

## CONSULTATION NOTICE - RULES OF RACING

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| <b>Code of Racing</b>              | Thoroughbred   |
| <b>Rule</b>                        | Local Rule of Racing 33A   |
| <b>Description</b>                 | Horse behaviour prevents collection of pre-race blood sample                           |
| <b>Authorised for Consultation</b> | February 20, 2024  |
| <b>Consultation Closes</b>         | March 19, 2024   |
| <b>Submissions to</b>              | <a href="mailto:policies@racingqueensland.com.au">policies@racingqueensland.com.au</a> |

Racing Queensland (**RQ**) and the Queensland Racing Integrity Commission (**QRIC**) are proposing to adopt a new Local Rule of Racing 33A., in relation to circumstances where a horse's behaviour prevents the collection of a pre-race blood sample.

The regulation of prohibited substances is critical to racing integrity, and the welfare of racing animals, and the Australian Rules of Racing empower Stewards to take (or cause the taking of) a sample from a horse for this purpose.

A necessary component of this regulatory framework is the requirement for horses that are presented to race to allow the collection of a blood sample under raceday conditions, and that the sample can be collected in a manner that is safe for the horse, veterinarian, and horse handler/s.

Where, in the opinion of the Stewards, a horse, because of its behaviour, cannot be safely sampled, the horse will be considered to have failed to provide a sample.

In making this determination, Stewards will ordinarily consider the opinion of the veterinarian/s involved in the sample collection attempt.

In conjunction with the proposed new LR.33A., the QRIC will adopt a 'Horse Failure to be Sampled / Return to Racing' Procedure to set out the process and requirements that will generally be followed if a pre-race blood sample is unable to be collected from a horse.

Full details and wording for the proposed new LR.33A., and a copy of the proposed QRIC 'Horse Failure to be Sampled / Return to Racing' Procedure, can be found in the following pages.

Stakeholders are invited to provide feedback on the proposed new rule as per the details at the top of this document.

## **PROPOSED NEW LOCAL RULE OF RACING**

### **LR.33A. Horse behaviour prevents collection of pre-race blood sample**

If, in the opinion of the Stewards, the behaviour of a horse, that has been selected for the collection of a pre-race blood sample, prevents the collection of a sample, the Stewards may:

- (a) prevent or suspend the horse from participating in any race, official trial or jump-out for any period and upon any conditions the Stewards think fit; and/or
- (b) order that the horse not be permitted to be nominated or entered for any race, official trial or jump-out, until such time as, to the satisfaction of the Stewards, the behaviour of the horse is likely to permit the collection of a pre-race blood sample under raceday conditions.

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## **QRIC Horse Failure to be Sampled / Return to Racing Procedure**

The regulation of prohibited substances is critical to racing integrity, and the welfare of racing animals, and the Australian Rules of Racing empower Stewards to take (or cause the taking of) a sample from a horse for this purpose.

A necessary component of this regulatory framework is the requirement for horses that are presented to race to allow the collection of a blood sample under raceday conditions, and that the sample can be collected in a manner that is safe for the horse, veterinarian, and horse handler/s.

Where, in the opinion of the Stewards, a horse, because of its behaviour, cannot be safely sampled, the horse will be considered to have failed to provide a sample.

In making this determination, Stewards will ordinarily consider the opinion of the veterinarian/s involved in the sample collection attempt.

For the purposes of (proposed) Local Rule 33A, the Stewards will generally apply the procedure outlined below.

It should be noted, however, that nothing in this procedure will limit the Stewards' powers under the Rules of Racing. The Stewards may take alternative action/s in accordance with such powers (where this is deemed appropriate), in the interests of ensuring the safety of persons and animals involved in the collection of pre-race blood samples.

1. Where a horse, that is not currently subject to a 'Failure to Sample' notice:
  - (a) has been selected by the Stewards for pre-race blood sampling; and
  - (b) is unable to have a blood sample collected from it prior to the race due to its behaviour,the trainer of the horse will be issued a 'Failure to Sample' notice for the horse.
2. On such occasion, the Stewards may, at their absolute discretion, then permit the horse to participate in the race, however, the horse must remain on course to have a sample/s (sample type/s as determined by the Stewards) collected post-race.
3. Where a 'Failure to Sample' notice has been issued in relation to a horse, the following restrictions will apply to the horse until removed by the Stewards:
  - (a) the horse must not be nominated for, or entered into, any race unless it has been permitted to return to racing by the Stewards;
  - (b) in order for the horse to be permitted to return to racing by the Stewards:
    - (i) the trainer of the horse must provide, to the Stewards' satisfaction, a written account of the remedial measures that have been undertaken including, where relevant, any behaviour modification techniques employed, and a statement that, in the opinion of the trainer, the horse is able to have a blood sample collected from it under raceday conditions; and

- (ii) following advice from the Stewards that they are satisfied with the written account described at clause 3(b)(i), the horse must be entered into an official trial and, at the direction of the Stewards, have a blood sample collected from it on course and prior to the official trial in circumstances which, in the opinion of the Stewards, are without incident;
  - (c) if, after having been permitted to return to racing by the Stewards in accordance with clauses 3(a) and (b) above, the behaviour of the horse again prevents the collection of a pre-race blood sample:
    - (i) the horse must be immediately scratched from all races in which it is entered; and
    - (ii) the horse will again be subject to the restrictions set out in clauses 3(a) and (b).
4. The restrictions that apply to a horse that is subject to a 'Failure to Sample' notice will be removed by the Stewards if 12 months have passed since the horse was last permitted to return to racing (in accordance with clause 3), and at least two raceday pre-race blood samples have been collected from the horse during this time, in circumstances which, in the opinion of the Stewards, are without incident.
5. For the purposes of clause 4, if 12 months have passed since the horse was last permitted to return to racing, but the other requirements of that clause have not been met for whatever reason (including, for example, a lengthy spell or the horse not being twice selected for pre-race sampling by the Stewards), the restrictions may be removed on such terms as determined by the Stewards.