violation, a suspension from performing the duty or duties for which he or she is licensed for that day, a \$300 monetary penalty, a suspension for a further 5 days if the second violation occurs within 12 months of the first violation, and a referral, at the discretion of a Commission Representative, to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program; and
  - (iii) Any subsequent violation within 12 months of the second or subsequent violation shall result in the suspension from the duty or duties for which they are licences and the licensee shall be referred to the Registrar who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.
- b. Where the breath sample provided results in a test result of .04 to .079 BAC,
  - (i) For a first violation, suspension from performing the duty or duties for which he/

she is licensed for that day, a \$300 monetary penalty, a suspension of five (5) days, a reminder of the policy requirements and a suggested referral for assistance;

(ii) For a second violation, suspension from performing the duty or duties for which he/she is licensed for that day, a monetary penalty of \$500 and a suspension of fifteen (15) days if committed within 12 months of the first violation, referral to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if they choose to return to duties with the Commission, and compliance with return to work conditions set out in an agreement with the individual, and must provide a negative return to duty drug and alcohol test,

(iii) Any subsequent violation within 12 months of the second or subsequent violation shall result in suspension from performing the duty or duties for which they are licensed and they shall be referred to the Registrar who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.

c. Where the breath sample provided results in a test result of .08 BAC or higher,

(i) For a first violation, suspension from performing the duty or duties for which he/she is licensed for that day, a \$500 monetary penalty, a suspension of fifteen (15) days, referral to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if they

choose to return to their duties as a licensee, and compliance with return to work conditions set out in an agreement with the individual, and must provide a negative return to duty drug and alcohol test;

(ii) Any subsequent violation within 12 months of the first violation shall result in suspension from performing the duty or duties for which they are licensed and they shall be referred to the Registrar who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.

(b) Violations of 36.01, other than 36.01(d), and 36.02 and 36.03 shall be referred to the Registrar who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.

### **36.13 Post Violation Agreements**

A licensee or Designated Racing Official who has violated any of 36.01, 36.02, or 36.03 may be directed by the Registrar to enter into a Post Violation Agreement which will, at a minimum, include the following:

- (a) Full cooperation with the Substance Abuse Professional (SAP) assessment process;
- (b) Adherence to any recommended treatment, monitoring, and aftercare program;
- (c) Maintenance of sobriety on return to duty;
- (d) Successful completion of a return to duty alcohol and drug test;

- (e) Ongoing unannounced testing for a period set out in the agreement; and
- (f) No further violations of the policy.

Although the Registrar will refer licensees and Designated Racing Officials who test positive to qualified services, the cost of these services to persons not employed by the Commission is not covered by the Commission. All costs associated with assessment, treatment and aftercare, will be at his or her own expense.

#### **36.14 Immediate Suspension and Referral – Refusal to Test, Adulterating or Tampering with Sample**

Where a licensee refuses to undergo testing as required by this Rule 36 or adulterates or tampers with, or attempts to adulterate or tamper with, a sample provided under this Rule 36, he or she shall be suspended from performing the duties for which they are licenced and the matter shall be referred to the Registrar who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.

**36.15** Nothing in this Rule 36 restricts a Judge's authority to impose a penalty under 6.01 for conduct prejudicial to the best interests of racing including, but not limited to, penalties for the following:

- (a) Possession, distribution, manufacture, offering for sale of Illegal Drugs, Illegal Drug paraphernalia, Prohibited Substances or Prohibited Substances paraphernalia;
- (b) Manufacture, distribution or offering for sale of drugs for which a prescription is required in Canada; or

- (c) Possession of Impairing Prescription Medications that are not legally prescribed to the person possessing them.

**36.16** Nothing in this Rule 36 restricts a Judge's authority under 6.01 to impose a penalty under that rule in circumstances where the Judge has reasonable grounds to believe that a licensee or Designated Racing Official is not capable of performing his or her activities or duties relating to the business of horse racing, whether due to impairment or any other reason.

**36.17** Any licensee or Designated Racing Official who fails to report a participant whom he or she might reasonably determine to have been consuming Alcohol, Illegal Drugs or Prohibited Substances, to the Judges violates these rules and shall be subject to a monetary penalty or suspension, or both.

### **36.18 Additional Penalties**

No Raceway, Association, or licensed body shall impose a penalty upon a licensee who has violated this rule, unless that licensee is directly employed by that Raceway, Association or licensed body.

## **Chapter 37: Out of Competition Program**

**37.01** The Registrar or his or her delegate may require that biological samples be taken from a horse at any time or place and without prior notice.

**37.02** When an order for a biological sample has been made by the Registrar, the samples will be taken by the Commission Veterinarian, an Official Veterinarian, or qualified person approved by the Commission

Supervisor of Veterinarians, to determine whether or not the horse has any drug, medication or other substance in its system.

**37.03** Biological samples include, but are not limited to, blood, hair, saliva and urine from the horse.

**37.04** Where the Registrar or his or her delegate has required that a biological sample be provided, the horse will be made available forthwith by the owner as recorded with the breed registry body and/or trainer of record of the horse, or, if the trainer of record of the horse is not readily available, any assistant trainer, or, if there is no assistant trainer, or, if no assistant trainer is readily available, any groom employed by the trainer of record of the horse.

**37.05** The failure or refusal, following notification as described in Rule 37.04 to make a horse available, forthwith, for biological sampling may result in one or more of the following sanctions:

- (a) The horse may be scratched from any race it is entered into;
- (b) The owner or trainer may be prevented from entering any horse(s) in future races in the Province of Ontario; and
- (c) The owner or trainer may become subject to a monetary penalty and/or suspension.

**37.06** No licensee, other than those authorized by the Registrar, may obtain biological samples from any horse located off of the grounds of an Association for the purposes described in these rules.

**37.07** The Registrar may direct a laboratory to retain and preserve samples for future analysis.

**37.08** The Registrar may, at his or her discretion fix a time period that the sample(s) will be stored for, and may order the destruction of stored samples as he or she sees fit.

**37.09** In accordance with the *Horse Racing Licence Act, 2015*, owners and/or trainers of horses shall allow a person designated by the Registrar acting upon reasonable grounds that the business of horse racing in any or all of its forms is taking place, access at any reasonable time, whether on or off the grounds of a racing association, to the following:

- (a) Stabling areas;
- (b) Training areas; and/or
- (c) Vehicles and/or trailers used for the transportation of horses or the business of horse racing.

Access shall be granted for the purposes of:

- (a) Conducting inspection for illegal or non-therapeutic medications or drugs, including any drug, substance, article or medication listed in Rule 6.46.01, or other device described in the Rules; and/ or
- (b) Seizing any suspected illegal or non-therapeutic medication or drugs, including any drug, substance, article or medication listed in Rule 6.46.01, or other device described in the Rules. Any medication, drug, substance, article or device seized may be forwarded by the Commission for analysis to a lab of its choice.

For the purposes of Rule 37.09, a horse shall be deemed to be:

- (a) A horse that has raced in the past 60 days or is within 60 days of racing and/or qualifying;
- (b) A horse qualified to race in Ontario;
- (c) A horse entered to race in Ontario; and/or
- (d) A registered Standardbred horse.

## **Directives**

### **Policy Directive No. 2–2008: Trainer Transfer Guidelines**

The Ontario Racing Commission at its meeting of Tuesday, January 22, 2008, approved the Trainer Transfer Guidelines Policy as follows:

The Ontario Racing Commission is committed to improved communication to the horse racing community. It has determined that the industry should have access to information regarding the criteria used and the decisions made surrounding trainer transfers.

The following factors shall be taken into consideration by the Judges and Stewards when making their determination of applications for trainer transfers:

1. The degree of closeness of any relationship, whether it be fiduciary, employee/employer and/or family in nature;
2. The past conduct of the proposed trainer; and
3. The licensing history of the proposed trainer.

Final determination of suitability is the sole discretion of the Judges and Stewards who assess situations on a case by case basis.

Judges or Stewards are required to document in the form of a ruling their decisions on applications for trainer transfers and provide in the ruling their reasons for approving or denying the transfer.

### **Policy Directive No. 3–2008: Licensing Terms Guidelines for Positive Test/ Medication Rule Violations**

The Ontario Racing Commission at its meeting of Tuesday, January 22, 2008, approved the Licensing Terms Guidelines Policy as follows:

WHEREAS the Director has the authority to issue terms to a licence;

AND WHEREAS the Ontario Racing Commission is committed to ensuring that the integrity of the horse racing industry is maintained throughout the racing season;

TAKE NOTICE that the Director may issue terms to a licence for a two-year period for the following situations:

1. Any Licensee whose horse has tested positive for a Class I, II or III drug and the penalty issued is 60 days or more; or
2. Any Licensee whose horse has tested positive for a Class IV or V drug and the offence is a 2nd offence or more for the Licensee within three (3) years where the penalty issued is 60 days or more; or
3. Any Licensee whose horse was tested and the sample was found to contain Erythropoietin/ Darbepoietin-Alfa or the existence of any substance or drug with no therapeutic value to the horse; or
4. Any licensee who has been found in violation of Standardbred Rule 6.46.01 or Thoroughbred Rule 15.31.01.

The following terms may be added to the licence of the Licensee as follows:

1. The Licensee shall keep the peace and be of good behaviour;
2. The Licensee shall allow Commission investigators access to his/her stabling area at any time to conduct unannounced random searches for illegal or non-therapeutic medications or drugs;
3. The Licensee shall allow Commission investigators to seize any illegal or non-therapeutic medications or drugs found at his/her stabling area; and
4. The Licensee shall be subject to the Commission's Out of Competition Program.
5. The Licensee may be subject to a Notice of Proposed Order in addition to any penalty imposed by the ORC Judges or Stewards for any breach of the terms of their licence.

## **Policy Directive No. 1–2009: Cancellation Fees**

The Ontario Racing Commission at its meeting of Wednesday, March 25, 2009, resolved that the following directive, effective April 29, 2009, replaces Policy Directive 6 – 2008 governing the Commission's policy on cancellation fees, and supersedes all prior Commission directives pertaining to cancellation fees.

A cancellation fee is defined as an amount paid to the owners of horses not scratched from races, where cancellation of the races has been approved by the Executive Director or the Judges due to weather, or other factors fully outside of the control of racetrack management. Cancellation fees will also be paid where a race has been ruled a "No Contest" under Rule 22.33 and Rule 18.09 has not been applied. A cancellation fee is not purse, although if approved, it may be distributed from the purse account.

A cancellation fee will be issued as follows:

1. In the case of a cancellation due to weather or other issues beyond the control of racetrack management, the purse account manager (usually racetrack management) is required to apply in writing to the Judges for approval to issue cancellation fees for a particular race date, providing full details of the reason for the cancellation. The application is to be accompanied by a letter of support from the local horsepeople's association. The Judges will provide authorization in writing through the issuance of a ruling.
2. A request to authorize cancellation fees for a

particular race date will not be considered if, in the opinion of the Judges, sufficient notice of cancellation of racing was provided to the participants.

3. In the case of a race declared a "No Contest", the Judges will issue a ruling ordering the payment of the cancellation fee.
4. The cancellation fee is a set amount which is determined by the Executive Director and reviewed on a timely basis.
5. Where an agreement exists between the racetrack and the horsepeople to distribute a percentage share of the purse to the drivers, trainers and grooms, and where that agreement is on file with the ORC, the racetrack may provide similar percentage compensation out of the cancellation fee.

## **Policy Directive No. 5-2009: Penalty Guidelines for Inappropriate Urging of a Horse in Standardbred Racing**

The Ontario Racing Commission at its meeting of Thursday, September 24, 2009, resolved that the following directive be approved, effective immediately.

### **PENALTY GUIDELINES RULE 22.23**

Any violation of Rule 22.23, to include subsections 22.23.01, 22.23.02, 22.23.03 and 22.23.04 is an offence and covered by this penalty structure.

#### **OFFENCE – Inappropriate urging of the horse**

<b>1<sup>st</sup> offence</b>	
Min Fine	\$200
Minimum Driving Suspension	3 days
Other Penalty	Mandatory meeting with the Stewards for the purposes of providing training on the Rules.

<b>2<sup>nd</sup> offence within one year of the 1<sup>st</sup> offence</b>	
Min Fine	\$300
Minimum Driving Suspension	5 days
Other Penalty	Mandatory meeting with the Stewards for the purposes of providing training on the Rules.

<b>3<sup>rd</sup> offence within one year of the 1<sup>st</sup> offence</b>	
Min Fine	\$500
Minimum Driving Suspension	15 days
Other Penalty	Mandatory meeting with the Stewards for the purposes of providing training on the Rules.

<b>4<sup>th</sup> offence within one year of the 1<sup>st</sup> offence</b>	
Min Fine	
Minimum Driving Suspension	Immediate Suspension
Other Penalty	Referral to the Director.

### **OFFENCE – Cutting or Welting the horse**

<b>1<sup>st</sup> offence</b>	
Min Fine	\$300
Minimum Driving Suspension	10 days
Other Penalty	Mandatory meeting with the Stewards for the purposes of providing training on the Rules.

<b>2<sup>nd</sup> offence within one year of the 1<sup>st</sup> offence</b>	
Min Fine	\$500
Minimum Driving Suspension	15 days
Other Penalty	Mandatory meeting with the Stewards for the purposes of providing training on the Rules.

<b>3<sup>rd</sup> offence within one year of the 1<sup>st</sup> offence</b>	
Min Fine	
Minimum Driving Suspension	Immediate Suspension
Other Penalty	Referral to the Director.

For an offence where a driver has driven with both lines in one hand and struck the horse with the whip, the Judges shall place the horse last.

Placing of a horse may be considered by the Judges where the misuse of the whip caused interference with another horse or, in the opinion of the Judges, there has been a flagrant disregard for these rules.

Application of the Guidelines will take into consideration the following:

1. This penalty structure provides guidance to Judges as to minimum penalties for inappropriate urging of the horse, and for the cutting and welting of a horse.
2. The penalty for any subsequent offence cannot be less than the previous offence, regardless of whether the offence is for inappropriate urging of the horse or for cutting and welting of a horse.
3. Any cut or welt offence shall be counted and considered by the Judges as the next offence for inappropriate urging on a cumulative basis.

4. The penalty structure is progressive in nature, irrespective of which of the encompassed rules are violated.
5. In determining whether a violation of the Rules has occurred or in assessing penalty, Judges may consider mitigating factors in exceptional circumstances. An example of conduct that may be viewed as a mitigating consideration would be striking a horse to prevent inevitable harm to another driver, horse, participant or patron.
6. In assessing penalty, Judges may also consider aggravating factors, such as the licensee's history of violations pertaining to inappropriate urging of the horse (which offence/s occurred more than a year before the subject offence).
7. If the offence is sufficiently egregious, the Judges may depart from the penalty structure and impose higher penalties than those enumerated in the chart above.
8. All first infractions of the encompassed rules that occur subsequent to the implementation of the new rules will be treated as a first offence for the purposes of setting penalty, except as noted above for cutting or severely welting a horse.

## DESCRIPTION OF TERMS

This Policy was established to provide more description of what constitutes an offence under the Rules regarding inappropriate urging of the horse in Ontario racing:

**Indiscriminate action** means unrestrained or careless activity without regard for safety or care.

For the purposes of Rule 22.23.01 (a), the following are examples of indiscriminate action but do not constitute an exhaustive list:

- a. Use of the whip in any manner between the hind legs of the horse
- b. Loose lining or driving the horse so as to not have control of the horse
- c. Kicking the horse
- d. Striking the horse with the butt end of the whip; or
- e. Punching the horse.

**Excessive action** means unreasonable quantity or degree.

For the purposes of Rule 22.23.01 (b), the following are examples of excessive action with respect to inappropriate urging of the horse but does not constitute an exhaustive list:

- a. Use of the whip when a horse is not in contention in a race;
- b. Use of the whip without giving the horse time to respond to a previous application of the use of the whip
- c. Use of the whip on the horse anywhere below the level of the shaft of the race bike.

**Aggressive action** means inhumane, severe or brutal activity.

For the purposes of Rule 22.23.01 (c), the following are examples of aggressive action but do not constitute an exhaustive list:

- a. Use of the whip on the head or in the area surrounding the head of the horse.
- b. Use of any object or stimulating device and/or application; or
- c. Leaving any cuts, abrasions or severe welts on the horse caused by the whip;

**Loose lining** means the indiscriminate action of carelessly lengthening the lines while driving so as to allow the loopy shaking of the lines (i.e. butterfly action) or to permit the arm to swing past a 90-degree angle to affect a wide arch when using the whip or shaking the lines.

**Meaningful Position (22.23.02)** means the horse has a reasonable opportunity to finish in an advantageous position. Examples of meaningful include, but are not limited to, maintaining qualifying times, receiving points towards future races or earning purse monies.

**Confines of the wheels (22.23.03c)** means that any part of the whip cannot move outside of a line which runs parallel to the horse from a point prescribed by the outside of the race bike wheel.

## BACKGROUND

Under a process established by the Executive Director in the fall of 2008 to gather industry input on the appropriate use of the whip in horse racing, it was

recognized that the use of the whip is a necessary tool in racing.

The following principles were agreed to and serve as a guide for all decision making on rule development:

**1. Ensure the welfare of the horse**

The welfare of the horse is paramount and guides decision making in all matters

**2. Promote safety for racing participants**  
(including the horse)

Where the safety of racing participants has been compromised, appropriate action shall be taken

**3. Create simple, clear and consistent rules (and enforcement)**

To be adhered to or enforced correctly, rules must be written and communicated in a straightforward manner.

**4. Address customer/public perception and education**

Shifting public sensitivity on the use of the whip in horseracing must be recognized by all industry participants, who must also do their part in educating new fans about the sport.

**5. Support growth of the customer base**

Racetrack management has identified use of the whip as a barrier to increased customer growth. Participants must be involved, as our industry builds to creating a more desirable product

The outcome of the industry discussion has led to the formation of rules regarding the appropriate methods for urging a horse in racing and changes to driving styles to require a hand in each line for the entire race.

**Loose lining:** It was stressed by the participants that this change to driving style should not lead to the practice of “loose lining”, which means the indiscriminate action of carelessly lengthening the lines while driving so as to allow the loopy shaking of the lines (butterfly action) or permit the arm to swing past the 90 degree to effect a wide arch when using the whip. It was agreed that these would be the type of actions counter to the intent of the rule changes and would present an undesirable product to the wagering public.

## **Policy Directive No. 2-2010: Standardbred Racetrack Surfaces Minimum Standards**

The Ontario Racing Commission at its meeting of Thursday, January 28, 2009, resolved that the following directive, effective immediately, replaces General Directive 2 – 2007 governing the Commission's policy on minimum standards for Standardbred racetrack surfaces, and supersedes all prior Commission directives pertaining to minimum standards for Standardbred racetrack surfaces:

### **Minimum Standards Program**

#### **Standardbred Racetrack Surfaces**

The objective of these standards is to improve the overall conditions of the racing surface, making it safer for horses and horsepeople.

**1. Staff**

Each racetrack will dedicate a minimum of two staff for the sole purpose of maintaining the racing surface during live racing events.

**2. Track Grading**

All racetracks will fully grade the racing surface at least two weeks prior to the commencement of the racing season. In addition to this, racetracks that race 55 days or fewer will fully grade the race surface every 30 days or as necessary.

**3. Material**

An adequate supply of surface material must be available throughout the racing season. The minimum standard racetrack surface cushion is to be ½ to 1 inch. The cushion

measurement will be from the bottom of a jogging horse toe imprint to the top of the track material.

#### **4. Conditioning**

After every race, weather permitting, maintenance staff must groom the racetrack surface. Grooming will include one or more of the following tasks: watering, screening, harrowing or conditioning.

### **RESPONSIBILITIES**

#### **Ontario Racing Commission**

The ORC will oversee the implementation of the proposed standards. The ORC will also schedule annual meetings of horse people and racetrack maintenance staff and support open communication on track issues and general exchange of ideas between the parties.

#### **Racetrack Operators**

1. Racetrack Operators will ensure that the minimum standards are maintained. In addition, each racetrack will have available upon request of the ORC Judges or other delegated official reports on the daily maintenance of the track racing surface.
2. Racetrack Operators will make available to the ORC Judges or other delegated officials daily log books which contain the following:
  - a. Daily maintenance of track racing surface
  - b. Staffing schedules
  - c. Dates and times that the racing surface was groomed
  - d. Employee assigned to conduct work

- e. Amount of water utilized
  - f. Amount of aggregate material utilized, and
  - g. Weather conditions.
3. Racetrack Operators will provide equipment and maintenance logs to the ORC Judges or other delegated official at their request.

### **Horsepeople**

Prior to a race card, a horseperson from the Track Committee will communicate with the ORC Judges and Racetrack Maintenance Supervisor regarding the current conditions of the racing surface.

### **Failure to Comply**

Failure to meet the standards laid out in this Directive may result in fines or suspensions or both.

### **Racetrack Maintenance Plans**

Racetrack operators will be required to incorporate these standards into their Racetrack Maintenance Plans and submit a copy of the revised Plan in the next racetrack licensing cycle.

## **Policy Directive No. 2-2012: Track Rules**

The Ontario Racing Commission (ORC) at its meeting of Thursday, April 26, 2012, resolved that the following directive be approved, effective immediately.

WHEREAS, the Racing Commission Act, 2000 states that:

Section 11(2) In its rules, the Commission may adopt by reference, in whole or in part, with the changes that the Commission considers necessary, rules and procedures of racing associations or bodies, as amended from time to time, with respect of any matter except hearings held under Part II;

AND WHEREAS Track Rules govern licensees' conduct on the property of the racing association;

AND WHEREAS, upon application for a racetrack operator's licence, Track Rules for that association must be submitted;

AND WHEREAS, the Director has authority to approve Track Rules generally, and can additionally authorize the adoption of those Track Rules not covered by Rules of Racing but that require adoption where the ORC will enforce and issue penalty;

To be approved by the Director, Track Rules must conform as follows:

1. A "suspension" in Track Rules can only refer to a suspension of licence as ordered by the ORC and cannot be used to refer to loss of privileges to access the property of the racing association.

2. A Track Rule cannot supersede or change a requirement specified in the Rules of Racing, unless that Track Rule is approved or adopted by the ORC.
3. A Track Rule that varies an ORC rule may be considered for approval and/or adoption where that variation refers to local issues specific to operations.
4. A Track Rule cannot layer an additional penalty on a rule of racing excepting any penalties that may be applied by an association as it relates to the conduct of their employees.
5. A demerit system can be used by the association to manage loss of privilege under the Trespass to Property Act, but cannot compound a penalty issued by the ORC.
6. A Track Rule cannot require membership in a horseperson's association.
7. Where the Association wishes to highlight an existing ORC rule, the Track Rule must include the specific ORC rule reference (e.g. ORC SB Rule X.XX).
8. Where a Track Rule is determined to be impermissible or redundant by the ORC, it must be removed.
9. Where an approved or adopted Track Rule is enforced by an official of the ORC, the penalty will be issued by the ORC, and any fines will be collected by the ORC.

Upon review and recommendation of ORC Administration, the Director will issue approval of the submitted Track Rules in whole and/or in part.

Approval of Track Rules in whole means the Director finds no issue with the rules contained therein, and the rules are permissible. Where the Director determines that ORC officials will enforce a specific track rule, that rule will be adopted by reference.

## **Policy Directive No. 1-2013: Postponement, Rescheduling or Cancellation of Added Money Events**

The Ontario Racing Commission (ORC) at its meeting of Thursday, July 4, 2013, resolved that the following directive be approved, effective immediately.

This policy covers different circumstances that may arise where an added money event (stakes race) needs to be rescheduled and addresses defined protocol. The policy provides guidance as follows:

1. Defines the limitations for “postponing” a race
2. Details the protocol to be followed when races are rescheduled to a time beyond reasonable limits affecting the eligibility of entered horses.

Added Money Events are defined in the Rules of Standardbred Racing under Chapter 2 – Definitions as meaning stakes, futurities, early closing events and late closing events.

For the purposes of this Policy Directive Added Money Events include any race regardless of breed to which a horse must pay a nomination fee in advance of entry day.

### **Postponing**

A stakes race (including divisions, eliminations, legs, trials or finals) where the entry box has been closed, that cannot be run on the advertised date but can be rescheduled within 7 clear days (Standardbred) or

14 clear days (Thoroughbred) of the original date, is considered postponed and the following will apply:

1. The horses are not required to be re-entered, as all horses are considered to have maintained their eligibility (unless the trainer has done something to make them ineligible, e.g. the horse is on the Stewards' List).
2. As all originally entered horses are still considered eligible, the stake race will be conducted as drawn and all starting fees remain due and payable.
3. Any horse that was scratched for the original date, remains scratched for the postponed date, and the starting fee is due and payable.
4. To maintain their eligibility to the postponed race, horses entered and eligible to the race cannot enter and race in another race.

### **Re-scheduling**

A stakes race (including divisions, eliminations, legs, trials or finals) where the entry box has been closed, that cannot be run on the advertised dates but cannot be scheduled within 7 clear days (Standardbred) or 14 clear days (Thoroughbred) of the original date, is considered re-scheduled and the following will apply:

1. Eligible horses must be re-entered to the re-scheduled race. Trainers are responsible for declaring horses to the re-scheduled race, and under the Rules of Racing responsible for ensuring entry of an eligible horse. Rules surrounding eligibility continue to apply.
2. Only horses declared to the original event are eligible to be declared to the re-scheduled event.

3. Any horse that was scratched before the decision to cancel was made is ineligible to enter in the re-scheduled event. The starting fee for that horse remains payable.
4. Where the horse's interests decide not to enter the horse to the re-scheduled event, they are not required to pay the starting fee.
5. There will be a redraw for post positions.
6. Where the re-scheduled race is a Final, all results from any required trials will be carried over.

### **Cancellation**

In the case where the added money event must be cancelled, the nomination and sustaining payments will be returned to the owner of the horse

## **Policy Directive No. 1-2018: Guidelines – Penalties for Equine Drug, TCO<sub>2</sub> and Non-Therapeutic Drug Violations**

TAKE NOTICE, effective April 21, 2018, the Registrar rescinds all prior penalty guidelines and subsequent revisions and orders that the following penalty guidelines be applied:

### **Guidelines**

### **Penalties for Equine Drug, TCO<sub>2</sub> and Non-Therapeutic Drug Offences**

<b>Class of Drug</b>	<b>1<sup>st</sup> Violation</b>	<b>2<sup>nd</sup> Violation</b>	<b>3<sup>rd</sup> Violation</b>	<b>4<sup>th</sup> Violation</b>
Class I and II	1 – 5 years and \$10,000 monetary penalty	5 – 10 years and \$25,000 monetary penalty	10 year suspension and \$50,000 monetary penalty	
TCO <sub>2</sub> – pursuant to SB R. 22.38 and TB R. 37.01	90 days - 1 year and \$5,000 monetary penalty	1 – 2 years and \$10,000 monetary penalty	10 year suspension and \$25,000 monetary penalty	
Class III	60 – 180 days and \$3,000 monetary penalty	6 months – 1 year and \$5,000 monetary penalty	1 year – 2 years and \$10,000 monetary penalty	2 years or more and \$20,000 monetary penalty
Class IV and V	15 – 75 days and \$2,000 monetary penalty	30 – 180 days and \$4,000 monetary penalty	60 – 300 days and \$8,000 monetary penalty	1 year or more and \$10,000 monetary penalty
Non-Therapeutic	10 years and \$40,000 monetary penalty	25 years and \$100,000 monetary penalty		

**Application of the Guidelines will take into consideration the following:**

1. The suggested penalties (suspensions and monetary penalties) are guidelines only.
2. The Commission and/or its representatives may exercise discretion in interpreting these Guidelines and assessing penalties, and may consider all previous violations, in and outside of Ontario, involving any drug, medication, bicarbonate (TCO<sub>2</sub>) or any other substance prohibited by rule or law. Although all previous violations may be considered in determining the appropriate penalty, the penalties for second and subsequent violations suggested in these Guidelines are based on:
  - a. The assumption that the previous violation(s) being considered were in the same class of drug;
  - b. Class I and II drugs will be considered the same for the purposes of considering a previous violation(s); and
  - c. The date of conviction or ruling for the previous violation(s) occurred within 3 years of the first offence.
3. The Commission and/or its representatives may take into consideration any mitigating or aggravating circumstances surrounding a positive test case, and may do any of the following:
  - a. Impose a penalty that is higher or lower than suggested in these guidelines.
  - b. Require completion of an educational component in addition to, or in lieu of, a

suggested guideline penalty.

- c. Subject to due process, find other licensed individuals responsible and impose penalties upon such licensee as deemed appropriate.
4. For second or subsequent violations which occurred within 3 years of the first violation but in a different class of drug, with the exception that Class I and II drugs will be considered the same for the purposes of considering subsequent violation(s), the Commission and/or its representative will exercise discretion in assessing the penalty by considering the following:
  - a. The number and class(es) of all previous violations;
  - b. The time frame between violations; and
  - c. Any mitigating circumstances.
5. Multiple violations occurring on the same race day to different horses of the same trainer may be considered as individual violations in appropriate circumstances.
6. Suspension periods are full suspensions as described in the Rules of Racing.
7. Regardless of the penalty imposed, the horse in question will be disqualified and there will be a loss of purse.
8. Class I through V drugs are based on the Uniform Classification Guidelines for Foreign Substances, published by the Association of Racing Commissioners International.
9. "Non-Therapeutic" will include any drug, substance or medication that is determined to be in the system of a horse that has no therapeutic value to the horse.

10. Acetylsalicylic acid (Aspirin) will be considered a Class V drug and furosemide and procaine will be considered Class V drugs upon the receipt of a certificate of positive analysis indicating a prohibited quantitative level.

## **Standardbred Directive No. 1-2014: Non-Extended Meetings Appendix**

The Ontario Racing Commission at its meeting of Thursday, April 24, 2014 resolved that the Rules of Standardbred Racing 2012 be amended by the promulgation of the following Rules, effective immediately.

### **Non-Extended Meetings Appendix**

Pari-Mutuel Non-Extended Meetings shall be governed by the Rules of Standardbred Racing 2012, with the following exceptions:

#### **Chapter 5: RACING OFFICIALS AND JUDGES**

5.01 There shall be a minimum of one Judge employed and appointed by the Commission.

#### **Chapter 7: RACING ASSOCIATIONS**

7.02 An Association shall provide in the paddock or staging area direct communication facilities to the Judges' stand.

7.03 As a condition of its Racetrack Operator's Licence,

- (a) An Association shall provide a suitable Judges' stand that offers an unobstructed view of the entire racing strip and has adequate facilities for the Judges to carry out their duties.
- (b) Delete
- (c) Delete

7.10.1 Delete

## **Chapter 8: COMMISSION VETERINARIANS, OFFICIAL VETERINARIANS AND OTHER VETERINARIANS**

**8.01.02** The Official Veterinarians shall be those veterinarians appointed by the Association and approved by the Commission to officiate. At the discretion of the Commission, the duties of the Official Veterinarian may be assumed by the Commission Veterinarian.

**8.01.03** There shall be an Official Veterinarian in attendance or within easy call.

## **Chapter 11: HORSES PERMITTED TO RACE**

**11.01.02 (d), (e), (f)** Delete

**11.02.01** Delete

## **Chapter 12: QUALIFYING RACES**

**12.02.01** Delete

**12.03** Delete

**12.09** Delete

**12.10.01** Delete

**12.11 (a), (b)** Delete

## **Chapter 17: DECLARATIONS AND DRAWING OF POST POSITIONS**

**17.05** Submitting a Declaration for a horse that is ineligible to race because it has been placed on the Judges' List or Veterinarians' List may be prohibited.

## **Chapter 18: PLACING AND MONEY DISTRIBUTION**

**18.08.04** If no pylons exist at the racetrack, the decision regarding horses leaving the course will be at the discretion of the Judges.

## **Chapter 19: TIME AND RECORDS**

**19.02** The time of each heat or dash shall be accurately taken by a specified timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat the time thereof shall be publicly announced, or admitted to the record. If the timer fails to act, no time shall be announced or recorded.

**19.04** Delete

## **Chapter 20: JUDGES' AND VETERINARIANS' LISTS**

**20.02** Delete

**20.04.04** Delete

## **Chapter 22: RACING RULES**

**22.02** All races must be started with a mobile starting gate. No person shall be allowed to ride in the starting gate except the starter, the driver and a patrol judge without the permission of the Judges. The starting gate must be equipped with two-way communications to the Judges' stand and a mechanical loudspeaker to be used for the sole purpose of communicating instructions to drivers.

**22.03 (c), (k), (l)** Delete

**22.38.04** Delete

## **Chapter 26: TRAINERS AND GROOMS**

**26.12** Delete

## **Chapter 32: PADDOCK JUDGE AND EQUIPMENT INSPECTOR**

**32.01** (d) Delete

## **Chapter 33: PATROL AND PLACING JUDGE**

**33.03** Delete

**33.04** Delete

**33.05** Delete

**33.06** Delete

**33.** Delete

**33.09** Delete

**33.09.01** A proper camera may be installed on all tracks as an aid for the Judges. However, in all cases, the camera is merely an aid and the decision of the Judges shall be final.

**Policy Directive No. 2-2010** Delete

**Policy Directive No. 2-2012** Delete

## **Standardbred Directive No. 3-2014: Racing Under Saddle Appendix**

The Ontario Racing Commission at its meeting of Thursday, April 24, 2014 resolved that the Rules of Standardbred Racing 2012 be amended by the promulgation of the following Rules, effective immediately.

### **Racing Under Saddle Appendix**

Pari-Mutuel Racing Under Saddle Horse Racing shall be governed by the Rules of Standardbred Racing 2012, with the following exceptions:

All references to the word “Driver” shall be deemed to be “Rider”

All references to the word “Sulky” shall be deleted.

### **Chapter 2: DEFINITIONS**

Racing Under Saddle means a Standardbred trotting race where the horse is ridden, not driven.

### **Chapter 3: LICENSING**

**3.10.01** Where a licensee is suspended or fined by the Judges during a Standardbred harness race, the penalty shall be reciprocated for Racing Under Saddle races, and where a licensee is suspended or fined by the Judges during a Racing Under Saddle race, the penalty shall be reciprocated for Standardbred races.

### **Chapter 6: VIOLATIONS, FINES, SUSPENSIONS & EXPULSIONS**

**6.02 (h)** failure to have proper saddle cloth on a horse when racing.

## 6.39 Delete

**6.39.01** Only properly Commission licensed participants shall be mounted on a horse or pony on the Association grounds, and such participant is required to wear properly affixed and secured helmets and safety vests, as prescribed by Rule 6.39.02. The licensee is responsible for ensuring that his/ her helmet and safety vest meets the safety standards.

**6.39.02** Where it is required under the rules, only helmets meeting the following standards shall be used:

1. American Society for Testing and Materials (ASTM 1163);
2. UK Standards (EN- 1384 and PAS- 015); or
3. Australian/ New Zealand Standard (AS/ NZ 3838)
4. Snell Memorial Foundations (H2000)  
Where it is required under the rules, only safety vests meeting the following standards shall be used:
  1. British Equestrian Trade Association (BETA: 2000 Level 1 );
  2. Euro Norm ( EN 13158: 2000 Level 1 );
  3. American Society for Testing and Materials ( ASTM F2681 – 08 );
  4. Shoe and Allied Trade Research Association ( SATRA Jockey Vest Document M6 Issue 3 ) ;  
or
  5. Australian Racing Board (ARB Standard 1. 1998).

**6.39.03** A rider shall adhere to the following equipment restrictions:

- (a) Riding boots must have at least a half ( $\frac{1}{2}$ ) inch heel;
- (b) Riding crops shall be no longer than thirty (30) inches in length; and
- (c) Spurs shall not be worn.

## **Chapter 11: ELIGIBILITY**

**11.01.02 (d), (e), (f)** Delete

**11.01.2 (g)** The horse is at least 3 years of age to race at any meeting but not older than 14 years of age.

**11.01.2 (m)** the horse has qualified on the trotting gait

**11.02.1** Delete

**11.02.2** Delete

## **Chapter 12: QUALIFYING RACES**

Delete in its entirety

**12.01.01** Qualifying races will only be held for the trotting gait and a horse will be considered qualified for Racing Under Saddle races if it meets the following standards at the track where the horse is qualifying.

1/2 mile track – 2:16

5/8 mile track – 2:14

7/8 mile track – 2:12

**12.01.02** A horse must qualify at least once on the trotting gait prior to the start of any Racing Under Saddle races in any given year, and will not need to re-qualify during that season, unless required to do so by the Judges.

**12.01.03** A qualifying race scheduled for Racing Under Saddle participants must have at least three (3) horses.

## **Chapter 14: OVERNIGHT EVENTS**

**14.03** Delete

**14.10 (c)** Delete

**14.12** There shall be no trailing horses.

## **Chapter 15: Claiming Races**

Delete in its entirety

## **Chapter 18: PLACING AND MONEY DISTRIBUTION**

**18.08.02** If, at a race track which does not have a continuous solid inside hub rail, a horse while on stride leaves the course by going inside the hub rail or other demarcation which constitutes the inside limits of the course, the offending horse shall be placed back where, in the opinion of the judges, the action gave the horse an unfair advantage over other horses in the race, or the action helped the horse improve its position in the race. In addition, when an act of interference causes a horse to cross the inside limits of the course, and the horse is placed by the judges, the offending horse shall be placed behind the horse with which it interfered. Riders, who in the opinion of the judges, leave the racing strip when not forced to do so as a result of the actions of another riders and/or horse may be fined or suspended by the Judges.

Penalties for riders violating provision of Rule 18.08.02 are as follows:

- (a) For the 1st offence; a fine of \$100 shall be assessed

- (b) For the 2nd offence within a year of the 1st offence and within 750 rides of the 1st offence: a fine of \$300 shall be assessed
- (c) For the 3rd offence within a year of the 1st offence and within 750 rides of the 1st offence: a minimum fine of \$500 plus a suspension for 3 days shall be assessed.
- (d) For the 4th offence within a year of the 1st offence and within 750 rides of the 1st offence a minimum fine of \$1,000 and a suspension for 5 days shall be assessed.

## **Chapter 22: RACING RULES**

### **22.01 (h) Delete**

**22.05.01** A rider shall not commit any of the following acts which are considered violations of riding rules:

- (a) Change course or position, or swerve in or out, bump, or bear in or out during any part of the race in such a manner as to compel a horse to shorten its stride or cause another rider to change course, take his or her horse back, or pull his or her horse out of its stride.  
<rule continued>

**22.17.01** A rider must be mounted on the horse at the finish of the race or the horse must be placed as not finishing.

**22.17.02** A horse shall be placed as not finishing where the rider at any time during the running of the race was not mounted on the horse but was mounted at the finish of the race. In such case, the Judges may invoke the provisions of Rule 22.32 if they deem it in the public interest to do so.

**22.19 Delete****22.20 Delete****22.21.04 Delete****22.23.03 (c) & (d) Delete**

**22.23.03** At any time while on the grounds of an association, it is an offence for a rider, or the person in control of the horse, to use the whip to hit or make contact with the horse as follows:

- (a) To urge the horse other than in front of the saddle on the shoulder.
- (b) To strike the horse's head with the riding crop.

**22.25** Any trainer who wishes to change bridles on a horse from one race to another shall apply to the Judges for permission to do so, and no change shall be made without such permission. The Judges shall assure themselves of the necessity for any change of bridles before granting permission. Any change of a nature which the Judges are of the opinion that the public should be advised, must be shown on the program or announced to the public before any wagering occurs on that race.

**22.25.01** A trainer shall adhere to the following equipment requirements:

- (a) A horse shall wear a safety girth;
- (b) A horse shall have a bit in mouth;
- (c) A horse shall wear a crupper and head check;
- (d) A horse shall wear a breast collar or buxton;  
and
- (e) A horse shall use either Thoroughbred or Ladder reins.

**22.25.02** A trainer shall adhere to the following equipment restrictions:

- (a) No Trotting hobbles;
- (b) No Head or line poles;
- (c) No 2 ring martingales;
- (d) No head numbers; and
- (e) No snaps on reins that attach to a bit.

## **Chapter 25: DRIVERS**

**25.01** A person shall not ride a horse in a Racing Under Saddle races other than an exhibition or schooling race, without having first obtained a rider licence valid for the current year by meeting the standards as laid down by Standardbred Canada or the United States Trotting Association and being licensed by the Commission.

**25.01.01** A rider shall participate and be approved in at least one (1) qualifying race, prior to receiving final approval of their Commission licence. Both the rider and the horse must meet the qualifying standards set out in these rules.

**25.02.01** Delete

### **Standardbred Directive No. 1-2015: Racing Under Saddle Appendix**

The Ontario Racing Commission at its meeting of Thursday, March 26, 2015 resolved that the Rules of Standardbred Racing 2012 be amended by the promulgation of the following revisions, effective immediately.

## **Racing Under Saddle Appendix**

### **Chapter 6: VIOLATIONS, FINES, SUSPENSIONS & EXPULSIONS**

**Current rule # 6.39.03 (a)** Riding boots must have at least a half (1/2) inch heel.

**New rule # 6.39.03 (a)** Riding boots shall be worn.

### **Chapter 11: HORSE PERMITTED TO RACE**

**Current rule # 11.09** For the purposes of eligibility to race at extended meetings, past performance lines charted at non-extended meetings in Ontario shall not be considered other than for the purpose of crediting the horses with the number of starts, wins and purse money earned at non-extended meetings.

**New rule # 11.09** For the purpose of eligibility to race at extended meetings, past performance lines charted at non-extended meetings or RUS races in Ontario, shall not be considered other than for the purpose of crediting the horses with the number of starts, wins and purse money earned at non-extended meetings or RUS races.

### **Chapter 12: QUALIFYING RACES**

**Current rule # 12.01.01** Qualifying races will only be held for the trotting gait and a horse will be considered qualified for RACING UNDER SADDLE races if it meets the following standards at the track where the horse is qualifying.

1/2 mile- 2:16

5/8 mile- 2:14

7/8 mile -2:12

**New rule # 12.01.01** Qualifying races will only be held for the trotting gait and a horse will be considered qualified for RACING UNDER SADDLE races if it meets the following standards at the track where the horse is qualifying.

1/2 mile – 2:08

5/8 mile – 2:06

7/8 mile – 2:04

## **Chapter 25: DRIVERS**

**Current rule # 25.01.01** A rider shall participate and be approved in at least one (1) qualifying race prior to receiving final approval of their Commission licence. Both the rider and the horse must meet the qualifying standards set out in these rules.

**New rule # 25.01.01** A rider shall participate and be approved in at least three (3) qualifying races prior to receiving final approval of their Commission licence. Both the rider and the horse must meet the qualifying standards set out in these rules.

# Index: Rules of Standardbred Racing

## A

### ACCIDENT

alcohol and drug testing following	
accident.....	36.07(b)
driver unseated .....	22.17.01, 22.17.02
effect on purse distribution.....	18.03
horse runaway or falls.....	22.04
horse to be inspected by Commission	
Veterinarian.....	8.04
judges may order participant to physical	
exam.....	6.41, 22.35
time allowed.....	22.01(c)
warning lights.....	7.10.01

### ADDED MONEY EVENT

general .....	Chapter 16
defined .....	Chapter 2
break off a qualifier, exemption from re-qualifying.....	12.09
cancelled or postponed .....	Chapter 21
Commission approval .....	16.02, 16.08
conditions of eligibility.....	11.01.02(e), 11.02.01, 14.09
conditions of races.....	16.04
deductions for clerical costs not allowed .....	16.15
disputes, how settled .....	16.17
division of purse if less than five horses .....	18.02
exemptions to Judges' List .....	20.01.02
electronic transactions.....	16.18
exemptions to Veterinarians' List.....	20.04.02
insufficient horses, fund distribution .....	16.19
lists of eligible horses.....	16.05, 16.06, 16.07
no contest, distribution of purse .....	18.09
nomination & sustaining deadlines.....	16.09, 16.10, 16.18
nomination & sustaining lists.....	16.05

qualifying times.....	11.02.01
redraw post positions entry not seeded or omitted in error .....	17.015(a)(iii), 17.12(b)
scratched in error .....	22.37
stabling .....	16.23
transfers for change of gait .....	16.20
transfer or moves event.....	21.06
types of races .....	13.01(b), 16,01
when raced.....	16.14

**AGE, HORSE**

defined .....	Chapter 2
restrictions for racing .....	11.01.02(g)

**ALCOHOL AND DRUG TESTING, HUMAN**

Also, see Breath Analysis	
Also, see Drug Use, Human	
general .....	Chapter 36

**ALLOWANCES**

handicap races defined.....	Chapter 2
price allowance in claiming races .....	15.03
race secretary to establish and post .....	29.01(g)
track condition affecting qualifying times.....	11.02.01

**ALSO ELIGIBLES**

maximum number .....	17.11
placement in claiming race .....	15.05
rule regarding assigned post position ...	17.11, 17.15(a)(ii), 17.16

**APPEALS**

Also, see Protests	
general .....	Chapter 24
appeal to Commission .....	6.10.02
appeal made to .....	24.01, 9.14
appeal procedure .....	24.01

by the Director .....	6.16
drivers .....	25.02.03
effect on official performance records .....	24.07
finest held in abeyance (stayed) .....	6.15, 24.06
no effect on pari-mutuel distribution .....	24.09
purse monies, effect on .....	24.05
right to appeal.....	1.07
stay .....	1.07
stay .....	24.06
waiver of hearing .....	6.06

## **ASSAULT AND BATTERY**

Also, see Misconduct

against official or participant .....	6.17
---------------------------------------	------

## **ASSOCIATION (RACETRACK)**

general .....	Chapter 7
defined .....	Chapter 2
cancellation of races.....	Chapter 21
claiming documentation must be maintained ....	15.11(g)
Commission right of entry .....	7.08
condition of licence, must provide .....	7.03
conditions on entry (horse .....	7.17
First Aid requirements .....	7.09
horsepeople's organization to be licensed	3.02.01, 3.02.02
licensed by Commission .....	3.01.01
licensing exemptions .....	3.02
monthly track fees .....	3.01.01(iii)
must provide horse ambulance .....	7.10
must provide program of past performance .....	7.04
officials approved by Commission .....	5.03, 5.04, 5.06
officials to be licensed.....	3.02
purse, responsible for .....	7.16.01, 18.15
secure retention area, must provide .....	35.07.02
security required.....	7.11, 7.12
TCO2 testing requirements.....	22.38.04

track rules (defined) .....	Chapter 2
track size certification .....	19.04
track surface unsafe .....	7.05, 21.09
warning lights .....	7.10.01

## **ASSOCIATION OF RACING COMMISSIONERS INTERNATIONAL, INC. (ARCI)**

Uniform Classification Guidelines of Foreign Substances .....	9.08.02
--	---------

## **AUTHORIZED AGENT**

defined .....	Chapter 2
claiming authority .....	15.07

# **B**

## **BANKRUPTCY**

effect on licence .....	3.09
-------------------------	------

## **BEST INTERESTS OF RACING, CONTRARY TO**

Commission can act .....	1.09
for case not covered by rules .....	1.09
Director can act .....	6.04
Judges' can act .....	6.07, 6.28
participant guilty of violation of rules .....	6.20
disallow use of equipment or harness .....	22.22

## **BETTING**

See Wagering

## **BICARBONATE TESTING PROGRAM (TCO2)**

Also, see Total Carbon Dioxide	
lab approval .....	22.38.01, 22.38.02, 22.38.03
levels .....	22.38
placed on Judges' List .....	20.01.01(h)
removal from Judges' List .....	20.02
testing procedures .....	22.38.05
violation, effect on entry to added money events .....	20.01.02

**BIKE**

See Equipment

**BLEEDERS**

Also, see E.I.P.H. Program

if on EIPH Program.....	20.05
treatment.....	8.07
must report to judges.....	22.14
must qualify .....	12.06

**BLOOD GAS ANALYZER (TCO2)**

Also, see Bicarbonate Testing Program

Also, see Total Carbon Dioxide

rules regarding .....	22.38
-----------------------	-------

**BONA FIDE CONTESTS**

all races shall be .....	18.12
--------------------------	-------

**BREAKING**

clean line.....	11.01.02, 11.02.01, 11.02.02, 12.12
continuously losing ground while on a break.....	22.27
driver's duty when horse breaks.....	22.27
equipment break .....	12.09 to 12.13
fraudulent breaking .....	22.28
interference break.....	12.13, 12.10
lapped on at wire .....	19.05, 22.27
must qualify for two in a row.....	12.10.01
off a qualifier .....	12.09

**BREATH ANALYSIS**

Also, see Drug Use, Human

penalty for failure to report.....	36.12
refusal to submit .....	36.07(g)
result of excess readings.....	36.08
where equipment not available.....	36.11
who must submit .....	36.07(d)

**BREEDER**

defined .....Chapter 2

**BROKEN EQUIPMENT**

causing break in stride ..... 12.09 to 12.13

must be inspected .....22.16

**C****CANADIAN STANDARDBRED HORSE SOCIETY**

now called Standardbred Canada

**CANADIAN TROTTING ASSOCIATION**

now called Standardbred Canada

**CANCELLATION OF RACES**

general .....Chapter 21

added money events ..... Policy Directive No. 2-2013

fees ..... Policy Directive No. 1-2009

if vote is required .....21.09

**CHANGE OF EQUIPMENT**

reporting procedures ..... 22.25

duties of paddock judge .....32.01(d)

hopples .....12.07.01, 12.07.02

**CHARTED LINE**

general ..... Chapter 34

clean, defined ..... 12.12

clean line within 45 days ..... 11.01.02(f)

non extended meets, not applied ..... 11.09

**CHARTER**

See Race Officials

general ..... Chapter 34

must be licensed .....5.03(d)

must be accredited .....5.05(g)

**CHIEF TEST INSPECTOR**

Also, see Official Sample

defined .....	Chapter 2
complete authority for horse in retention barn .....	9.05
responsibility, official samples .....	9.04.1
to receive list of horses in E.I.P.H. Program...	31.01(b)(xii)

**CHILDREN**

access to stable area .....	7.14
groom's licence, age restrictions .....	26.09
paddock .....	32.02 to 32.04

**CHOCKING, HORSE**

must report to judges .....	22.14
must qualify .....	12.06

**CLAIM**

announced .....	15.14
duplicate claim .....	15.13
invalid .....	15.20.01, 15.20.02, 15.21, 15.22
irrevocable .....	15.12
licensee can claim .....	15.07
procedures .....	15.11
when paid .....	15.19

**CLAIMING RACES**

general .....	Chapter 15
defined .....	Chapter 2
allowances .....	15.03
claiming own horse prohibited .....	15.10(a)
claiming scratched horse .....	15.06
classified under .....	13.01(a)
considered overnight event .....	14.01
handicap claiming race .....	Chapter 2, 15.05, 17.16
irrevocable .....	15.12
mares and fillies in foal ineligible .....	15.21

out of province - 60 day rule, penalty .....	15.09
owners' authorization required .....	15.01
ownership of horse.....	15.15
price allowances.....	15.03
price on program .....	15.04
procedure .....	15.11
prohibitions on claiming.....	15.10, 15.18
purse .....	15.15
to be claimed, horse must start.....	15.06, 22.33

## **CLAIMING CERTIFICATE**

expiry .....	15.08
--------------	-------

## **CLASSIFIED RACE**

defined .....	Chapter 2
Also, see Conditioned races	

## **CLEAN CHARTED LINE**

clean, defined .....	12.12
conditions of eligibility.....	11.01.02(f), 11.02.02
Also, see Chaired line	

## **CLEAR DAYS**

defined .....	Chapter 2
---------------	-----------

## **COGGINS TEST**

trainer responsibility .....	22.34
procedure .....	22.34
Judges' List if proof not provided.....	20.01.01(c)
proof of negative test required.....	22.34

## **COMMISSION, ALCOHOL AND GAMING**

administration .....	Chapter 4
appeals, when made to.....	24.01(a)
approval to cancel or postpone races.....	21.01
approves stake races.....	16.02, 16.08
approves race meets.....	1.08, 3.01.01
authority .....	4.02

can act in the best interests of racing.....	1.09
defined .....	Chapter 2
directives .....	1.05
has power .....	1.14
honours other suspensions .....	3.10, 3.12
licenses participants, officials Chapter 2, 3.02, 5.04, 5.07	
may suspend .....	3.09, 3.10
participants agreement with track on file.....	18.11
right of entry .....	7.08
right to appeal.....	1.07
track width increase with approval.....	22.05.02.1

## **COMMISSION AND OFFICIAL VETERINARIAN**

general .....	Chapter 8
defined .....	Chapter 2
accidents, injured horses, runaways	8.04, 8.05, 22.04 (a)
bleeder medication, notify .....	8.07
blood samples taken by.....	9.04.1, 9.05
can order sample from any horse in race.....	9.03
denerved.....	11.01.02(h)
Long Term Veterinarians' List, removal from .....	8.06
Long Term Veterinarians' List.....	20.01(b)
must be licensed .....	26.17
must be named on declaration .....	26.18
paddock medication prohibited .....	8.09
restrictions on practice .....	8.03
scratches.....	8.02(c)
shock wave therapy .....	6.52
Short Term Veterinarians' List .....	20.01.01(a), 20.01.02

## **CONDITIONED RACE**

Also, see Declaration, Overnight Events	
calendar used in determining eligibility .....	14.08
classified under .....	Chapter 13
defined .....	Chapter 2
eligibility .....	14.10

limitations on conditions .....	14.06, 14.09, 14.11
preference determined .....	17.10
race secretary's authority to reject .....	14.13
trailers permitted .....	14.12

## **CONDITION SHEET**

must be posted.....	14.02
published purse must be paid .....	18.16

## **CORPORATIONS**

Also, see Stable, Multiple Ownership, Estates  
Also, see Licences

## **COUPLING HORSES, ENTRIES**

See Drawing for Post Position

## **CRUELTY OR NEGLECT TO HORSE**

penalty .....	6.22
Paddock Judge must report.....	32.01(p)

# **D**

## **DASH**

defined .....	Chapter 2
---------------	-----------

## **DATES**

See Race Dates

## **DAYS**

defined .....	Chapter 2
clear .....	Chapter 2

## **DEAD HEAT**

effect on order of finish .....	18.07, 22.09, 22.30
official statistics, time .....	19.07
two-in-three races.....	16.31

## **DEATH OF A HORSE**

facility approved for post-mortem .....	6.47.08
---	---------

failure to comply - penalty.....	6.47.07
EPO testing.....	6.48.01(c)
trainer must report .....	6.47.01, 6.47.03
owner must report.....	6.47.02
veterinarian must report.....	6.47.04, 6.47.06
post-mortem required .....	6.47.01(c), 6.47.02(c), 6.47.05

## DECLARATION

Also, see Drawing for Post Position

general .....	Chapter 17
defined .....	Chapter 2
box closings, time limits .....	Chapter 2, 17.01, 17.02
boycotting not allowed .....	6.42
declaring ineligible horse .....	11.04
demand for bonus as condition of entry .....	6.30
disclosure of entries, opening of the box .....	17.07
double entry.....	17.04
effects of positive test on eligibility.....	11.10.01, 11.10.02
eligibility requirements.....	14.10
error can be corrected.....	17.02, 5.20
horse on E.I.P.H. program.....	35.04
horse on Judges'/Vets' List.....	17.05
how made.....	17.06
late .....	17.02
must be qualified .....	12.02
must name Vet .....	26.18
number of horses required to make a contest .....	16.22
Ontario Sires Stake exemption period.....	17.10.01
protest, objection to .....	Chapter 23
refused entry, on Judges' or Vets' List.....	Chapter 2, 8.02(e), 20.01.02 to 20.04.04
refused entry, suspension.....	3.10, 6.13.01
refused entry, not competitive .....	14.13
refused entry, by the Judges .....	5.17
refused entry, claiming authorization incomplete ..	15.01

sales not allowed after .....	17.18
stabled in Canada .....	17.10(i)
trainer responsible for eligibility .....	26.14

## **DENERVED**

not allowed to race .....	11.01.02(h)
---------------------------	-------------

## **DIRECTIVES**

have force of rules .....	1.05, 1.06
---------------------------	------------

## **DISQUALIFICATION**

horse.....	5.15
redistribution of purse .....	18.08.01

## **DISTRIBUTION OF PURSE**

Also, see Placing and Money Distribution

Also, see Purse

percentage split.....	18.02
general .....	Chapter 18

## **DRAWING FOR POST POSITION**

procedures .....	Chapter 17
preference dates .....	17.10
also eligibles .....	17.11, 17.16
entries, coupling, seeding .....	17.12.01 to 17.14, 25.08
errors in draw .....	17.15

## **DRIVERS**

Also, see Driving, Violations

Racing Rules .....	Chapter 22
Drivers, general .....	Chapter 25
accident, unseated.....	22.17.02, 22.17.01, 22.35
accredited by Standardbred Canada.....	25.01
appearance.....	25.04
bleeding horse, must report to judges .....	22.14
boycotting, where not allowed.....	6.42
breaks, driver procedures .....	22.27
breath analysis test, must submit, penalties .....	36.07

categories.....	25.01
colours, where prohibited .....	25.04, 25.06
complaint of foul, after race .....	22.06, 22.07
conflicts, entry .....	25.08
conversing on track .....	22.05.01(m)
driving violations .....	22.05.01
driving suspensions, exemptions for .....	6.11
ensuring availability of drivers .....	17.19
failure to drive when programmed.....	6.02(a)
fees deducted .....	18.11
feet in stirrups.....	22.19
fined for leaving racing strip Also, see Pylons ..	18.08.02
helmet .....	6.39
licence .....	1.13, 3.02, 25.01
licences, must be presented to judges .....	25.01
misuse of whip .....	22.23.01 to 22.23.04
must fulfill engagement.....	25.09
naming of drivers.....	17.19
paddock procedures.....	25.03, 25.06, 32.03, 32.05
procedure when charged with violation.....	6.09
removing driver, substitute, change.....	25.05, 25.07
reporting to horse two minutes to post parade .....	25.10
safety vest required.....	6.29.01
tested for controlled substances.....	36.07, 36.08
track surface unsafe and weather.....	21.09
unfit to drive.....	22.15
view race video .....	5.10
wagering restrictions .....	6.45

## **DRIVERS' COLOURS**

listed in program.....	7.04(d)
must wear.....	25.04
wearing of, prohibited in certain areas .....	25.06

**DRIVING**

Also, see Drivers, Violations

carelessness .....	22.05.01(j), 22.13
driving violations .....	22.05.01
slow fractions .....	22.05.01(k)
violation as it affects entries, placement .....	22.08, 22.09
to lose, a violation .....	22.10, 22.28
inconsistent, unsatisfactory .....	22.11 to 22.13

**DRUG USE, HORSES**

Also, see Positive Test

Also, see Official Sample

Also, see Out of Competition Testing

Also, see Blood Gas Analyzer

Also, see Total Carbon Dioxide (TCO<sub>2</sub>)

bleeding .....	8.07
E.I.P.H. program .....	Chapter 35
medical treatment not permitted in paddock .....	8.09
needle, injectables prohibited .....	10.01
positive test .....	9.07.01, 9.09
suspended for positive .....	6.14
trainer responsibility .....	26.02.01, 26.02.02, 26.05
vet responsibility to warn .....	8.10.01
veterinarian responsibility for positive .....	8.11

**DRUG USE, HUMAN**

Also, see Breath Analysis

general .....	Chapter 36
levels .....	36.08
licensees to be tested .....	36.01
procedures for testing .....	36.07

**E****EARLY CLOSING EVENT**

Also, see Added Money Event

added money event.....	Chapter 16
classified as.....	13.01(b)
defined .....	Chapter 2
dates for nomination .....	16.09(c)
dates for sustaining .....	16.10(b)
horse omitted from draw .....	17.15(iii), 17.15(b)
not enough horses, fund disposition .....	16.19
postponement or cancellation.....	21.03, 21.04

**E.I.P.H. PROGRAM**

Also, see Bleeders

General Procedures.....	Chapter 35
defined .....	Chapter 2
bleeds in race.....	20.05
late for Lasix.....	35.07.07
participants entered in SC system.....	35.02.02

**ELIGIBILITY**

Also, see Ineligible

Also, see Declaration

effect of suspended owner, trainer.....	3.10
appeals process .....	24.07
calculations based on calendar year .....	14.08
claiming race.....	15.01, 15.20.01
conditions of .....	11.01.01, 11.01.02, 14.09, 14.10
conflicting published conditions.....	14.07
effect of positive test on .....	11.10.01, 11.10.02
fee .....	11.01.02(a)
hobbles, changing use.....	12.07.01, 12.07.02
non-extended meets do not apply .....	11.09
preference date .....	17.10
proof of eligibility may be required .....	5.15

protest, not affected by.....	23.06
redistribution of purse in ineligible.....	16.21
registered .....	11.01.01
trainer responsible.....	17.08, 26.14

## **ELIGIBILITY CERTIFICATE**

tampering with .....	5.21
----------------------	------

## **ELIGIBILITY FEE**

due and payable .....	11.01.02(a)
-----------------------	-------------

## **ELIMINATION HEATS**

Also, see Heat Racing

defined .....	Chapter 2
number of horses.....	16.22, 16.24, 16.25, 16.28
purse distribution.....	16.27, 16.31

## **ENTRY**

defined .....	Chapter 2
drivers .....	25.08
horses not seeded correctly .....	17.15(b)
seeding horses to divisions .....	17.14
violation has occurred involving .....	22.08
when considered an entry.....	17.12, 17.13

## **EPO TESTING (ERYTHROPOIETIN or DARBEPOETIN)**

approved laboratory and tests .....	6.48.04, 6.48.05
antibodies found - effect on horse.....	6.48.06
effect on claim if found .....	6.48.07
limit set .....	6.48.08
permission to test .....	6.48.02
protocol established.....	6.48.03
responsibility .....	6.49
who is tested.....	6.48.01

## **ENTRY FEES**

See Starting Fees

**EQUIPMENT**

Also, see Paddock Judge

broken in race .....	22.16
cannot be removed without approval .....	22.24, 22.25
mudguards .....	22.01(e)
paddock judge to report if broken .....	22.16, 32.06
restrictions .....	22.26
safety reins .....	26.12.01
sulky .....	Chapter 2, 22.21.04
unsafe, not allowed .....	22.22
whips, length .....	22.20

**ESTATES**

See Stable Multiple Ownership, Estates

**EXTENDED RACE MEET**

Also, see Association

defined .....	Chapter 2
Commission Veterinarians or Official Veterinarians appointed .....	8.01.01, 8.01.02
judges required .....	5.01
non-extended meetings appendix .....	Standardbred Directive No. 1-2014
officials to be licensed .....	5.03

**F****FAIR**

Also, see Non-Extended Race Meet

approval required .....	1.08
driver's licence category required .....	25.01(d)

**FAIR START**

Also, see Recall

Pole .....	22.03(k)
horse prevented from having .....	22.03(l), 22.32
horse does not reach .....	22.03(l)
procedures .....	22.03

**FARM**

See Stable, Multiple Ownership, Estates

**FEATURE WAGERING**

Also, see Wagering

defined .....Chapter 2

**FIELD REPRESENTATIVE**

See Standardbred Canada Field Representative

**FIELDS**

size of .....14.12, 16.24

**FILLIES AND MARES**

See Mares and Fillies

**FILMS OF RACE, VIDEO**

Associations shall keep on file..... 7.18

equipment failure.....5.12 (e)

Judges to view .....5.16, 6.08, 6.09

to view, Judges can arrange .....5.10

**FINANCIAL RESPONSIBILITY**

irresponsibility, effect on licence .....3.09, 3.09.01

may be required to prove .....4.02(vi)

payments to Commission dishonoured ..... 6.25

**FINES**

Also, see Penalties

payment dishonoured..... 6.25

when due and payable..... 6.15, 5.02.03

**FINGERPRINTS**

required for licensing ..... 3.03.01

**FOUL, COMPLAINTS OF**

Also, see Drivers

Also, see Objections

made immediately after race..... 22.06

**FRAUD, AFFECTING RACE**

Also, see Misconduct

affecting outcome of race .....	6.19
affecting time of race .....	19.09
drivers .....	22.28, 22.10
offered bribe .....	6.18
participants must testify .....	6.29
purse monies obtained .....	6.26

**FREEZE BRANDING, TATTOOING**

must be, to race .....	11.01.02(l)
------------------------	-------------

**FUROSEMIDE**

See E.I.P.H. Program

**FUTURITIES**

classified as .....	13.01(b)
defined .....	Chapter 2
dates for nomination .....	16.09(b)
dates for sustaining .....	16.10(a)

**G****GATE SCHOOLING**

See Starting Gate

Also, see Schooling Races

rule regarding .....	12.01, 30.03
----------------------	--------------

**GENDER**

Also, see Sex

of horse determined by Commission Vet

or Official Vet in Claiming Race .....	15.20.02
--	----------

**GROOMS**

Also, see Trainers & Grooms

general .....	Chapter 26
licence .....	26.09, 26.10
non-resident .....	3.03.03

paddock restrictions.....	32.02, 32.03
safety vests .....	6.29.01
tested for controlled substance.....	36.01
wagering restrictions .....	6.45

## H

### HANDICAP

Also, see Post Position

Also, see Drawing for Post Position

defined .....	Chapter 2
considered an overnight.....	Chapter 14
handicap claiming race.....	15.05
post position determination.....	17.16, 17.20, 22.01(h)

### HEAD NUMBERS, SADDLE PADS

violation when improper .....	6.02(f), (h)
-------------------------------	--------------

### HEAD POLE

length permitted .....	22.26
------------------------	-------

### HEARING

Driver.....	6.09
failure to appear .....	6.07, 24.03
human positive test, held in camera .....	36.08
must testify if required.....	6.27, 6.29
right to waive hearing .....	6.06
when charged with violation .....	6.03

### HEAT RACING

allowable starters in final .....	16.28
breaks.....	12.10.02
defined .....	Chapter 2
heats and finals, when conducted .....	16.27
horse claimed from .....	15.15
judges decision final when same day .....	16.29
minimum time between heats .....	22.01(a)

post position - finals .....	16.30
purse money distribution .....	16.27
two-in-three heat racing .....	16.31

## HELMET

must be worn.....	6.39
-------------------	------

## HOPPLES

Also, see Equipment

changing use.....	12.07.01, 12.07.02, 22.25
-------------------	---------------------------

## HORSE

age .....	Chapter 2, 11.01.02(g)
cannot race with tube.....	11.01.02(j)
defined .....	Chapter 2
medical history.....	6.50, 6.51
responsibility of trainer.....	26.02.01, 26.02.02
winner, time of.....	19.05

## HORSE RACING APPEAL PANEL

definition.....	Chapter 2
structure and powers .....	v

## HORSE RACING LICENCE ACT

Act defined as .....	Chapter 2
authority .....	3.03.01, 4.02, 5.02.03

## HORSEPEOPLE'S ORGANIZATION

to be licensed.....	3.02.01, 3.02.02
---------------------	------------------

## HUB RAIL

when not a continuous hub rail.....	18.08.02
-------------------------------------	----------

**I****IGNORANCE OF RULES**

not accepted .....1.04

**IN HARNESS**

Also, see Equipment

defined .....Chapter 2

**INELIGIBLE HORSE**

Also, see Eligibility

Also, see Declaration

cannot be declared so retroactively ..... 24.07

claim can be ruled invalid..... 15.20.01(b)

declaration of..... 11.04

judges can declare horse ineligible .....5.15

on Judges' List .....17.05, 20.01.02. 20.02

owner or trainer suspended.....3.10, 6.13.01

positive test..... 11.10.01, 11.10.02

protesting eligibility..... 23.01

purse money must be returned ..... 18.08.01

redistribution of purse if raced ..... 16.21, 18.03.03

to subsequent races ..... 11.03

veterinarian not named on declaration.....26.18

**INTERFERENCE**

affecting purse distribution..... 18.03

affecting clean line..... 12.12

affecting placement..... 22.09

breaks, re-qualifying .....12.09

causing recall.....22.03(i),(ii)

considered a driving violation ..... 22.05

hubless rail, affecting placement..... 18.08.02

lapped on a wire, how affects placement ..... 22.27

when considered..... 12.13

**J****JUDGE**

accident, can order treated .....	6.41
approves medication for bleeder.....	8.07
approves transfers when suspensions occur 3.10, 26.08	
authority .....	1.07, 5.11 to 5.14
can approve husband & wife as separate entities	6.13.01
can bar individual from track .....	6.01
can excuse horse from racing .....	5.19
can grant mistake on declaration.....	5.20
can refuse declaration.....	5.17
can remove horse from trainer.....	5.18
can rule claim invalid.....	15.20.01
commission may review decisions - positive test ....	9.15
decision final - order of finish .....	16.29
defined .....	Chapter 2
duties - regarding breaks.....	22.29
general .....	Chapter 5
have right of entry.....	10.02
may impose penalties .....	6.01
may order race stopped .....	22.31.01
must submit to breath analysis.....	36.07(d)
positive test, approve transfer to another trainer ..	26.08
qualifying races.....	12.02(e)
representatives of the Commission on racetrack ....	5.12
reviews claims .....	15.01
scratch, permission required .....	17.17
tested for controlled substances.....	36.07
track rules, can enforce.....	7.06

**JUDGES' LIST**

Also, see Veterinarians List

defined .....	Chapter 2
general .....	Chapter 20

horse cannot race .....	11.02.02
positive test.....	20.01.01(i)
removal from .....	20.02

## **JUDGES' STAND**

rule regarding .....	7.03
----------------------	------

## **L**

## **LASIX**

See E.I.P.H. Program

## **LATE CLOSING EVENTS**

Also, see Added Money Events

general .....	Chapter 16
defined .....	Chapter 2
cancellation or postponement.....	21.03, 21.04
classified as added money event.....	13.01(b), 16.01
dates for sustaining .....	16.10(b)
dates for nomination .....	16.09(d)
limits to additional conditions .....	16.13
minimum, maximum declarations to start .....	16.22(a), 16.24
omitted from box in error.....	17.15(a)(iii)
transfer of gait .....	16.20

## **LEADING OF HORSES**

when not allowed on the track .....	6.40
-------------------------------------	------

## **LEASED HORSES**

leases kept on file with Standardbred Canada	11.01.02(c)
--	-------------

## **LENGTH OF RACE**

defined .....	Chapter 2
---------------	-----------

**LICENCE**

general .....	Chapter 3
Association, race tracks .....	3.01.01, 7.03
Association officials .....	3.02
change of address.....	3.04
children .....	7.14
Commission can suspend, revoke, refuse .....	3.09
corporations, stables, estates.....	Chapter 2, Chapter 28
drivers .....	25.01 to 25.02.02
trainers .....	26.01.01
exemptions.....	3.02
failure to produce.....	3.07.03
grooms.....	Chapter 26
invalid .....	3.11
non-resident, reciprocal .....	3.03.03, 3.12
owner .....	Chapter 27
required for access to stable area.....	3.07.01(a)(i)
suspension .....	6.10.01, 6.10.02, 6.13.01
suspensions from other jurisdictions.....	3.10, 3.12
suspended pending appearance before judges.....	6.07
temporary licence .....	3.03.02
trainers .....	Chapter 26

**LICENSING**

positive tests/ medication rule violations.....	Policy Directive No. 3–2008
---	-----------------------------

**LIST, JUDGES'**

See Judges' List
List, Veterinarians'
See Veterinarians' List

## M

### MAIDEN

defined .....Chapter 2

### MARES AND FILLIES

Also, see Sex

ineligible to claiming races in foal.....15.21

notify SC if spayed.....11.01.02(i)

price allowances in claiming races .....15.03

### MATCH RACE

classified as.....13.01(c)

defined .....Chapter 2

### MATINEE RACE

Also, see Overnight Races

classified as.....13.01(a), 14.01

defined .....Chapter 2

### MEDICATION

See Drug Use, Horses

labeling requirements .....8.14

rule violations, licensing terms .....Policy Directive No.  
3–2008

stable error scratch.....20.03.01

trainer responsible.....26.02.01

### MISCONDUCT

Also, see Violation of Rules

Also, see Assault and Battery

Also, see Fraud

considered violation of the rules.....6.20

assault, threats, offensive language.....6.17

betting against own horse .....6.45

betting by officials, Association employees .....6.43

boycotting box .....6.42

bribery.....6.18

conduct contrary to public interest.....	3.09.01
disturbing the peace.....	6.02(e)
judges may impose penalties.....	6.01
offensive language .....	6.02(b)
race fixing.....	6.19
smoking .....	6.02(i)
unpaid obligations .....	3.09
use of nasogastric tube.....	6.53
withholding information.....	6.27

## **MULTIPLE OWNERSHIP**

See Stable

## **N**

## **NAMING OF DRIVERS**

trainer's responsibility .....	17.19
--------------------------------	-------

## **NEEDLES, SYRINGES AND SEARCHES**

general .....	Chapter 10
---------------	------------

## **NO CONTEST**

added money events.....	18.09
rule regarding .....	22.33

## **NOMINATION**

Also, see Added Money Events

appeals from .....	5.02.02
defined .....	Chapter 2
closing dates.....	16.09
lists available.....	16.05
payment deadlines .....	16.09
race cancellation .....	21.03

## **NON-EXTENDED MEETING**

defined .....	Chapter 2
performance not applied to extended meets .....	11.09
judges required .....	5.02.01

Standardbred Canada responsible for .....	5.02
driver's licence category required .....	25.01(d)

## **NON-RESIDENT**

Also, see Reciprocal

Also, see Licences

reciprocal licences issued .....	3.03.03
defined .....	3.03.03

## **NOTICE OF HEARING**

to be posted .....	6.12
verbal notice .....	6.12

# **O**

## **OBJECTIONS**

driver's objection in race .....	22.06, 22.07
----------------------------------	--------------

## **OFFENCES**

see Violations of the Rules

## **OFFICIAL CHEMIST**

defined .....	Chapter 2
---------------	-----------

## **OFFICIAL SAMPLE**

Also, see Drugs, Horses

Also, see Positive Tests

Also, see Retention Area

defined .....	Chapter 2
horses ordered to be tested .....	9.03
blood sample required .....	9.05
effecting purse .....	9.13
excused from taking .....	9.04
horse ordered to test barn .....	9.11
procedures for obtaining .....	9.05
refuses to allow .....	19.12.01
results of positive test .....	Chapter 9
substitution of horse an offense .....	26.03, 9.10

**OFFICIAL STATISTICS**

Standardbred Canada records .....	1.10
corrections to .....	5.21

**OFFICIALS, RACE**

See, Race Officials

**OFFICIAL VETERINARIAN**

See Commission and Official Veterinarian

**ONTARIO RACING COMMISSION**

transition.....	xxvii, xxviii
-----------------	---------------

**ONTARIO STANDARDBRED EXERCISE INDUCED  
PULMINARY HAEMORRHAGE PROGRAM**

See E.I.P.H. Program

**OUT OF COMPETITION TESTING**

general .....	Chapter 37
access shall be granted.....	37.09
Director may order.....	37.01
failure to comply .....	37.05
horse(s) made available.....	37.04

**OVERNIGHT EVENTS**

general .....	Chapter 14
defined .....	Chapter 2
condition sheets must be available .....	14.02
limits to conditions .....	14.06, 14.09, 14.10
may be divided .....	14.05
omitted in error from box.....	17.15(a)(i)
opportunity to race.....	14.03
postponed .....	21.07
purse, if less than 5 starters .....	18.02
qualified .....	11.01.02(d), 12.02, 12.05
race secretary can reject declaration .....	14.13
racing season considered calendar.....	14.08
selection and drawing of horses.....	17.10

substitute races .....	14.04
trailers, limited to .....	14.12
types of races .....	13.01(a)
cancellation .....	21.07

## OWNER

Also, see licences

Also, see Ownership

general .....	Chapter 27
defined .....	Chapter 2, 27.01
changes trainers.....	26.06.02, 27.04
disqualified, purse forfeited .....	18.08.01
entries, betting .....	17.12.01, 17.13
EPO .....	6.49
horses cannot race if suspended .....	3.10
Judges' List, responsibility to scratch from other races.	20.04.01
medical history of horse .....	6.50, 6.51
must be licensed .....	3.02, 27.02
must submit horse for testing .....	9.11, 9.12.01, 22.38.05
non-resident.....	3.03.03
paddock, access to .....	27.03
positive test, purse forfeited .....	9.13
renewal .....	3.05.01
responsible for starting fees .....	16.11
temporary licence .....	3.03.02
wagering against own horse .....	6.45

## OWNERSHIP

Also, see Stable Ownership

Also, see Owner

bona fide owner, must race under.....	11.08
horse eligibility when changed .....	11.05
must be registered with SC.....	11.01.02(b), 11.05
must be in race office after horse claimed.....	15.02

selling prohibited once drawn into race .....	17.18
skipping transfers .....	11.06
transferred - judges approval .....	6.13.02, 6.13.03

## **P**

### **PADDOCK**

controlled access area .....	7.01, 32.07
drivers due in .....	25.03, 25.06
horse due in .....	26.12
horse shall not leave.....	32.03
medical treatment in paddock not allowed....	8.09, 32.07
persons cannot leave .....	25.06, 32.03
persons entitled to access.....	27.03, 32.02, 32.04
phone line to judges' available.....	7.02
services Association to provide .....	7.02
blacksmith required.....	7.02

### **PADDOCK JUDGE**

general .....	Chapter 32
broken equipment in race, must report to .....	22.16
can be tested for controlled substances.....	36.07, 36.08
drivers must report to .....	25.03
must be accredited with Standardbred Canada .....	5.05
reports dangerous equipment to judges.....	32.06

### **PARI-MUTUEL**

See Wagering

### **PARTICIPATE**

Also, see individual licensing categories	
defined .....	Chapter 2
must report bribe attempts.....	6.18
cruelty to horse .....	6.22
entitled to a representative .....	6.24

**PASSING LANE**

genera .....	22.05.02
penalty for violation .....	18.08.02

**PATROL JUDGE**

rules regarding .....	Chapter 33
must be accredited with SC .....	5.05
starter can fulfil function of.....	30.02

**PENALTIES**

Also, see Violation of Rules, Offences

Also, see Violations, List of

breath analysis .....	36.08
can be modified by Director.....	6.16
controlled substances.....	36.08
driving violations .....	6.11, 25.02.02
feet out of stirrup .....	22.19
fines .....	6.01, 6.15
horse not eligible to race .....	6.13.01
judges may impose .....	6.01
positive test.....	6.14
refuse or expel offender from grounds .....	6.01
spouse, effect on.....	6.13.01
starting violations .....	22.03(j)
suspension .....	6.01, 6.10.01, 6.10.02

**PENICILLIN G PROCAINE**

procaine declaration requirements .....	22.39
---	-------

**PLACING AND MONEY DISTRIBUTION**

Also, see Purses

affecting pari-mutuel payouts .....	5.22
breaking, effect on .....	22.27
driver not mounted, effect on.....	22.17.01, 22.17.02
effecting entry .....	22.08
equipment interfering with .....	22.26
finish line .....	22.30, 22.31.01

general .....	Chapter 18
heat racing.....	18.07
horse, sulky inside hub rail (pylons) .....	18.08.02
interference, collision, violation of rules.....	22.09
positive test.....	18.03.03
protest, effect on.....	23.05, 23.07

## PLACING JUDGE

rules regarding .....	Chapter 33
camera shall be installed as an aid .....	33.09
confirm photo finish with the Judges .....	33.07
display the numbers of the first four horses.....	33.05
in case of error.....	33.08
Placing Judge shall.....	33.03

## POST PARADE

failure to appear- late - a violation.....	6.02(g)
parade in order .....	22.01(f)
procedures .....	32.05
scoring .....	22.01(g)

## POST POSITION

Also, see Handicap

Also, see Drawing for Post Position

general .....	Chapter 17
defined .....	Chapter 2
also eligible draws into race .....	17.16
errors in draw .....	17.15
finals drawn by judges.....	16.30
reasons for redrawing.....	17.15
separating entries (seeding).....	17.14
trailing post position.....	17.20
two-in-three races.....	16.31
vacancy in tier.....	22.01(h)

**POST TIME**

defined .....	Chapter 2
change must be approved by Commission .....	3.01.01(ii)
horses held on backstretch .....	22.01(g)
in case of accident .....	22.01(c)
last race must be run by 11:55 p.m. ....	22.01(d)
rule regarding .....	22.01
right of course.....	22.01(b)

**POSITIVE TESTS**

Also, see Official Samples

Also, see Drugs, Horses

general .....	Chapter 9
appeal to Commission directly.....	9.14
claim, effect on .....	15.20.01(a)
Commission may review.....	9.15
Human.....	Chapter 36
placing, effect on.....	9.13
procedures .....	9.07.01 to 9.08.02
purse redistributed .....	9.13
second positive - effect on horse.....	6.14
trainer responsible.....	26.02.01, 26.02.02
time limits for protests regarding .....	23.02
Uniform Classification Guidelines of Foreign Substances used.....	9.08.02
transferring horses to another trainer.....	6.13.02, 26.08
winning record voided.....	9.13

**PREFERENCE DATES**

See Declaration

**PROGRAMS, OFFICIAL RACE**

claiming price to be printed .....	15.04
information to be included.....	7.04
providing inaccurate information .....	6.21

**PROTESTS**

Also, see Appeals

defined .....	23.01
false or without cause .....	23.05
general .....	Chapter 23
pari-mutuel payouts, effect on .....	23.07, 24.09
purse held pending outcome.....	23.03
racing under protest.....	23.03
time limits.....	23.02

**PUBLIC INTEREST**

not provided by the rules.....	1.09
prejudicial .....	3.09.01
misconduct injurious to racing.....	6.20

**PURSES**

Also, see Placing and Money Distribution

added money events.....	16.04(e), 16.15, 16.27
Association liable for sponsors' default .....	18.15
Association responsible for .....	17.16.01, 17.16.11
claimed horse .....	15.15
deduction from not allowed.....	16.15, 18.13
demand for bonus .....	6.30
did not finish, horse ruled out.....	22.16
distribution .....	7.16.05, 18.01, 18.02
distribution if accident or interference.....	18.03, 18.04
driver, trainer fees deducted .....	18.11
elimination races.....	16.27, 18.06
general .....	Chapter 18
heat racing.....	18.05, 18.07
held pending outcome of protest or appeal .....	23.03, 24.05
if claim ruled invalid.....	15.22
less than 5 starters in overnight .....	18.02
no contest.....	22.33
non-payment of.....	18.13

non purse earnings (bonus) .....	18.14
positive test, purse redistributed .....	9.13, 18.03.03
postponement or cancellation of races .....	Chapter 21
purse monies won .....	7.16.14
racinq for purse only .....	22.37
received in error, fraud, must return .....	6.26, 16.21, 18.08.01
re-distributed .....	9.13, 18.08.01, 23.06
two-in-three race .....	16.31
value of foreign races in official records .....	18.10

## PYLONS

passing lane, violation .....	22.05.02.2(iii)
placed back .....	18.08.02
penalties for violations .....	18.08.02

## Q

## QUALIFYING LIST

Also, see Judges List

defined .....	Chapter 2
shall be posted by Judges .....	12.02(b)
placed on by Judges .....	12.02(a)

## QUALIFYING RACE

defined .....	Chapter 2
general .....	Chapter 12
Association must get approval for .....	12.01
cancelled .....	21.10
may be tested .....	9.03
placed on Judges' List .....	20.01.01
required, break off a qualifier .....	12.09
required, changing use of hobbles .....	12.07.01
required, chokes or bleeds .....	12.06
required, for driver qualifications .....	12.08
required, horse distanced in race .....	12.11(a)
required, horse scratched twice (Vet) .....	20.04.03

required, horse did not finish .....	12.11(b)
required, no clean line.....	12.03
required, two breaks in two consecutive races..	12.10.01
win in qualifying race designated with 'Q' .....	19.06

## **QUALIFYING TIMES (STANDARDS)**

added money events.....	11.01.02(e), 11.02.01, 11.02.02
judges can set individual standards or timed workouts.	
12.04	
overnights .....	11.01.02(d), 12.02
time allowances .....	12.02.02
track size standards .....	12.02.01

## **R**

### **RACE BIKES**

See Sulkies

### **RACES**

See specific topic areas

Also, see Post Time

Also, see Fair Start

Also, see Added Money Events, Overnight Events

defined .....

last race must start by.....

time between.....

types of .....

exclusive right of course.....

### **RACE DATES**

approval required.....

cancellation or change requires approval .....

no racing on December 24th and 25th.....

**RACE OFFICIALS**

Also, see Judges

Also, see Paddock Judge

Also, see Race Secretary

Also, see Commission Veterinarians

Also, see Patrol Judge

Also, see Starter

Also, see Timers

Also, see Charter

general .....Chapter 5

accreditation with SC required..... 5.05

approval of .....5.03, 5.04

Clerk of Course (See SC Field Rep) .....31.01

conflict of positions ..... 5.07, 5.08, 6.43, 6.44

duty to report violation of rules..... 6.23

improper language toward .....6.17(c)

must report drug/alcohol consumption of participant ...  
36.12

must submit to breath analysis test .....36.07, 36.08

must report violations of rules ..... 6.23

officials approved by Commission ..... 5.03, 5.04, 5.06

suspended - fined ..... 5.09

unfit to perform duties.....36.11

**RACE PROGRAM**

See Program

**RACE SECRETARY**

accreditation with SC required.....5.05(b)

can reject declaration to overnight ..... 14.13

declaration process ..... 17.06 to 17.09

duties.....Chapter 15, 17, 29

establishes qualifying standards .....12.02

must be licensed ..... 5.03

**RACETRACK**

finish line .....	22.31.01
surface unsafe ....	7.05, 21.09, Policy Directive No. 2-2010
track rules, defined .....	Chapter 2
track size certification.....	19.04
warming up .....	22.36, 26.07
width of home stretch .....	22.05.02.01

**RACETRACK, RACEWAY**

See Association

defined .....	Chapter 2
---------------	-----------

**RACING RULES**

Also, see specific topic areas

complaints of foul, making.....	22.06
did not finish, horse ruled out.....	22.16
exclusive right of course on track .....	22.01(b)
fraudulent conduct .....	6.19
horse set back.....	22.09, 22.27
official time recorded from .....	19.08, 19.05

**RACING UNDER SADDLE**

Appendix SB Directive No. 3-2014 and SB Directive No. 1-2015

**RECALL**

Also, see Starter

Also, see Start

rules regarding .....	22.03(g),(h),(i)
-----------------------	------------------

**RECIPROCAL LICENCES**

effect of suspension .....	3.10
non-resident.....	3.03.03
prohibited from being licensed .....	3.12

**RECORDS, RACE**

general .....	Chapter 19
cannot be used as condition of eligibility .....	14.09

correction to official records made by judges.5.21,19.03  
how recorded.....19.02  
fraud affecting ..... 19.09  
official time recorded from ..... 19.05, 19.08  
official, kept by SC .....1.10, 1.11  
qualifying times..... 19.06  
time trial performances ..... 19.10  
void if positive test.....9.13

**REFUNDS**

fair start..... 22:03 (I)  
Horse prevented from fair start, exceptional  
circumstances ..... 22.32  
no contest..... 22.33

**REGISTRAR**

defined .....Chapter 2  
approval required to redraw .....17.15(b)  
approves qualifying races.....12.01  
approves licensing exemptions .....3.02  
approves Racing Officials.....5.03, 5.04  
approves conditions to races not in rules ..... 14.06(c)  
associations, can fine or suspend.....7.01, 7.13  
can appeal judges’ rulings ..... 6.16  
can send appeal to Commission ..... 24.01  
claiming records can be inspected by .....15.11(g)  
fine or suspend officials, participants .....5.09, 6.04  
given judgement can suspend for financial  
irresponsibility..... 3.09  
injectables, must obtain permission from ..... 10.01(b)  
judges report to.....5.12  
positive for controlled substance..... 36.02  
right to enter & search .....10.02  
stay ordered by ..... 24.06  
track rules approved by .....7.06  
veterinarian’s records can be inspected by..... 8.08.01

**REGISTRATION**

Also, see Ownership

defined .....Chapter 2  
change in ownership must be registered..... 11.05, 11.06  
with Standardbred Canada and/or USTA..... 11.01.01

**REINS**

Also, see Safety Reins

a line in each hand ..... 22.23.04(a)

**RETENTION AREA**

defined .....Chapter 2  
horses ordered to for urine sample .....9.03  
failure to take horse, a violation ..... 9.11, 9.12  
E.I.P.H. program..... Chapter 35  
who allowed in .....9.12.02  
under control of..... 9.05

**RULES**

conflict with track rules.....1.03  
defined .....Chapter 2  
ignorance of, no excuse.....1.04  
mandate - authority .....1.01, 1.02

**RUNAWAY**

See Accident

**S****SADDLE PADS**

Also, see Head Numbers

violation if improper .....6.02 (f), 6.02(h)

**SAFETY REINS**

defined .....Chapter 2  
trainer's responsibility .....26.12.01

**SAFETY VESTS**

must wear..... 6.29.01

**SALE OF HORSE**

See Ownership, Owner

**SAMPLE**

See Official sample,

See Positive Test

**SCHOOLING RACES**

classified as..... 13.01(a)

ordered by Starter .....3.03, 20.01.01(e)

**SCRATCHES**

Commission Vet considers unfit to race..... 8.02(c)

error in draw ..... 17.15

if claiming race, can be claimed in next race ..... 15.06

must qualify .....20.01.01(f), 20.04.03

permission from judges required ..... 17.17

placed on Judges' List, horse must be scratched.....  
20.04.01

post position changes..... 15.05, 17.16

scratched in error..... 22.37

scratched, if also eligible moves in.....17.11

scratched, if claimed out of heat racing ..... 15.15

scratched, if claiming authorization questionable..15.01

scratched, if considered unmanageable.....22.03(f)

scratched, if did not reach fair start pole .....22.03(l)

scratched, if horse ineligible ..... 11.04

scratched, if horse treated in paddock..... 8.09

scratched from postponed stakes race.....21.05

scratched, if previous performance makes ineligible .....  
11.03

scratched, if stable error ..... 20.03.01

scratched, if starting fee not paid ..... 16.11

scratched, if transportation problems 20.01.01(e), 20.02,  
20.04.04

scratched, E.I.P.H. program.....35.07.01, 35.07.05

tier placement.....	22.01(h)
unsafe track.....	21.09

## SEARCHES AND SEIZURE

Also, see Needles, Syringes and Searches

positive test.....	9.07.02
right of entry .....	5.13, 10.02, 10.03, 37.09
condition of entry prohibited .....	7.17
seizure of items .....	37.09

## SEEDING

Also, see entry Sex (defined) .....Chapter 2

claiming race, Vet to check.....	15.20.02
spayed mare .....	11.01.02(i)

## SHOCK WAVE THERAPY

rules regarding use.....	6.52
--------------------------	------

## SHOES

changing use.....	22.25
singular, plural (defined) .....	Chapter 2

## SIZE OF FIELDS

added money event.....	16.24, 16.26
overnight events .....	14.12

## SMOKING

violations and penalties .....	6.02(i)
--------------------------------	---------

## SPOUSE

defined .....	Chapter 2
suspension, effect on the other.....	6.13.01, 6.13.02, 6.14
coupled as entry.....	17.12.01, 17.12.02

## STABLE AREA

defined .....	Chapter 2
access to, restricted.....	3.07.01, 3.07.02
stable, multiple ownership, estates	
general .....	Chapter 28

estates.....	28.01(g)
documents required.....	28.04.01
change in status .....	28.04.02, 28.04.03
individuals who must be licensed .....	28.01
must be licensed to race.....	28.01
name must be registered with SC .....	28.01
suspensions.....	28.03

## **STABLE OR MULTIPLE OWNERSHIP MANAGER**

Also, see Licences

general .....	Chapter 28
defined .....	Chapter 2

## **STAKES**

See Added Money Event

general .....	Chapter 16
classified as.....	13.01(b)
defined .....	Chapter 2
dates for nomination payments.....	16.09(a)
electronic transactions.....	16.18
list of nominees.....	16.05
minimum number of horses required.....	16.22
sustaining payments.....	16.10

## **STANDARD BRED CANADA**

general .....	Chapter 31
accreditation with, required by Commission .....	5.05
Commission honours suspensions.....	3.10
drivers standards set by .....	25.01
eligibility fee due and payable.....	11.01.02(a)
information in SC system.....	31.01(b)
leases kept on file with.....	11.01.02(c)
licences .....	1.12
non-extended meets .....	5.02.01
notify of spaying mare.....	11.01.02(i)
official registry body .....	2.48, 11.01.02(b)

official statistics.....	1.10, 1.11
rate schedule to be approved .....	1.13
registered with .....	11.01.01
services to be provided.....	1.13
stables, multiple ownership to be registered Chapter 28	
to be informed of suspensions of judges .....	6.12
trainers standards set by .....	26.01

## **STANDARDBRED CANADA FIELD REPRESENTATIVE**

general .....	Chapter 31
E.I.P.H. participants entered by.....	35.02.02
maintains Judges' List .....	31.01(vii)

## **START**

See Fair Start

See Post Parade

See Starters

general .....	22.03
delaying start.....	22.03(j)(i)
gate .....	22.02
recalls .....	22.03(g) to (i)
right of course.....	22.01(b)
scoring .....	22.01(g)
violations of the start.....	22.03(j)

## **STARTER**

accredited with SC.....	5.05
considered accredited as Patrol Judge.....	5.05
duties.....	22.03, Chapter 30
determines which horses to be schooled .....	30.03
penalties applied .....	22.03(j)

## **STARTERS**

Also, see Eligibility

Also, see Declarations

Also, see Drawing for Post Position

claiming races, considered started when .....	15.06
---	-------

change in post position.....	17.16, 22.01(h)
deemed to have started.....	22.03(e)
demand for bonus - not allowed .....	6.30
fail to reach fair start pole.....	22.03(l)
judges declare horse non-contestant .....	22.32
number permitted.....	14.12, 16.24
one race per day.....	17.21
unmanageable horse .....	22.03(f)

## **STARTING FEES**

conditions of forfeiture .....	6.13.04, 11.03, 11.04
due and payable.....	16.11, 16.12
horse scratched if not paid.....	16.11

## **STARTING GATE**

equipment .....	22.02
all races started with .....	22.02
procedures .....	22.03

## **STARTING GATE OFFICIALS**

can be tested for controlled substances.....	36.07
--	-------

## **STAY**

obtained from Director .....	24.06
------------------------------	-------

## **STIRRUPS**

driver must keep feet in .....	22.19
--------------------------------	-------

## **SULKIES**

Also, see Equipment	
type permitted.....	22.21.04

## **SUSTAINING FEES**

See Added Money Events	
defined .....	Chapter 2

## **SUSPENSION**

bleeds on E.I.P.H. program .....	20.05
breath analysis, alcohol.....	36.08

controlled substances.....	36.08
definition, extent of.....	6.10.01
horses cannot race .....	6.13.01
other jurisdictions .....	3.10, 3.12
pending appearance before judges.....	6.07
positive test - effect of.....	6.14
spouse, effect on.....	6.13, 6.14
starting violations .....	22.03(j)
trainer, re. positive test.....	6.13.1, 9.08.01(b)(ii)

## **SYRINGES**

See Needles, Syringes and Searches

## **T**

## **TATTOO**

See Freeze Brand

## **TCO2**

See Total Carbon Dioxide

## **TEMPORARY LICENCE**

can be issued .....	3.03.02
---------------------	---------

## **TEST BARN**

See Retention Area

## **TESTING**

See Official Sample

See Drug Use, Horse

See Drug Use, Human

## **TIER**

placement when horse scratched.....	22.01(h)
-------------------------------------	----------

## **TIMED WORKOUT**

Judges can order .....	12.05
------------------------	-------

**TIMES**

Also, see Records

Also, see Placement

general .....Chapter 19

ineligible horse or positive test ..... 18.08.03

**TOTAL CARBON DIOXIDE (TCO2)**

Also, see Bicarbonate Testing Program

Also, see Official Samples

Also, see Positive Tests

acceptable levels..... 22.38

approved laboratory..... 22.38.01, 22.38.02

association obligations ..... 22.38.04

judges may suspend pending hearing ..... 22.38.08

penalties ..... 22.38.06

penalties, 2018 guidelines .... Policy Directive No. 1-2018

request for quarantine ..... 22.38.07

testing procedures..... 22.38.05

**TOUTING**

prohibited ..... 3.06

**TRACK**

See Race Track

**TRACK RULES (ASSOCIATION RULES)**

defined .....Chapter 2

can be adopted by Commission ..... 7.06

conflict with Commission rule..... 1.03

posted by Association..... 7.06

requirements for approval ... Policy Directive No. 2-2012

**TRAILERS**

in handicap..... 17.20

number permitted in added money events ..... 16.24

number permitted in overnight events..... 14.12

when horse scratched..... 22.01(h)

**TRAINERS AND GROOMS**

Also, see Grooms

general .....	Chapter 26
absolute liability offences .....	26.01.03
apprentice trainers licence .....	26.01(b)
can be tested for controlled substances .....	36.07, 36.08
categories .....	26.01
fees deducted from purse .....	18.11
judges may review performance .....	26.01.01
must be licensed .....	3.02
must be accredited by SC .....	26.01
only training own horses .....	26.01(b)
owner changing trainers .....	26.06.02
restrictions on betting .....	6.45
suspension, horses can be transferred .....	6.14, 26.08
temporary licence .....	3.03.02
trainer of record defined .....	26.15, 26.16
trainer transfer guidelines ... Policy Directive No. 2–2008	

**TRAINER RESPONSIBILITIES**

general .....	Chapter 26
absent, substitute .....	26.04
actual trainer of horse .....	26.15, 26.16, 26.06.01
condition of horse .....	26.02.01
declaring eligible horses .....	17.08
eligibility of horse, elig. certificate .....	17.08, 26.14
employees licensed .....	26.10, 26.11
EPO .....	6.49
must use Commission Vet .....	26.17
name Vet when declaring .....	26.18
naming driver .....	17.19
negative Coggins Test Certificate .....	22.34
horses on time to paddock .....	26.12
safety vests .....	6.29.01
safety reins .....	26.12.01
warming up .....	22.36

**TUBING**

administer any medication or substance ..... 6.53

**TRANSFERRING OWNERSHIP**

skipped..... 11.06

must provide medical history..... 6.50, 6.51

**TWO-IN-THREE RACE**

rule regarding ..... 16.31

**U****UNFIT HORSE**

trainer responsible..... 26.13

**UNITED STATES TROTTING ASSOCIATION**

registered with ..... 11.01.01

suspension honoured ..... 3.10

**UNSAFE EQUIPMENT**

See Equipment

**UNSAFE TRACK**

See Race Track

**URINE SAMPLE**

See Official Sample

**V****VETERINARIANS**

Also, see Commission Veterinarian

general ..... Chapter 8

breach of ethics ..... 8.12

can draw official blood sample ..... 9.05

duties at the track..... 8.02

if owns a horse ..... 8.15

labeled for barn use..... 8.14

must be licensed ..... 3.02, 26.17, 26.18

must report any horses treated in paddock..... 8.09

records can be inspected by Commission .....	8.08.01
responsible if medication caused positive test .....	8.11
rules on dispensing medication or drug .....	8.14
treating horses which will be racing .....	8.03, 8.10.01
use of shock wave therapy .....	6.52

## **VETERINARIANS' LIST**

bleeds in race.....	20.05
defined, days on list.....	8.02(e)
Long Term Veterinarians' List.....	20.01.01(b)
maintained by Commission Vet or Official Vet.....	8.02(e)
removal from .....	8.06
Short Term Veterinarians' List.....	20.01.01(a)

## **VIDEO TAPE OF RACE**

See Film of Race

## **VIOLATION OF RULES, OFFENSES**

Also, see Misconduct

absolute liability offenses .....	26.02.03
affecting placement.....	22.27, 22.09
attempted violations .....	6.19
entry involved.....	22.08
Director may charge.....	6.04
hearing convened for .....	6.03
misconduct not specified in rules considered.....	6.20
participant shall be notified .....	6.03

## **VIOLATIONS – LIST OF**

administering drugs .....	6.46.01, 9.09
boycotting box .....	6.42
breath analysis, refusal to take.....	36.07(g)
claimed horse, removal of shoes.....	15.16
cruelty to horse .....	6.22
cutting a horse with whip.....	22.23.03
disturbing the peace.....	6.02(e)
driver, not in post parade.....	6.02(g)

driver, lodging frivolous complaint.....	22.07
driver, failure to report infraction.....	22.07
driver, failure to drive when programmed 25.09, 6.02(a), 17.19	
driving, allowing break to lose race.....	22.28
driving, careless .....	22.05.01(j)
driving, failure to wear silks .....	6.02(d)
driving, failure to maintain pace.....	22.05.01(k)
driving, inconsistent, unsatisfactory manner .....	22.10 to 22.13
driving, inconsistent, unsatisfactory .....	22.11, 22.12
driving, lack of effort .....	22.12
driving, must wear helmet .....	6.39
driving, not to win.....	22.10
driving, not losing ground on break .....	22.27(c)
driving violations .....	22.05.01
E.I.P.H. Program, failure to assure medicated....	35.07.06
entering a horse that tests positive .....	9.09(b)
entering ineligible horse .....	11.04
equipment, altering without Judges approval .....	22.24
failure to report to horse two minutes to post parade....	25.10
failure to wear colours .....	6.02(d)
failure to wear safety vest .....	6.29.01
failure to appear .....	24.03, 6.12
feet out of stirrups.....	22.19
goadng device .....	22.21
hypodermic needles, injectables, in possession of	10.01
inaccurate information provided for program.....	6.21
leaving the racing strip.....	18.08.02, 22.05.02.2
misconduct considered .....	6.20
misuse of whip 22.23.01 to 22.23.04, Policy Directive No. 5-2009	
offensive language .....	6.02(b)
official sample, interference in taking .....	9.10

official sample, refusal to have horse submit.....	9.12.01
officials owning race horses .....	6.43
positive test, trainer responsible.....	9.08.01, 26.02.01,26.02.04
post parade, horse out of order.....	22.01(f)
race fixing.....	6.19
refusal to take horse to test barn .....	9.11, 9.12.01
saddle cloth not proper - head number .....	6.02(f)
skipping transfers .....	11.06
smoking violations, penalties .....	6.02(i)
starting violations .....	22.03(j)
substituting official sample.....	9.10
TCO2 Positive.....	22.38.06, 22.38.08
wagering against own horse .....	6.45
whip, aggressive action .....	22.23.01(c)
whip, excessive action .....	22.23.01(b)
whip, indiscriminate action .....	22.03.01(a)
withholding information.....	6.27

## W

### WAGERING, BETTING

age, persons under 18 not allowed to bet .....	7.15
appeal, ruling has no bearing on payout.....	5.22
judges and spouses prohibited .....	6.43
Racing Officials prohibited.....	6.43
race official, ruling has no effect on payout.....	5.22
touting forbidden .....	3.06
wagering against own horse prohibited.....	6.45

### WAIVER OF HEARING

form .....	6.06
right to appeal severity .....	6.06

### WALK OVER

defined .....	Chapter 2
---------------	-----------

**WHIPS**

aggressive use, penalties .....	22.23.01(c)
cutting a horse with.....	22.23.03
excessive use, penalties .....	22.23.01(b)
goadng device .....	22.21
indiscriminate use, penalties .....	22.23.01(a)
length allowed .....	22.20
use while not responding or in contention .....	22.23.02

**WINNER**

dead heat.....	19.07
lead horse.....	19.05, 19.08, 22.30
no contest.....	22.33
qualifying race.....	19.06

**WIRE**

location .....	22.31.01
winner .....	22.30

**WORKOUT**

bleeds during.....	8.07
timed for Judges .....	12.05

- End -

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Commission of Ontario



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ISSN 2561-8423 (2018/11)

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