

MANITOBA HORSE RACING COMMISSION



Rules of Thoroughbred Racing

Effective April 25, 2017

**RULES OF THOROUGHBRED HORSE RACING IN
THE PROVINCE OF MANITOBA**

**In accordance with the Horse Racing Commission Act (section 9 (1)) the Horse Racing Commission shall:
Govern, Direct, Control and Regulate;
a) horse racing in Manitoba; and
b) the operation of all race tracks**

These Rules are effective on and after April 25, 2017

Additional information in regards to the MHRC is available on the Manitoba Horse Racing Commission's web page.

Table of Contents

SECTION 1	1
DEFINITIONS	1
In these Rules:	1
SECTION 2	7
RULE 1: COMMISSION	7
RULE 2: DISCRETIONARY POWERS	10
RULE 3: LICENSING	12
STABLE NAMES	16
PARTNERSHIPS	17
CORPORATIONS.....	19
AUTHORIZED AGENTS.....	20
OWNERS	21
RULE 4: APPEALS TO COMMISSION	21
RIGHT TO APPEAL.....	21
RULE 5: OFFICIALS	24
AUTHORIZED PERSON	24
STEWARDS	25
DEAD HEAT	29
COMMISSION VETERINARIAN	31
RULE 6: COMPLAINTS, OBJECTIONS AND PROTEST	33
COMPLAINTS MUST BE IN WRITING AND SIGNED	33
PROTESTS & OBJECTIONS IN RUNNING OF A RACE RESTRICTED TO PARTICIPANTS	34
RULE 7: POST RACE TESTING	36
RULE 8: BLEEDING AND LASIX	38
RULE 9: BICARBONATE OF SODA (MILKSHAKING)	42
RULE 10: SHOCK WAVE THERAPY	43
RULE 11: OFFENCES AND ILLEGAL OR CORRUPT PRACTICES	44
GENERAL	44
EQUINE DRUG OFFENCES.....	48
ENTRY OFFENCES.....	49
RULE 12: SAFETY AND SECURITY	49
HUMAN DRUG AND ALCOHOL CONTROL MANDATORY TESTING	49
RULE 13: RACING ASSOCIATIONS	50

SECTION 3	52
RULE 14: RACING OFFICIALS AND OTHER LICENSEES	52
Race Secretary and Handicapper	52
Clerk of the Scales, Custodian of the Jockey's Room and Valets	53
Paddock Judge	55
Patrol Judges	56
Timers and Clockers	56
Outriders	56
Horsemen's Bookkeeper	57
The Starter	57
RULE 15: JOCKEYS	58
Apprentice Jockeys	63
Riding Infractions and Disqualifications	64
Jockey Agents and Rider Engagements	66
RULE 16: TRAINERS	67
RULE 17: TRADESMEN	69
RULE 18: LICENSED VETERINARIANS	70
RULE 19: FROM ENTRY TO FINISH	71
RULE 20: WORKOUTS (SEE DEFINITIONS: WORKOUT)	74
RULE 21: ENTRIES	74
RULE 22: ALLOWANCES	77
RULE 23: SCRATCHES	79
Declaration and Scratches	79
RULE 24: PADDOCK TO POST	80
RULE 25: CLAIMING	82
SECTION 4	89
RULE 26: SPEED HORSE RULES	89
INDEX	92

SECTION 1

DEFINITIONS

In these Rules:

“Act” means *The Horse Racing Commission Act of Manitoba, and amendments thereto.*

“Age” is calculated from January 1 in the year which a horse is foaled.

“Amateur Jockey” means a person whom:

- i) is classified and licensed as an amateur Jockey by the Commission to participate in an amateur race sanctioned by the Commission; and
- ii) is registered as a qualified amateur Jockey with the Amateur Riders Club of the Americas; and
- iii) is not licensed and does not participate as a professional Jockey in a recognized racing jurisdiction.

“Amateur Race” means a race sanctioned by the Commission in which all of the Jockeys are classified as amateurs notwithstanding that a substantial money prize may be offered to the owner of the winning horse or that the horse has been regularly competing for money purses.

“Appeal” means an application by any person or persons penalized, suspended or disciplined or who is dissatisfied with any decision of the Stewards or other official.

“Arrears” includes all sums due for entrance money, subscriptions, stake, forfeit, fines, fees, purchase money in races with claiming conditions or any default incident in the rules.

“Association” means a person, Association or corporate body, licensed by the Commission to conduct a race meet.

“Authorized Agent” means an agent appointed by an owner with the approval of the Commission and evidenced by a document signed by the owner and filed annually.

“Authorized Person” means the person or persons designated as such by the Commission.

“Backstretch” means that area of the grounds of an Association where the horses are stabled and trained and includes all places where no entry is permitted without authority of the Commission and over which the Commission has jurisdiction.

“Bleeding” means bleeding that is visible through the nostrils and also includes exercise induced pulmonary hemorrhage (E.I.P.H.) that is demonstrated through endoscopic examination of the horse's trachea but only when the E.I.P.H. is, in the sole opinion of the Commission Veterinarian coupled with impaired performance; and a “Bleeder” is a horse that bleeds.

“Breeder” means the owner of the dam of a horse at the time of foaling.

“Canadian Bred Horse” means one that is foaled in Canada.

“Chief Test Inspector” means the official appointed by the Canadian Pari-Mutuel Agency (CPMA) and approved pursuant to Part V of the Pari-Mutuel Betting Supervision Regulations and who is directly responsible to the CPMA and to the Stewards for the taking of official samples from horse by himself and the test inspectors under his supervision.

“Claiming race” is one in which one or more horses running therein may be claimed in conformity with the Rules; the intent of the claiming system is to classify horses for racing purposes.

“Commission” means The Horse Racing Commission of the Province of Manitoba.

“CPMA” means the Canadian Pari-Mutuel Agency charged with enforcing the provisions of the Criminal Code of Canada and the pari-mutuel Betting Supervision Regulations.

“Day” means 24 hours ending at midnight.

“Declaring” is the withdrawal of a horse from a race at any time prior to its being drawn in.

“Director of Security” means the person appointed to that position from time to time by the Commission.

“Drug” in reference to equine testing means a drug as defined in the Pari-Mutuel Betting Supervision Regulations and include any substance that prevents or interferes with the detection or identification of any drug in an official sample.

“Early-closing Stake Race” means a race to which nominations close at least 6 (six) weeks preceding the date of the race.

“Entry” may mean, depending on the context, either:

- i) The act of entering to run in a race; or
- ii) Two or more horses whether coupled or uncoupled, in accordance with the Rules; or
- iii) The normal dictionary meaning.

“Equipment” when applied to a horse, includes, but is not limited to, whips, blinkers, tongue straps, muzzles, hoods, nose bands, bits, shadow rolls, martingales, breast plates, bandages, boots and plates and nasal strips.

“Extended Meet” means a meet lasting a minimum of 10 race days.

“Handicap” is a race in which the weights to be carried by the horses are assigned by the Handicapper for the purpose of equalizing their chances of winning.

“Horse” means horse, colts, ridgling, gelding, mare or filly; or depending on the context, an entire male horse 5 years of age or older.

“Injectable” means a drug kept in a container designed to permit the drug to be administered by hypodermic syringe, hypodermic needle or other form of parenteral administration and includes an injectable device whether or not the drug or substance in the device is defined in the Pari-Mutuel Betting Supervision Regulations and whether or not the drug or substance is prohibited from being in the possession of a person on the grounds of the Association.

“Lasix Program” means the program authorized by CPMA and the Commission of a controlled medication program whereby furosemide (referred to in the Rules as “Lasix”) shall be administered to horses certified (referred to in the Rules as “certified horse”) to receive same while in competition in pari-mutuel races within the Rules established by the Commission and in accordance with the provisions of the Canadian Pari-Mutuel Agency Betting Supervision Regulations.

“Licensee” shall mean any person issued a license by the Commission and for the purpose of enforcement of the Rules shall include persons on the grounds of the

Association carrying on an activity for which they are required by the Rules to be licensed by the Commission.

“Licensed Commission Veterinarian” means a veterinarian who is employed or appointed by the Commission.

“Licensed Veterinarian” means a veterinarian licensed by the Commission.

“Maiden” means a horse which at the time of starting has never won a race(s) on the flat of a recognized track or a horse that won a race with a winner’s share less than that designated by the Association from time to time.

“Manitoba Bred Horse” means one that is foaled in Manitoba.

“Manitoba - Owned Horse” means a horse that is wholly owned by one or more bona fide Manitoba residents and has been so owned for a least 60 days prior to its entry in a race for Manitoba owned horses. (A temporary Manitoba resident shall not be considered a Manitoba resident for the purpose of this rule.)

“Manitoba Resident” means

- 1) in respect of a person, a person who actually and physically maintains his permanent residence with the Province of Manitoba for a minimum of 183 days out of the immediate preceding 365 days and does not maintain a permanent residence in any other jurisdiction during the time period in which he is claiming to be Manitoba resident;
- 2) with respect to a registered partnership, a registered partnership in which all of the partners are Manitoba residents as defined in clause (1);
- 3) with respect to a limited company, a limited company in which all registered and beneficial shareholders are Manitoba residents as defined in clause (1).

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

“Meet” means a horse racing meet held in Manitoba with the approval of the Commission.

“Month” means a calendar month.

“Nominator” is a person in whose name a horse is entered in any race for which there is a nomination fee.

“Objection” means a complaint by a Jockey, Trainer or Owner made following the running of a race to a designated Official alleging the Commission of a foul during the running of the race.

“Official” shall mean, depending on the context:

- 1) a person appointed by the Commission to hold an official position with the Commission;
- 2) a person appointed to a position by an Association and approved for that position by the Commission;
- 3) a person appointed or approved for a position by CPMA;
- 4) the determination of the final positions in a race as displayed on the tote board of the Association.

“Official Chemist” means an official chemist appointed pursuant to the Pari-Mutuel Betting Supervision Regulations.

“Official Sample” means a sample of blood, body fluids, urine or saliva of a horse taken in accordance with the Rules and CPMA regulations.

“Official Work or Workout” wherever it shall appear in the Rules shall mean a timed workout in the presence of an official clocker, for the minimum distance, and within the minimum times, set forth below:

<u>Distance:</u>	<u>Main Track</u>	<u>Main Track with Dogs up or Training Track</u>
3/8	:40	:42
1/2	:54	:56
5/8	1:07	1:09
3/4	1:18	1:20
7/8	1:34	
1 Mile	1:48	

“Overnight” may mean, depending on the context in which it is used, the official list of races and entries made available by the Race Secretary for licensees showing all pertinent data from the day’s draw, and which shall include: race day as stipulated in the condition book, date entries will race, post time for each race, name of horse, name of rider, post position, weight, distance of race, purse, conditions, race number, race number entered from condition book, Lasix symbols, Lasix time and number of entries.

“Overnight Race” is one for which the entries close 72 hours, or less, before the time set for the first race of the day on which such race is to be run. Overnight races do not include open allowance or stake prep races.

“Owner” includes part owner or lessee.

“Person” includes a corporation and the heirs, executors, administrators or other legal representatives of a person, and for the propose of these Rules, shall also include a racing or horse Association recognized by the Commission.

“Positive Analysis” has the same meaning as in the Pari-Mutuel Betting Supervision Regulations.

“Post Position” means the position assigned to or drawn for the horse for the start of the race.

“Post Time” means the time set for the loading of the last horse in the starting gate in a race as set forth in the Overnight, and thereafter as set by the Stewards, using the official tote board clock.

“Prescription Medication” (human) means a substance, other than Marijuana, 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.

“Prohibited Substance” (human) includes illegal drugs and prescribed medications possessed without a legally obtained prescription and includes Marijuana (THC).

“Protest” is a formal written complaint to the Stewards, Commission or Authorized Person.

“Public Stable Trainer” means a trainer who has been engaged by two or more arms length owners.

“Publication” means a Commission Directive, Ruling and any other publication that may from time to time be so designated by the Commission.

“Race” means a contest between horses for a stake, a purse or plate, a match, or an overnight event, but not a steeplechase or hurdle race, and when an Association decides to run a race in two or more divisions each division shall be deemed a race for the purpose of these Rules.

“Race Track” or “Track” shall be deemed to mean and include all parts of the plant or premises of an Association.

“Registered” shall mean in these Rules in respect to a horse registered with the Association, those horses whose registration certificates are on file with the Race Secretary of the Association, whether such horse is physically on the grounds of the Association or not.

“Rules” or “Rule” means the Rules of racing herein prescribed and any amendments thereto; and relate only to thoroughbred, quarter horse, and other flat race stipulated by the Commission taking place at all Manitoba race tracks under the jurisdiction of the Commission; and shall include, for all purposes, Directives issued pursuant to the Rules.

“Scratching” means taking a horse out of a race in which it has been entered.

“Scratch Time” means the time set for applications for permission of the Stewards to withdraw a horse from a race to be run on a particular day.

“Speed Horse” means:

- a) Quarter Horse
- b) Appaloosa
- c) Arabian
- d) Paint and any other non-thoroughbred horse engaged in sanctioned flat pari-mutuel racing in the Province.

“Spouse” for the purpose of these Rules means;

- 1) A married person, excepting persons living separate and apart from his or her husband or wife pursuant to a bona fide written legal separation agreement or a court order, in which case neither shall be considered the “spouse” of the other for so long as such separation agreement or court order shall remain in force; or
- 2) A person who cohabits in a conjugal relationship with another person.

“Stake Race” means a race open to all horses complying with its conditions, and in which the nomination fees contribute to the purse. No overnight race shall be considered a stake race.

“Starter” may mean, depending on the context either;

- 1) a horse that is in the starting gate when the stall doors open in front of it in a valid start, or
- 2) the person who dispatches the field of horses.

“Stewards” shall be deemed to mean the board of three Stewards appointed by the Commission, or their substitutes acting together, or such of them as may be acting at the time; and may include a Steward-In-Training.

“Subscription” means the act of nominating for a stake race.

“Track” see “Race Track”.

“Weight for age” means a race in which all horses carry weight according to the scale of weights for age without penalty or allowances.

“Words” in the singular number include plural, and in the plural number include the singular, and words in the masculine gender shall include the feminine gender and words in the feminine gender shall include the masculine gender.

SECTION 2

RULE 1: COMMISSION

(1) DELEGATION

By these Rules the Commission hereby delegates certain of its powers under the Act to members of the Commission, any persons appointed by the Commission or the persons employed by the Commission.

(2) PROVINCIAL LAWS

The laws of the Province of Manitoba and the Rules shall supersede the conditions of a race and the regulations of an Association.

(3) AFFILIATED RACING JURISDICTIONS

All rulings of racing authorities, boards and commissions will be honoured by the Commission as taking effect in Manitoba and all Associations and their officials and employees shall honour such rulings of other racing jurisdictions unless otherwise ordered by the Commission.

(4) RULES BINDING AND DECISIONS FINAL

Every person participating in, and every patron, of a meet shall abide by the Rules and accept the decisions of the Stewards on all matters to which their authority extends, subject to any right of appeal to the Commission, and shall accept as final the decisions of the Commission.

(5) APPLICATIONS

Nothing contained in these Rules imposes an obligation on the Commission, its employees or any official to a licensee or on one licensee to another licensee. The obligations imposed by these Rules are obligations imposed on a licensee to the Commission.

(6) NOTWITHSTANDING the definition of “Rules” contained in Part 1, the Commission may apply these Rules to any other flat race held in the Province of Manitoba featuring pari-mutuel wagering or receiving grant support from the Province, directly or indirectly.

(7) TESTING DEVICES DEEMED ACCURATE

For the purpose of the Rules the reading obtained by a testing device authorized by the Commission shall be deemed to be accurate.

(8) IGNORANCE OF THE RULES

Ignorance of the Rules shall not be accepted as an excuse for their violation.

(9) DIRECTIVES

- a) the Chair, Vice Chair or, in their absence, the Authorized Person, may issue Directives to establish or amend existing Rules, or relating to the application and interpretation of these Rules;
- b) such Directives shall lapse unless adopted and ratified at the next meeting of the Commission.

(10) DEFINITIONS

All definitions in these Rules shall apply as well to Commission Directives.

(11) MANITOBA RESIDENT

At a hearing at which the Commission is required to determine the residency status of any individual, in determining whether a person is a Manitoba resident, the Commission shall take into account, without limiting the generality thereof, the following consideration:

- a) the province and country to which the person pays his income tax;
- b) the province and country which issued the person his motor vehicle operator's permit;
- c) the province and country with which the person has registered his motor vehicles and trailers;
- d) the province and country in which the person is registered under any public or private medical health insurance plan or program;
- e) the ordinary residence of the spouse and infant children of the person, and the location of any school which the children attend;
- f) the province or country in which the person has his business or in which he is employed;
- g) whether any residence situated outside the Province is in the nature of a vacation or "winter" home rather than a permanent residence; and
- h) such other evidence as any party to any proceedings or hearing (including any party adverse in interest to the person seeking to be considered a Manitoba resident hereunder) wishes to tender, and which the Commission deems pertinent and advisable to accept.

(12) ADOPTION AND DEEMED VIOLATION OF CPMA REGULATIONS

- a) the rules and regulations of CPMA as passed or amended from time to time are hereby adopted and incorporated into the Rules of the Commission and any violation of the Pari-Mutuel Betting Supervision Regulations or any other CPMA rules or regulations passed from time to time are hereby deemed a breach of these Rules;
- b) any violations of a Rule or Regulation passed by a licensed Association is deemed to be a violation of these rules provided and that said rules and or regulations are adopted by the Commission prior to the commencement of the race meet.

(13) DEADLINES WHEN COMMISSION CLOSED

When the last day for doing anything under the Rules falls on a day when the Commission office is closed, it may be done on the next day that the Commission office is open.

(14) PUBLICATION OF RULINGS, NEW RULES, AND DIRECTIVES

Newly adopted Rules and all changes become effective as of the date of publication unless otherwise expressly provided. Any ruling of the Commission, the Stewards and racing officials may be published or posted forthwith after having been made. The Commission may publish a ruling, rule or directive by posting it in a prominent place in the office of the Commission or other location on the grounds of an Association, and such posting shall constitute notice of such Directive.

(15) “COMMISSION” MAY MEAN OR INCLUDE STEWARDS OR AUTHORIZED PERSON

Unless the context otherwise indicates, the term “COMMISSION” shall include Stewards and the Authorized Person for the purpose of application or enforcement of Rules.

(16) SERVICES AND FILINGS

- a) any service or filing required or permitted under these Rules may be made on any day of the week, including Sunday and holidays, excluding only those days during which the offices of the Commission are officially closed;
- b) where the day for service or filing expires on a day during which the offices of the Commission are officially closed, the time for service or filings shall be automatically extended 24 hours for each consecutive day said offices remain closed;
- c) any time requirement set out in the rules may be abridged or extended by the Commission, Commission Chair, or Vice-Chair in their sole discretion.

(17) ACCESS

Members of the Commission and its representative shall have the right of full and complete entry to all parts of the Race Track of any Association in the performance of their duties, whether or not the Association at the time is conducting racing.

(18) ACCESS AND SEARCHES

The Authorized Person, the Commission Veterinarian, any member of the Board of Stewards or any Association security officer or any other person designated by the Commission or Authorized Person or the Board of Stewards; may conduct a thorough search of licensees on the grounds of an Association and may enter, search and/or inspect any part of a race track or any vehicle or premises on the grounds of an Association.

(19) THE POWER TO SEARCH

Includes the right to search a licensee’s personal effects, barn, automobile, or any other vehicle that he may have under his care or control, and his living quarters if the living quarters are situated on the grounds of an Association.

(20) LICENSEES ACCEDE TO RULES

Licensees or participants acting in any capacity at a race meet approved by the Commission shall, by so participating, consent to the examinations, searches and inspections referred to in the Rules, and to the seizure of any hypodermic syringe, hypodermic needle or any other device or paraphernalia, described or implied in the Rules, and all drugs and medications of any kind which might be in the participant’s or licensee’s possession.

(21) SEIZED GOODS FORFEITED

Any article, device, paraphernalia, drug or medications or other item prohibited by these Rules that is seized during a search conducted under these Rules or that comes into the possession of the Commission by any other means shall be forfeited to the Commission, and may be destroyed or disposed of by the Commission whether or not a licensee or other person is charged or convicted

with a violation of these Rules in connection with any of the items, and whether or not any person charged is found not to have violated these Rules in respect of the items, and neither the Commission nor any of its officials or employees is responsible or liable for loss or damage occurring to a person as a result of the forfeiture, destruction or disposition.

(22) DUTY TO REPORT INFRACTIONS

All racing officials and employees of the Association or Commission, and all Associations shall promptly report to the Stewards all observed violations of the Rules.

(23) PAYMENT OF FINES

- a) fines imposed by the Commission, Stewards and the Starter are payable forthwith upon their imposition unless otherwise stated in the ruling, or there has been an appeal filed and the Chair, Vice Chair or Authorized Person stayed payment pending the outcome of the appeal, or the Stewards have granted an extension;
- b) a licensee who fails to pay a fine shall automatically become suspended on the third day following the imposition of the fine if no time for payment is stipulated in the ruling or as extended by the Stewards, and shall remain suspended until the fine is paid.

(24) SUSPENSIONS AND OTHER PENALTIES - EFFECTIVE DATES

Penalties other than fines are effective forthwith or as of the date stated in the ruling, except when stayed by authority of the Commission.

(25) SUSPENSION OF OWNER AUTOMATICALLY SUSPENDS HORSES

- a) when an owner is suspended, all his horses are likewise suspended from participation in racing;
- b) such suspensions will be rescinded automatically upon the expiration of the suspension; or,
- c) may be rescinded by the Commission if such horses are sold in good faith to a private purchaser or at public auction with the consent of the Stewards or Commission.

RULE 2: DISCRETIONARY POWERS

(1) UNLIMITED POWERS

Without limiting the generality thereof, the Commission shall have the following powers for the conduct or control of racing:

- a) to investigate any matter and to make rulings and issue directives based upon its findings;
- b) to insure subpoenas, compel attendance, compel production of documents, and require testimony of witnesses;
- c) to overturn or amend any decision made by any official;
- d) to impose, in its absolute discretion any or all of the following penalties for conduct prejudicial to the best interest of racing, or for a violation of the Rules:
 - i) refuse an offender admission to the grounds of an Association;
 - ii) expel an offender from the grounds of an Association;

- iii) revoke, refuse to issue or renew a license, or suspend or place on probation, with or without conditions, any Commission licensee for any length of time it may deem proper;
 - iv) impose whatever fine it feels is suitable or justifiable;
 - v) rule an offender off the turf for any length of time it may deem proper, or permanently;
- e) to carry out, at first instance, any of the powers or duties of the Stewards set out in these rules;
- f) to determine in its sole discretion whether an appellant is an affected person. An appellant for the purpose of this shall mean an appellant or any other person.

(2) NO SPECIFIED PENALTY OR RULE / USAGE OF THE TURF

When there is no specified penalty for a violation of the Rules, the Act, or any regulation thereunder, or the rules or regulations of the Association, the Commission may disqualify, fine, suspend, expel, rule off or otherwise punish as it shall deem fit.

If any case occurs which is not, in the determination of the Commission, provided for by the rules it shall be determined by the Commission as it thinks just and preferably consistent with the usage of the turf.

(3) WAIVER OF BREACH OF RULES

In addition to any other power conferred on it under these Rules, the Commission in its absolute discretion may waive the breach of any of the Rules if the Commission does not consider such breach prejudicial to the best interests of racing; or if the waiver is deemed in the best interest of racing.

(4) RIGHT TO APPEAL

- a) the Chair, Vice-Chair or Authorized Person may institute an appeal to the Commission from any decision of the Stewards or other officials provided it is filed within 72 hours of the decision being appealed;
- b) the Chair or Vice-Chair shall immediately following receipt of the appeal set a date for hearing, and serve notice thereof on the Stewards or other official, and on the affected parties.

(5) RIGHT TO OVERRULE

Notwithstanding any other rule herein contained and whether or not a notice of appeal is filed, the Commission may, in its absolute discretion, review, and uphold, vary, or reverse any decision, disposition or finding of the Stewards, including a finding of fact. The Commission shall notify the Stewards and the party affected of its intention to exercise its right of review pursuant to this rule.

(6) EMERGENCY POWERS

- a) the Commission or Chair, or in his absence the Vice-Chair, or in his absence the Authorized Person, may in an emergency situation make any order or take any action necessary in his sole discretion for the safety of a licensee or for the preservation of the integrity of racing;
- b) whether an emergency exists shall be determined by and in the sole discretion of the person making the order, or taking the action. Such order or action

shall remain in effect until the next meeting of the Commission, which shall be convened as soon as practical after an order is made or action taken. Any order made pursuant to this rule is effective on pronouncement but time for Appeal does not commence until served on affected parties. In the absence of or on the direction of, a person identified in Rule 2 (6) a) the Stewards shall have the authority as set out in this section.

(7) COMPROMISE OF RULINGS OR PENALTIES

- a) with the agreement of the Stewards and the penalized licensee, the Chair or in the Chair's absence, the Vice-Chair, may remove, alter or substitute a suspension or other penalty imposed by the Stewards provided it is done within the time stipulated for filing of an appeal following the delivery of the ruling appealed from; or
- b) after the filing of an appeal but prior to the hearing of the appeal.

RULE 3: LICENSING

(1) ASSOCIATION LICENSE

- a) the Commission has power at its absolute discretion to issue licenses or permits to conduct pari-mutuel racing, with or without conditions, and to make and to vary all arrangements for the conduct of a meet;
- b) the Commission may from time to time fix license fees to be paid to the Commission by an Association and any person who is required to be licensed under these Rules; and may post a list of fees so fixed from time to time in a prominent place in the office of the Commission or elsewhere;
- c) the Commission or Authorized may from time to time fix the annual fees payable to the Commission for filing or registering any forms or issuing or honouring any license.

(2) AGE RESTRICTIONS

- a) a person under the age of 18 years may be licensed by the Commission with the written consent of his or her parents or legal guardian, subject to the approval of the Board of Stewards, and, where applicable, subject to the parents or legal guardian executing a guarantee of financial responsibility for such person if so requested by the Board of Stewards;
- b) Notwithstanding the foregoing, no person under the full age of 16 years shall be licensed as an owner.

(3) RECIPROCAL LICENSE

- a) in lieu of issuing a new license to an owner, trainer, assistant trainer or jockey who is at the time of application a non resident of Manitoba, and who holds a valid license issued by a racing jurisdiction recognized by the Commission, based on similar considerations and standards as prevail in Manitoba at the time, the Commission may, on application by the applicant, endorse or recognize the applicant's racing license as a reciprocal license valid for all purposes and subject to all rights, restrictions and obligations as a regular license of the same category issued by the Commission;
- b) such reciprocal license shall be subject to payment of the same fee as a regular license, unless otherwise determined by the Commission.

(4) CLASS A AND CLASS B LICENSES

- a) licenses issued by the Commission shall be either Class A or Class B licenses;
- b) temporary Class A licenses may be issued for a maximum of 5 days, but may be renewed for one or more further 5 day periods;
- c) only the following persons may be issued Class A licenses:
 - owners;
 - trainers;
 - assistant trainers;
 - probationary trainers;
 - jockeys;
 - apprentice jockeys;
 - jockey's valets and agents;
 - veterinarians;
 - veterinarian's assistants, and animal health technologists;
 - officials, stable employees including grooms, hot walkers, pony, and exercise persons; or other persons designated by the Commission or Stewards.
- d) all other persons may be issued Class B licenses;
- e) the holders of Class A licenses shall have reasonable access to the backstretch area of the track;
- f) the holders of Class B licenses shall not have access to the backstretch or stable area of the track without permission of the Stewards.

(5) EXPIRATION

Class A and Class B licenses shall be issued annually and shall be valid from April 1 in the year to March 31 of the next following year.

(6) REGISTRATION IN LIEU OF LICENSE

- a) the Commission may, by Directive, require that such personnel as may be designated by the Commission and who are employed or engaged in the conduct of a race meet but do not require or have access to the backstretch, paddock, or other restricted access area be registered with the Association conducting the race meet in lieu of being licensed by the Commission;
- b) such persons so registered shall be deemed to be licensed by the Commission and subject to the Rules of the Commission covering such licensed persons.

(7) APPLICATION CONTENTS

An application for any license under The Horse Racing Commission Act and these Rules is subject to the following requirements;

- a) the application for the license shall be in writing, shall be complete and shall be true and accurate;
- b) the application for a license shall be submitted to the licensing clerk of the Commission who shall, in turn, submit it to the Stewards for consideration;
- c) the Stewards receiving an application for a license shall consider it, and may approve it with or without conditions, or may reject it;
- d) the consideration of an application for a license by the Stewards shall include a consideration of the personal character and ability of the applicant, but the Stewards shall not approve the application of a person who is under

- suspension by any recognized racing jurisdiction or governing body;
- e) the licensing clerk of the Commission shall issue a license to any applicant whose application is approved by the Stewards;
 - f) the Commission has final authority to approve or reject a license and the Commission may review an approval or rejection of an application made by the Stewards.

(8) LICENSE SPECIFICATIONS

- a) each occupational license shall bear a photograph of the holder;
- b) the Commission shall supply, at its expense, the equipment necessary for taking of photographs;
- c) such photographs will be paid for by the licensee and shall bear a distinct likeness to the applicant;
- d) each license issued by the Commission shall be carried on the person at all times and in such a manner that it is displayed in visible area on their person at all times while the licensee is within the confines of the backstretch and paddock or other restricted access areas.

(9) LOST OF ID CARD

- a) the Commission may at no cost on the first occasion grant a replacement license on receipt of satisfactory proof of loss of the original license;
- b) the fee for any subsequent replacement license may be determined by the Commission or Authorized Person from time to time.

(10) LICENSES CONDITIONAL

Every license issued by the Commission is issued on the condition that the licensee shall accept, observe and enforce the Rules and every rule required to be observed by the licensee is a term or condition under which the license is issued.

(11) LICENSES DISCRETIONARY

Without limiting its absolute discretionary licensing power, the Commission may refuse to issue or renew a license, or may suspend, place on probation, or revoke a license of a person if the applicant or license holder;

- a) has committed acts in Manitoba or elsewhere in connection with horse racing which in the opinion of the Commission are objectionable, obnoxious or detrimental to the best interest of racing; or
- b) has violated any rule or regulation of the Commission; or
- c) has been charged or convicted with the commission of any crime, whether the crime relates to horse racing or not.

(12) FINANCIAL RESPONSIBILITY

- a) any licensee who accumulates, in connection with his racing activity, unpaid obligations or defaults in such obligations, or issues drafts or cheques that are dishonoured, or payment refused, or otherwise displays financial irresponsibility reflecting on the sport, may be denied a license or may be suspended by the Commission.
- b) the term “unpaid obligations” means;
 - i) obligations which have been adjudged as valid legal debts by a court of competent jurisdiction but which have not been collected in full; or
 - ii) obligations which have been acknowledged by debtor but remain

- unsatisfied; or
 - iii) obligations which have been documented to the satisfaction of the Commission as unfulfilled and which have not been disputed by the licensee in question after notice has been given to him or her;
 - iv) obligations arising out of a mediated settlement or arbitration order.
- c) it is not the intention that the Commission will act as a collection agency to circumvent normal court procedures for adjudication of claims by one person against another, but the Commission may in its discretion elect to do so.

(13) MULTIPLE LICENSING

No person shall engage in or be employed as a owner, trainer, veterinarian, veterinarian's assistant, jockey, apprentice jockey, jockey agent, jockey's valet, authorized agent, exercise rider, pony person, or stable employee, farrier, outrider, or such other racing trade or calling as may be designated by the Commission unless he is the holder of a separate license for each category issued by the Commission.

(14) NO LICENSE WITHOUT HORSE REGISTERED TO RACE

- a) no person shall be licensed as a owner or owner/trainer unless he has a horse registered with the Association;
- b) unless an owner or an owner/trainer has a horse registered with the Association, he shall on demand forfeit his license to the Stewards and he shall not apply for another owner's or owner/trainer's license until he has a horse registered with the Association;
- c) unless a trainer is training a horse registered with the Association, he shall on demand forfeit his license to the Stewards and he shall not apply for another trainer's license until he is employed as trainer of a horse registered with the Association.

(15) NO OCCUPATIONAL LICENSE WITHOUT EMPLOYMENT

Upon any occupational licensee's leaving an owner's or trainer's employ:

- a) the occupational licensee shall notify the Stewards who shall inform the Association so as to alert their security personnel;
- b) the owner or trainer for who the licensee worked shall notify the Stewards who shall inform the Association so as to alert their security personnel;
- c) the Stewards may demand the surrender of the license, and after such demand having been made, whether it is complied with or not, the holder's occupational license should be automatically and immediately suspended and the matter shall be reported to the Commission and to the security personnel of the Association.

(16) RESTRICTIONS ON MULTIPLE LICENSING

- a) no owner or trainer shall be licensed as a jockey agent;
- b) a trainer shall not have a trainer.

STABLE NAMES

(17) ANNUAL REGISTRATION MANDATORY

Stable names or changes of stable name shall be registered or renewed annually and shall remain in effect only during the year for which the fee is paid.

(18) RESTRICTIONS

No one shall register as his stable name;

- a) one which has been registered in this or any other recognized jurisdiction in the previous 3 years, by any other owners;
- b) one which is the real or assumed name of any prominent person or public entity;
- c) one using the name of any person or public entity which is not actively associated with the stable;
- d) one which is not clearly distinguishable from another registered stable name;
- e) one which, in the sole opinion of the Commission, is apt to be misleading or cause confusion to the public or to the racing community.

(19) CORPORATE NAME

A corporate name may be considered as a stable name for the purpose of the Rules but the Commission reserves the right to refuse any corporation the privilege of registering a stable name.

(20) AMENDED NAME

A stable name may be changed at any time by registering an amended stable name.

(21) ABANDONMENT

Any person who has registered a stable name may, at any time, abandon it by giving written notice of cancellation at the office of the Commission, after which all entries, which have been made in the stable name, shall be altered to the real name of the owner.

(22) DISCLOSURE

Upon request of the Commission and/or the Racing Association, the real name of persons who race under stable names shall be disclosed and the Commission shall cause a list of all stable names currently granted by the Commission and the persons who race under stable names to be kept up to date and available.

- (23)** The ownership of a stable name shall be disclosed on the official program if so ordered by the Stewards.

(24) PARTNERSHIP STABLE

If the horses of a partnership are to be run in the name of a member of a partnership, such name need not be registered as a stable name, but all horses of the partnership must be run under that name.

- (25)** If a stable name is owned by a partnership and disclosure of ownership is ordered by the Stewards, the name of at least one partner followed by the words "ET AL" shall be given on the official program and if any partner also has an interest in any other registered stable name, the name of that partner shall be given on the official program.

PARTNERSHIPS

(26) REGISTRATION

All documents relating to partnerships or changes in partnerships shall be registered with the Commission.

(27) CONTENTS

Partnership documents shall among other things, set forth the following;

- a) the name and address of every person having an interest in the horses involved;
- b) the relative proportions of such interests;
- c) to whom the winnings are payable;
- d) in whose name the horse shall run;
- e) with whom the power of entry and scratching rests;
- f) the terms of any contingency, lease or other similar arrangements.

(28) EXECUTION OF DOCUMENTS

All partnership documents shall be signed by all parties or their authorized agents.

(29) EMERGENCY EXECUTION

- a) in an emergency, authority to sign documents on behalf of the partnership may be given to an available partner by an absent partner by telegram or facsimile, which the Stewards may, in their discretion, accept or reject;
- b) if accepted, the Commission may subsequently revoke the registration if the forms referred to in subsection (1), (2) and (3) signed by all partners personally are not filed within 2 weeks of the receipt of the said telegram or facsimile.

(30) PAYMENT OF WINNINGS

An Association shall pay winnings of a partnership in accordance with the partnership documents received by the Association from the Commission, subject to any court order or any lawful assignment served on the Association prior to payment.

(31) SALE BY PARTNER

The part owner of any horse shall not sell or assign his share or any part of it to any unlicensed person without the written consent of the other partners to be filed with the Commission.

(32) CHANGE OF PARTNERS

To be effective, any change in a recorded partnership shall be made in writing signed by all the partners and filed with the Commission.

(33) JOINT AND SEVERAL LIABILITY

All partners to a partnership, and each of them, shall be jointly and severally liable for all stakes, forfeits and other obligations.

(34) EACH PARTNER TO BE LICENSED

Every partner shall apply for an owner's license, subject to the Rules relating to Limited Partnerships.

(35) CLAIMING

Unless partnership documents filed with the Commission specifically say who may claim for the partnership, or unless the partnership has properly appointed an authorized agent with power to claim for it, any claim not signed by all members of the partnership will be declared void.

(36) DESIGNATED NAME FOR RACING PURPOSES

If the members of a registered partnership decide to race their horse or horses in a single designated name, the name and the phrase “and partner(s)” shall be carried on the daily racing program.

(37) LIMITED PARTNERSHIP

Limited Partnerships must be registered with the Commission.

(38) Limited Partnership registration papers shall, among other things, set forth the following;

- a) the name and address of the General Partner and each Limited Partner;
- b) the proportional interest owned by the General Partner and each Limited Partner;
- c) to whom the winnings are payable;
- d) in whose name the horse shall run;
- e) with whom the power of entry and scratching rests;
- f) the terms of any contingency, lease or other similar arrangement.

(39) All Limited Partnership registration papers shall be signed by the General Partner.

(40) The General Partner must be licensed as an owner and in the event the General Partner is a corporation it must satisfy the provisions for licensing as required in this part relating to Corporation.

(41) The General Partner must file an affidavit that no Limited partner is ineligible for licensing in any racing jurisdiction or is currently suspended by any racing authority. In the event that a limited partner is a corporation, such affidavit shall also state that all officers, directors and shareholders of such corporation are eligible for licensing.

(42) Any alteration in the limited partnership registration papers or contents thereof must be reported in writing to the Commission and signed by the general partner.

(43) Any claim not signed by the general partner shall be declared void unless signed by an authorized agent appointed by the general partner pursuant to the Rules of the Commission with the power to claim on behalf of the limited partnership and said agent has signed the claim in question.

(44) If the General Partner does not register a stable name, the name of the General Partner and the phrase “limited partnership” shall be carried on the daily racing program.

CORPORATIONS

(45) APPLICATION

A corporation applicant for a license must file the following;

- a) a certified copy of Articles of Incorporation and any amendments thereto;
- b) a current Certificate of Status showing the corporation to be in good standing in the jurisdiction in which it is incorporated;
- c) if incorporated outside of Manitoba, a certificate showing the company is currently registered and authorized to carry on business in the province of Manitoba;
- d) the head office address of the corporation;
- e) the name and address of every director and officer and each shareholder;
- f) the proportional interest of each shareholder holding or controlling ten(10%) percent or more of the capital stock in the corporation;
- g) a direction as to whom the winnings are payable;
- h) a direction as in what name the horses shall run;
- i) a direction as to with whom the power of entry and scratching rest;
- j) the terms of any contingency, lease or other similar arrangement.

(46) OFFICER LICENSEES

- a) in corporations where one individual is both the sole officer and director, such individual must be licensed as an owner;
- b) in all other corporations 2 officers, who are also directors must be licensed.

(47) EXECUTION OF DOCUMENTS

All corporate registration papers shall be signed by those officers/directors who are required to be licensed as owners.

(48) AFFIDAVIT OF GOOD STANDING OF OFFICERS AND DIRECTORS

The officers/directors required to be licensed as owners pursuant to these Rules shall file an affidavit that no corporate officer, directors, or shareholders is ineligible for licensing in any racing jurisdiction or is currently suspended in any racing authority.

- (49)** If any shareholder holding or controlling at least ten (10%) percent of the capital stock in the corporation in a partnership, limited partnership or corporation, it must make similar full disclosure as required by those entities under the Rules of this Part.

(50) CHANGES

Any alterations in the corporate registration papers or contents thereof must be reported in writing to the Commission and signed by the officer/directors required to be licensed as owners under these Rules.

(51) CLAIMS

Any claim not signed by the officers/directors required to be licensed as owners under these Rules shall be declared void unless the said officers/directors have appointed an authorized agent with the power to claim on the corporation's behalf and said agent has signed the claim in question.

(52) STABLE NAMES

Subject to the provisions of these Rules, a corporate name shall be considered as a stable name for the purposes of the Rules.

(53) BACKSTRETCH AND STABLE ACCESS RESTRICTED

No one shall enter or remain in the backstretch area of an Association Race Track where horses are stabled unless he is a member, official, employee or Class A licensee of the Commission, an employee or official of an Association or one whom the Commission or Association has issued with documentary credentials attesting to his right to enter such backstretch area.

(54) BACKSTRETCH GUEST

- a) an owner or trainer holding a valid current license issued by the Commission may sign in guests to the backstretch area unless such guests are unacceptable to the Commission or the Association;
- b) the owner or trainer signing in such guest shall be responsible for the supervision and conduct of such guest while in the backstretch area;
- c) it is an offence for any licensee to aid or abet an unlicensed person's unauthorized entry to the grounds of an Association.

AUTHORIZED AGENTS

(55) APPOINTMENT

All documents by which an owner appoints an authorized agent shall be registered with the Commission.

(56) CHANGE OR REVOCATION

Any change in, or revocation of, such appointment must be made in writing, signed by the owner and filed with the Commission and with the owner's trainer.

(57) EFFECTIVE PERIOD

Notwithstanding Rule 3 (56) as between an owner and any Association, a document appointing an Authorized Agent which has been registered with the Commission, shall remain in full force and effect until the end of the current racing season or until notice in writing of its revocation has been received by the Commission.

(58) LICENSE

Persons appointed as Authorized Agents need not be licensed in any other capacity, but unless licensed by the Commission in some other capacity, must be licensed as Authorized Agents.

(59) PROXY LICENSE

- a) a licensed trainer may apply for a license on behalf of an owner he represents by signing the application for the owner's license as if he had a power of attorney from such owner;
- b) such "proxy" license may be revoked unless within two weeks an application has been submitted under the owner's signature.

OWNERS

- (60) Each applicant for an owner's license may be required to satisfy the Commission of their financial responsibility.
- (61) If the license of an owner is suspended or revoked, all horses of the owner shall become ineligible for entry.
- (62) Horses not under lease must race in the name of the bona fide owner.

RULE 4: APPEALS TO COMMISSION

RIGHT TO APPEAL

- (1) Subject to rule (4) 2) any person affected by a decision or ruling of the Stewards or other Official may appeal that decision to the Commission.
- (2) No appeal is allowed from a finding of fact or judgement based thereon made by the Board of Stewards pertaining to the running of a race with respect to the disqualification, placing or non disqualification or placing of a horse for an alleged rule violation except as set forth in (3) and (4) hereof.
- (3) Nothing herein shall prevent any person from appealing the imposition of a penalty, which is based on a finding, or a judgement founded thereon as set out in Rule (4) 2) thereof;
- (4)
 - a) when the appellant claims the finding was the result of bias or not made bona fide or was contrary to the Rules of procedural fairness or natural justice he may apply in writing to the Chair, or in his absence, the Vice-Chair to hold a preliminary hearing to determine the issue of bias, bona fides, or procedural fairness and natural justice:
The failure or inability of the Stewards to interview any rider in a race, including the alleged offending rider, shall not by itself necessarily construe a breach giving rise to the right to appeal set forth herein.
 - b) The notice should set out the particulars of the alleged bias.
 - c)
 - i) the onus of proving bias, lack of bona fides, procedural unfairness or breach of the Rules of natural justice is on the person alleging it;
 - ii) the onus shall be satisfied on a balance of probabilities.
 - d) for the purpose of the Rules, the Chair, or Vice Chair conducting the preliminary hearing alone pursuant to this Rule shall have all the powers and authority as a full quorum of the Commission sitting as a Board for the purpose of hearing any protest or appeal;
 - e) the finding of the Chair or Vice-chair shall be as binding on all affected parties as a finding of the Commission, and shall not be subject to an appeal to the Commission or any other tribunal;
 - f) should the Chair or Vice-Chair determine that the appellant has satisfied the onus with concrete evidence, the Chair shall cause the Commission to convene a full panel to hear an appeal on this issue and on the merits of the Steward's decision.

(5) PROCEDURE TO APPEAL

A person who decided to appeal a decision or ruling of the Stewards or other

Official shall file a statement of appeal in writing with the Commission within 48 hours or verbal or written receipt of the decision or ruling being appealed, excluding only those days during which the offices of the Commission are officially closed.

(6) CONTENTS OF APPEAL STATEMENT

The statement of appeal shall set out;

- a) the name and address for service of the appellant;
- b) the nature of the decision being appealed, including the amount of any fine which may have been assessed or the length of any suspension which may have been imposed, and whether the appeal is for the finding or penalty or both;
- c) the date on which the decision was made;
- d) whether the appellant desires to be present in person at the hearing of the appeal; and
- e) whether the appellant intends to be represented by counsel or other representative, and if so, the name of such counsel or representative.

(7) APPEAL BY COMMISSION

A notice of appeal shall set out;

- a) the decision being appealed from;
- b) the date on which the decision was made;
- c) the grounds of the appeal;
- d) a proposed date for hearing; and
- e) shall be served on all affected parties, including the Stewards of other officials, forthwith.

(8) DEPOSIT REQUIRED

Any appellant other than the Chair, Vice-Chair or Authorized Person shall deposit the amount of \$300.00 together with his statement of appeal which deposit shall be disposed of as the Commission sees fit whether the appeal is heard or not.

(9) DELIVERY OF SERVICE

A statement of appeal shall be delivered to the office of the Commission or sent to the office of the Commission by registered mail, or delivered to any Commission Steward or the Authorized Person.

(10) STAY PENDING APPEAL HEARING

The appellant may, after filing the statement of appeal and depositing the requisite sum therewith, apply in writing to the Commission to have the decision stayed until the hearing of the appeal; and

- a) the Chair, or such other reason as the Chair may designate, may in his sole discretion, stay the decision, ruling or suspension with or without conditions, until a date certain, or from time to time, until an appeal can be heard, or may refuse the stay with or without written reasons;
- b) once a hearing has begun, the Commission has sole discretion as to whether or not a stay of decision, ruling or suspension which is in effect should continue in effect or be dissolved;
- c) there is no presumption arising from the granting or refusal of a stay of the decision or ruling.

(11) HEARING DATE & SERVICE OF NOTICE OF HEARING

Upon the filing of a statement of appeal with the requisite deposit, the Chair shall;

- a) fix a time and place for a hearing of the appeal;
- b) give 5 days notice of the hearing to the appellant and any other party affected by the appeal. Such notice shall be in writing and shall set out the time and place of the hearing and the issues to be dealt with at the hearing; and may be served in person or by registered mail, postage prepaid, addressed to the person being served at the address on the license of any other affected party.

(12) RIGHT TO HEAR & PARTICIPATE

The appellant and any other person or persons affected by an appeal shall have the right;

- a) to request that the Commission issue a subpoena to a witness;
- b) to be present throughout the hearing of the appeal;
- c) to be represented by counsel or other representative, provided that the other representative is approved by the Commission Chair or Vice-Chair prior to the hearing;
- d) unless otherwise set out by Directive to call evidence and cross-examine witnesses called by the Commission or any other party;
- e) to be heard through counsel or in writing; and
- f) to present argument regarding the issues dealt with at the appeal.

(13) IN CAMERA HEARINGS

- a) all appeals shall be open to the public, unless otherwise directed by the Commission;
- b) the Commission may, on application, order any hearing to be held in camera.

(14) COMMISSION HEARING RULES AND PROCEDURES & COSTS

The Commission;

- a) may proceed with the appeal in the absence of the appellant where he has indicated that he does not wish to be present or where the appellant does not attend after having been notified of the date, time and place of the appeal, in accordance with these rules;
- b) subject to these Rules, shall determine its own rules of evidence at any hearing and is not bound by the rules of evidence applicable to judicial proceedings;
- c) may take notice of judicially cognizable facts and of general technical or scientific facts within its specialized knowledge; provided that parties shall be notified either before or during the hearing of the material so noticed and shall be afforded an opportunity to contest the facts so noticed;
- d) may determine the procedure at hearings where the same is not provided for in these Rules;
- e) shall hear all appeals in the form of a new trial;
- f) shall base all decisions on a balance of probabilities;
- g) may assess costs against any unsuccessful appellant in addition to any order made with respect to forfeiture of the deposit accompanying the appeal.

(15) HEARING RECORDINGS AND TRANSCRIPTS

- a) the Commission may have the proceedings recorded by video tape or by a court reporter or by a Commission employee, which shall be the official record of the hearing, but any failure to record the hearing should not invalidate same;
- b) a transcript of the hearing shall be prepared at the Commission's expense only if the Chair of the appeal being heard requests it;
- c) The Chair may allow any party to the proceeding to engage a court reporter to record the hearing at the sole cost of such party and subject to such party providing the Commission with a certified copy of the transcript at no cost to the Commission;
- d) The Commission may provide any party to a hearing with a copy of any transcript or video tape prepared hereunder upon application by the party to the Commission and upon payment by that party of the fees prescribed by the Commission for such transcript or video.

(16) EXHIBITS AND SEIZURES

Anything presented to the Commission in writing or as an exhibit or seized by the Commission as evidence for any hearing or appeal shall become the property of the Commission and may be disposed of following the hearing as the Commission deems fit or just regardless of the outcome of the appeal.

- (17) In the hearing of any appeal, the Commission may appoint one or more counsel or other representatives to present the evidence on behalf of the Stewards or Commission, and to advise the Commission.

RULE 5: OFFICIALS

AUTHORIZED PERSON

(1) APPOINTMENT AND POWERS

The Commission may appoint one or more Authorized Persons who, when so appointed shall be the representative of the Commission on the grounds of an Association when it is conducting a race meet and who shall;

- a) in the performance of his duties, have unrestricted access to all buildings, stables, rooms and all other places on the grounds of any Association;
- b) issue orders and Directives in the name of the Commission, effective unless and until countermanded by the Commission;
- c) attend race meets licensed by the Commission;
- d) make such reports to the Commission as may see fit;
- e) supervise, in the performance of their duties, all Commission and Association officials and employees;
- f) attend meetings of the Commission or appeals to the Commission, as required;
- g) act as advisor for the Commission, when so required in any investigation it may hold; set license and permit fees, effective unless and until varied by the Commission;
- h) perform such other duties and offices as the Commission or Chair may from time to time assign.

(2) PERSON TO BE APPROVED

The Commission may designate any person employed by, appointed by or appointed to the Commission as an Authorized Person.

STEWARDS

(3) TERMS OF APPOINTMENT

The Stewards shall assume their powers and duties at one minute after midnight three days before the start of each meet and such powers and duties shall continue until one minute after midnight three days before the start of the next meet or until they resign, are terminated or are replaced.

(4) EMERGENCY APPOINTMENT

In the event of the absence of a Steward from his duty, the Commission or remaining Stewards shall appoint a fully qualified person to act as a substitute Steward for such a period as may be necessary. Except that two Stewards will suffice to make decisions other than decision made in the race stand in the running of the races.

(5) QUORUM

All questions to be decided by the Stewards shall be determined by a majority vote, provided that in the event that there are only 2 Stewards adjudicating a matter whether in the Stewards stand or otherwise the Presiding, or if not present, the senior Steward will cast the deciding vote if required, except when two Stewards are making decisions other than in the stand in the running of the races the senior Steward will cast the deciding vote in the event of a tie vote. A ruling may be signed by the Authorized Person or any one of the Board of Stewards on behalf of the Stewards.

(6) OUTSIDE EMPLOYMENT

No Steward, shall be employed by an Association in any other capacity during the time he acts as a Steward, except a person acting temporarily pursuant to Rule (5) 2).

(7) CONTROL AND ACCESS

In the performance of their duties, the Stewards shall have reasonable control over, and unrestricted access to, all places within the grounds of the Association.

(8) AUTHORITY AND DUTY

Subject to the powers and duties of the Commission, the Stewards have the authority and the duty to;

- a) regulate and govern the conduct of all racing, racing officials and owners, trainers, Jockey, grooms and all persons attendant upon horses, or holding any license or permit issued by the Commission; in regulating the conduct of licensees the Commission adopts the Standards of Conduct as set out in the Provincial, Federal and Municipal Statutes and Regulations regarding racial, sexual or other discriminating practices of any form of harassment.
- b) enforce the rules and impose penalties for any breach of the rules as set out herein;
- c) decide all questions not specifically covered by the Rules, and to interpret the Rules according to the customs and usage of the turf, and in the best

interest of racing and fairness.

- d) take such action in advance as they may regard as necessary to prevent an infraction of the Rules, when they deem it advisable;
- e) get the horses to the post at post time;
- f) get the winning horse to the test barn;
- g) suspend any person who instructed or induced a Jockey to ride a race in a willfully foul manner and report the matter to the Commission;
- h) suspend any person from participating in any manner for that day when a breath analysis shows that such persons blood exceeds thirty milligrams of alcohol in one hundred milliliters of blood and may expel such person from the ground, and may take such additional disciplinary action against such person as they deem fit;
- i) suspend a person who refuses to provide a sample of urine, other bodily substance or blood, when ordered to do so from participating in any manner that day and may expel such person from the grounds.

(9) DISCRETIONARY POWERS (MISCELLANEOUS)

Without limiting the generality thereof, the Stewards shall have the discretionary power to; warn off or order the ejection from the Association any person who by reason of past or present conduct would be regarded as objectionable, or who is creating a nuisance or acting contrary to the best interest of racing, and the Association shall enforce such order;

- a) demand proof that a horse is not ineligible to any particular race or that it is not entered, owned or trained, in whole or in part, by a disqualified person, and in default of satisfactory proof, the Stewards may disqualify or scratch the horse;
- b) declare any claim void for an actual breach, or attempted breach, of the claiming Rules – either their spirit or intent;
- c) examine, or order a Commission Veterinarian or Licensed Veterinarian to examine and report upon, any horse on the grounds of the race track whether or not a meet is being held at the race track at the time of the order, and whether or not the horse is registered to race;
- d) place the name of any horse on the stewards' list for any reason they may deem to be proper;
- e) declare a race no contest, (any such declaration by the Stewards if made after the posting of the “official” sign shall in no way affect the wagering on the race);
- f) declare that a horse did not receive a fair start or is a non-starter;
- g) place a horse in the temporary charge of a trainer of their selection and order proper compensation to be paid such trainer by the owner of said horse;
- h) permit changes of equipment prior to entry, or approve changes in equipment after entry but prior to post time for reasons of track condition, safety or otherwise;
- i) excuse a horse from starting for adequate reason whether before or after it has been accepted by the Paddock Judge;
- j) require any licensee, by verbal or written notice to attend before them to review films, provide information, testify, provide a statutory declaration

- relating to any matter, or to assist in enquiries;
- k) control and supervise all entries, nominations, declarations, and scratches;
 - l) conduct an investigation into any matter within their jurisdiction and demand a statutory declaration or other form of proof from any person under their jurisdiction who they believe may or ought to have knowledge of the matter under investigation;
 - m) require the Starter, Assistant Starter, Jockeys, the Patrol Judges or any other licensee to attend a showing of the tapes for the races of a preceding racing day at such time and place as is selected by the Stewards;
 - n) permit or prohibit a deceased horse from being removed from the backstretch or from the grounds of an Association;
 - o) set the post time for each race;
 - p) shall direct and be in control of the off time for each race.

(10) DISQUALIFICATIONS AND PLACEMENTS

- a) the Stewards have sole and final authority to determine when a disqualification is proper and the extent of the disqualification, including the other parts of an entry;
- b) in determining the extent of the disqualification of a horse in a race, the Stewards may place the disqualified horse behind any horse that in their judgment the disqualified horse interfered with, or they may place it last, or declare the horse to be a nonstarter;
- c) if in the opinion of the Stewards a foul committed by one part of an entry is willful or intentional, and benefits the other part to the detriment of the balance of the field, the Stewards may disqualify and place both or all parts of the entry; otherwise when a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one will not necessarily affect the placing of the other.

(11) ENTRIES AND NOMINATIONS OF A HORSE ON THE STEWARDS' LIST

A horse on the Stewards' list shall not enter or race, but it may be nominated in a stake race and enter such stake race provided it has been removed from the Stewards' list prior to entry.

(12) DELEGATION AND SUPERSEDING OF ASSOCIATION OFFICIALS

- a) in all matters pertaining to racing, the orders of the Stewards shall supersede the orders of the officers, directors and officials of the Association;
- b) the Stewards may delegate and assign race-related duties to Association Officials, as they deem necessary or advisable.

(13) NO PENALTY WITHOUT HEARING

Before imposing a penalty on any person for a violation of these Rules, the Stewards shall give that person a Notice of Violation, which may be delivered verbally or in writing.

(14) WRITTEN NOTICE OF VIOLATION

A written Notice of Violation shall be in the form prescribed by the Commission from time to time, and shall set;

- a) the name, license number and occupation of the person;

- b) the number(s) of the section(s) or sub-section(s) of the rule(s) or regulation(s) which the person is accused of violating;
- c) a brief description in lay language of the alleged violation;
- d) the date and place of the alleged violation;
- e) the time, date and place at which the Stewards will conduct a hearing into the alleged violation.

(15) SERVICE

A written Notice of Violation may be given;

- a) by delivering it to the person; or
- b) by mailing it to the address shown on the person's license application by ordinary post, in which case it shall be deemed to have been received after five days have elapsed since the date the notice was mailed.

(16) VERBAL NOTICE OF VIOLATION

Before issuing a verbal notice, the Stewards shall advise the licensee that he is entitled to a written Notice of Violation.

A verbal notice of Violation shall provide the alleged violator with the following information;

- a) the number(s) of the section(s) or sub-section(s) of the rule(s) or regulation(s) which the person is accused of violating;
- b) the date and place of the alleged violation;
- c) a brief description of the alleged offence;
- d) the time, date and place at which the Stewards will conduct a hearing into the alleged violation.

- (17)** A person who has been given a verbal Notice of Violation has the right to require the Stewards to provide a Written Notice of Violation before proceeding with any hearing.

(18) HEARINGS

The Stewards shall not proceed with any hearing until such time as the alleged violator has been served with a Notice of Violation.

- (19)** At a hearing before the Stewards, the person accused of a violation shall have the right to;

- a) be present throughout the hearing;
- b) be represented by counsel (who need not be a lawyer);
- c) call evidence and to cross-examine witnesses called by the Stewards;
- d) make oral or written submissions.

(20) FAILURE TO APPEAR OR REMAIN

If a person who has been notified of a hearing pursuant to the Rules fails to appear at the hearing, or having appeared, leaves without permission of the Stewards and before the hearing is adjourned, his absence or failure to remain shall be construed as a waiver of his rights to a hearing, and the Stewards may;

- a) proceed with the hearing in his absence;
- b) impose such penalty for the violation as is appropriate;
- c) impose an additional penalty for the failure to appear or remain.

(21) INVALID HEARINGS (DEFICIENT NOTICE OR LACK OF REPRESENTATION)

A technical deficiency in any notice, or the waiver of a right to representation; or failure of a representative to appear or remain at the hearing shall not, in itself, render the hearing improper nor invalidate any finding or penalty imposed as a result of the hearing.

(22) NOTICE OF PENALTY

- a) upon imposing any penalty on a person, other than a fine not exceeding \$250.00, the Stewards shall give written notice of the penalty in a form prescribed by the Commission, and they shall serve it by one of the methods provided for in Rule 5 (15);
- b) in a notice of penalty imposing a fine, the Stewards may provide that if the fine is not paid within 72 hours of the offender receiving notice of the penalty, the offender's license may be suspended until the fine is paid and may remain suspended for a stipulated period after the fine is paid.

(23) PENALTIES

The Stewards may impose any of or all of the following penalties for conduct prejudicial to the best interest of racing or for a violation of the Rules;

- a) refuse an offender admission to the grounds of an Association;
- b) expel an offender from the grounds of an Association;
- c) suspend any Commission licensee for any length of time or indefinitely;
- d) impose whatever fine is deemed suitable or justifiable;
- e) prohibit any Commission licensee from driving a motor vehicle in the stable area;
- f) revoke the license of any Commission licensee;
- g) in addition to; or in lieu of, any other penalty imposed, place the person's license on probation for a definite or indefinite period of time and attach such conditions to the probation as is deemed necessary or desirable.

(24) REFERRAL TO THE COMMISSION

Should the Stewards consider the penalties set out in Rule 5 (23) inadequate for the offence committed, they shall immediately so report in writing to the Commission, and the Commission shall determine the matter.

DEAD HEAT

- (25)** When 2 or more horses run a dead heat, the dead heat shall not be run off.
- (26)** Owners of horses in a dead heat shall divide all money and other prizes equally and if no agreement can be reached as to which of them shall receive a cup, plate or other indivisible prize, they shall draw lots for it in the presence of one or more of the Stewards, or Stewards appointee.
- (27)** Each horse in a dead heat shall be considered a winner of the amount received according to Rule 5 (26).
- (28)** When 2 or more horses finish in a dead heat; and an objection or a protest is made and allowed against a horse having finished in front of the dead heat, or the said higher placed horse is disqualified by reason of a positive test, or said horse

is disqualified for any other reason, the horses which ran the dead heat shall be deemed to have run a dead heat from the higher position.

(29) GATE MISPLACEMENT

If a race has been run by all the horses over a wrong distance due to misplacement of the gate, and if a protest is made and allowed or if the Stewards discover the error before the race has been declared “official”, the Stewards shall declare the race no contest.

(30) WORKOUT BETWEEN RACES

Any person wishing to exercise a horse between races shall obtain prior permission from a Steward.

(31) Two or more Stewards shall act as Placing Judges.

(32) Two or more Placing Judges shall occupy the Placing Judges’ stand at the time the horses pass the winning post in every race and their duty shall be to place and record the horses in the order of finish.

(33) NOSE OF HORSE DETERMINES

In determining the place of the horses at the finish of a race, the Placing Judges shall consider only the relative position of the respective noses of such horses.

(34) FIRST FOUR FINISHERS TO BE DISPLAYED ON TOTE BOARD

The Placing Judges shall cause the numbers of the first 4 horses in each race in order of finish to be prominently displayed.

(35) RESULTS DISPLAYED PROMPTLY

The Placing Judges shall make their decisions public as promptly as possible.

(36) PHOTO FINISHES

When the Placing Judges differ in their placements, the entire Board of Stewards shall inspect the digital image or print furnished by the person under contract to CPMA, if available, prior to the “official“ sign being posted and the decision of the Stewards shall be final.

(37) EQUIPMENT FAILURE

- a) if no digital image or print is available because of equipment malfunction or other cause, the Stewards shall examine any video patrol image available as an aid to the final placement, and the unanimous decision of the Stewards shall be final;
- b) if an unanimous decision can not be achieved, the position of the horses under review shall be deemed a dead heat for all purposes, and such decision shall be final.

(38) KNOWN RESULTS TO BE POSTED IMMEDIATELY

If it is considered advisable to consult an image from the photo finish or digital cameras, the Placing Judge shall post without waiting for a picture such placements as are in their opinion unquestionable, and after consulting the image, make the other placements or revisions, if necessary.

(39) RESULTS UNANIMOUS

The entire Board of Stewards shall confirm the decision of the Stewards acting as Placing Judges, as to the result of every race by declaring the result official, and the word “Official” shall be flashed or otherwise placed on the totalisator board and in house video display in a manner in which it may be clearly seen from any part of the grandstand or viewing area.

(40) CORRECTION OF ERRORS

Nothing in the Rules shall be construed to prevent the Stewards from correcting an error before the display of the “Official” sign or from recalling the “official” sign in case it has been displayed through error.

(41) CAMERA ONLY AN AID

On all tracks a proper digital camera shall be installed as an aid to the Placing Judges; however, in all cases, the captured image is merely an aid and the decision of the Stewards shall be final.

(42) ASSOCIATION TO RETAIN PHOTOS

Associations shall keep each photo finish film strip and each tape of each race on file for 1 year from the date of the race for reference or reproduction for the Commission; and in the situation of a digital image, shall prepare, preserve such image for recall for such period of time as shall be directed by the Commission or the Stewards.

(43) PHOTOS NOT TO BE RELEASED

Photo finish photographs shall not be released to anyone except to the Association for its public display, for any purpose without permission of the Stewards.

COMMISSION VETERINARIAN

(44) APPOINTMENT

The Commission may appoint one or more Commission Veterinarians to officiate at the race meets.

(45) TREATMENT OF HORSES

During the period of his employment the Commission veterinarian shall not, without the prior approval of the Commission, diagnose, treat or prescribe for any horse registered for racing with the Association whether on or off the grounds of the Association, for the period of the current race meet for compensation or otherwise, except in case of emergency, when he may do so without compensation of any kind except out of pocket expenses.

(46) DISCRETIONARY TESTING AND INSPECTION OF HORSES

Any horse on the race track may, at any time, be subjected to any test or inspections that the Commission Veterinarian or the Stewards may consider necessary or desirable.

(47) MANDATORY INSPECTIONS

The Commission Veterinarian shall;

- a) on the morning of each day of racing, familiarize himself, in general, with the physical condition of all horses entered for racing that day;
- b) be continuously in the paddock from the time the horses enter the paddock

until they leave, and all horses in the paddock shall be inspected by him;

- c) inspect all horses at the starting point of each race, and if in his opinion, any horse is not fit, sound and ready for racing, he shall recommend to the Stewards that it be scratched and the Stewards shall take such action as they deem fit.

(48) ACCIDENT

- a) the Commission Veterinarian shall inspect all horses which have been involved in an accident in the paddock, after leaving the paddock for the start, during the race, or while pulling up, as quickly as possible after the accident and shall provide appropriate emergency treatment; and shall as soon as possible thereafter report his findings to the Stewards;
- b) if in the opinion of the Commission Veterinarian, an injured horse should be destroyed, he shall, with the consent of the owner, or his Authorized Agent or trainer, euthanize the horse quickly and humanely;
- c) horses shall be euthanized out of sight of the public unless moving the horse would unduly increase or prolong its suffering;
- d) in the absence of the owner or his Authorized Agent or trainer, the Commission Veterinarian shall take such action as he deems necessary or advisable.

(49) VETERINARIAN'S LIST

The Commission Veterinarian shall keep a list to be called the Commission Veterinarian's List (in these Rules referred to as the vet's list) upon which shall be recorded the name of any horse which he considers unfit, unsound or not ready for racing.

- (50)** When the Stewards order a horse scratched for reasons having to do with the physical condition of the horse, it shall be placed on the vet's list.

(51) REMOVAL FROM VET'S LIST

- a) only the Commission Veterinarian may remove a horse from the vet's list;
- b) any horse placed on the vet's list must remain on said list for a minimum of 72 hours, not including the day of placement on list;
- c) any owner or trainer whose horses have been placed on the vet's list may apply at any time to the Commission Veterinarian for his examination, of such horse, and such examination shall be conducted within 24 hours of the request for it, provided that the horses are stabled at the track and that the 24 hour period does not include a day of which the Commission offices are officially closed, but in no event shall the horse be removed from the list until it has been on the vet's list 72 hours;
- d) the Commission Veterinarian shall observe the horse so examined standing in its stall, walking and trotting;
- e) should the horseman request the horse to be trotted on a racing strip, this shall be done, and should the horseman request the horse to be worked on a racing strip, this shall likewise be done;
- f) except to be removed from the bleeder's list or the Lasix Program, the Commission Veterinarian shall not require a horse to be worked on a racing strip for more than three furlongs but, if a horseman wishes his horse worked

for a longer distance, this shall be done;

- g) such horse shall be observed at the end of the work, if any, and cooling out, and the Commission Veterinarian shall then inform the horseman that his horse is to remain on the vet's list or is to be removed from it, as the case maybe;
- h) notwithstanding anything to the contrary, any horse placed on the vet's list as a result of injury or lameness shall not be removed from the list unit it has performed a satisfactory official work under the supervision of the Commission Veterinarian, which work shall be performed without the use of an prohibited or foreign substance;
- i) the Commission Veterinarian may take an official sample of bodily fluids from any horse being considered for removal from the vet's list and should such sample test positive for any prohibited or foreign substance the horse shall remain on the vet's list, and the trainer may be subject to a penalty at the discretion of the Stewards.

(52) NO ENTRY FOR HORSE ON VET'S LIST

Horse scratched by the Stewards on the recommendation of the Commission Veterinarian shall not be allowed to enter a race unless it has been removed from the vet's list by the Commission Veterinarian.

(53) HEALTH EXAMINATION

- a) in the interest of equine health, the Commission Veterinarian may examine any horse including a deceased horse after advising the trainer or person in charge of such horse or in his absence the Stewards, of his intention to do so whether such horse is registered or entered in a race or not;
- b) in connection with horses being shipped into any Manitoba race track, such examination may take place before such horse is allowed entrance to the grounds or stabling area;
- c) in the absence of the Stewards and an Authorized Person the Commission Veterinarian may, in writing, permit or prohibit a deceased horse from being removed from the backstretch or grounds of an Association.

(54) INSPECTIONS TIME TO BE ON GROUNDS

- a) horses shall be on the ground of the race track for a pre-race inspection no later than the time designated by the Commission Veterinarian;
- b) a horse not on grounds of the race track by the stipulated time may be scratched at the sole discretion of the Stewards, to be exercised after consultation with the Commission Veterinarian.

RULE 6: COMPLAINTS, OBJECTIONS AND PROTEST

COMPLAINTS MUST BE IN WRITING AND SIGNED

- (1) Every complaint against an Official to be acted on, shall be made to the Stewards, in writing, signed by the complainant.
- (2) Every complaint against Stewards, to be acted on, shall be made to the Authorized Person or Commission, in writing, signed by the complainant.

- (3) Every complaint against an Authorized Person, to be acted on, shall be made to the Commission, in writing, signed by the complainant.

PROTESTS & OBJECTIONS IN RUNNING OF A RACE RESTRICTED TO PARTICIPANTS

- (4) a) in order to be recognized, every protest or objections arising out of the happenings in the running of a race must be made by the owner, trainer, jockey or racing official to the clerk of the scales or the Stewards;
b) every other protest must be made to the Stewards, except a protest as to the validity of a claim;
c) nothing herein shall prevent the Stewards from assisting in the investigation of any disputed claim.

(5) PROTESTS & OBJECTIONS TO BE FILED BEFORE OFFICIAL

A protest or objection arising out of the happenings in the running of a race shall be made before the “official” sign has been posted.

(6) STEWARDS TO RESOLVE ALL BUT DISPUTED CLAIM

Every protest except those relating to a disputed claim filed subsequent to the transfer of the claimed horse shall be determined by the Stewards.

(7) PRE-RACE PROTESTS - INELIGIBLE HORSE

If a protest that a horse is ineligible is delivered to the Stewards at least 1 hour before post time, of the first race, the Stewards shall give such protest immediate consideration, but otherwise shall permit the disputed horse to run, and shall deal with the protest within the next 48 hours that the Commission is officially open.

(8) PRE-RACE PROTESTS - WRONG DISTANCE

No protest with respect to a race being run at a wrong distance due to a program error shall be allowed, but an owner or trainer shall have the right to declare his horse out of such race without penalty or loss of entry date, provided the declaration is made one hour before post time for the first race of the card.

(9) POST RACE PROTEST TO BE FILED WITHIN 48 HOURS

A protest on the grounds;

- a) of misstatement, omission or error in the entry under which a horse has run; or
b) that a horse which ran was not the horse or was not of the age which it was represented to be at the time of entry; or
c) that a horse was ineligible; or
d) that a horse has run in contravention of the Rules; or
e) not otherwise provided in the Rules; shall be made within 48 hours after the finish of the race with respect to which the protest is made, excluding days when the Commission office is officially closed.
- (10) A protest, except a protest arising out of the happenings in the running of a race, shall be made in writing, signed by the complainant and delivered to the Stewards.

(11) POST MEET PROTESTS

Protest not lodged with the Stewards prior to the termination of the meet shall be made to the Commission at it's principal office in Winnipeg within 48 hours following the finish of the race in question.

(12) PROTEST RE-FRAUD

A protest alleging fraud may be delivered at any time.

(13) MONEY FROZEN PENDING DECISION

Pending the determination of a protest or an appeal, any money or prize won by the owner of the horse with respect to which the protest or appeal is made, and any other money affected by the outcome of the protest or appeal, shall be withheld by the Association until the protest or appeal is determined at the Commission level and if any money or prize is handed over before the protest or appeal is made or determined, The Stewards shall order it returned if the protest or appeal is sustained.

(14) SECURITY OF COSTS

Before considering a protest, the Stewards, Commission, Authorized Person, Chair or Vice-Chair shall require a deposit of \$300 which shall be forfeited to the Commission if it considers the protest to be frivolous or vexatious.

(15) NO WITHDRAWAL WITHOUT LEAVE

A protest shall not be withdrawn without leave of the Stewards, Commission, Authorized Person, Chair or Vice-Chair as the case may be.

(16) COSTS

All costs and expenses incurred in determining a protest or conducting an investigation may be ordered paid by such person, and in such proportions, as the Commission, Stewards, the Authorized Person, Chair or Vice -Chair, as the case may be, may direct.

(17) REDISTRIBUTION OF PURSE

- a) if a protest or appeal involving a horse which has won or placed is allowed, and a race or place is awarded to another horse, the money for such race shall be distributed in accordance with the final revised placing;
- b) the eligibility of all horses which ran in the race, and which may have run in a subsequent race pending determination of the protest or appeal, shall not be affected in any way.

(18) CLAIM MONIES

Pending the determination of a protest or appeal, any money held by the Association as the price of a horse claimed in a claiming race (if affected by the protest) shall be withheld until the protest or appeal is determined.

(19) DQ AFTER OFFICIAL SHALL NOT AFFECT WAGERING

After the results of a race have been declared "official" by the posting of the official sign on the tote board, a horse is disqualified as a result of a protest, or by reason of a positive analysis of an official sample, or incorrect weight, or as the result of an appeal, such disqualification shall in no way affect the wagering on the race.

(20) EXPEDITING PROTEST HEARING

If any person who may be affected by a decision on a protest feels that the Stewards are not dealing with the protest expeditiously, that person may apply, in writing, to the Commission or Authorized Person and, upon such application, the Commission may determine the protest itself or take such steps as it deems necessary to expedite the hearing of the protest by the Stewards.

RULE 7: POST RACE TESTING

(1) WINNERS TO BE TESTED

- a) an official sample shall be taken from the winning horse of every race and from each other horses as the Stewards shall direct;
- b) the failure of any selected horse to be tested, including the winner, shall not of itself disqualify the horse from any purse, prize, trophy or stake to which it is otherwise eligible.

(2) FAILURE TO SHOW

If the Stewards determine that the failure to be tested is the result of the deliberate or negligent action of the owner, trainer or their agent or employee, the Stewards may, in addition to any other penalty imposed pursuant to these Rules, disqualify the horse from any participation in the purse, prize, trophy or stake; and revise the official order of finish; and redistribute the purse, prize, trophy or stake accordingly.

(3) CPMA PROCEDURES TO PREVAIL

The Chief Test Inspector appointed by CPMA shall be responsible for all test procedures, and all official samples shall be taken and analyzed in the manner prescribed by CPMA.

(4) NO FOOD FOR TEST HORSE

When an official sample is to be taken from a horse after the race, nothing shall be given or administered to the horse other than pure drinking water until after the official sample has been taken, except with the express permission of the Stewards and then only in the presence of the Commission Veterinarian.

(5) CONNECTIONS REPRESENTATIVE TO BE PRESENT

The owner, trainer or representative of the owner or trainer of the horse being tested shall be present in the retention area when an official sample is taken and shall sign the tag attached to the official sample; but the refusal or neglect of such person to be present or to sign, shall not in itself invalidate the sample nor prevent the results derived from such test from being accepted in evidence of a positive test.

(6) TESTING DECEASED HORSE

The Commission Veterinarian;

- a) may take an official sample of body fluids of any horse that dies on the grounds of the track as soon as it is practical to do so;
- b) shall not be required to take the sample of body fluid in the presence of the owner, trainer or representative of the owner or trainer of the dead horse, but such person may be present during the taking of the sample if practical and possible.

(7) EXPEDITIOUS NOTIFICATION OF POSITIVE ANALYSIS

- a) where the official chemist secures a positive analysis from an official sample he shall forthwith notify the Commission by electronic means (including the telephone) and this notification shall be taken as prima facie evidence of a positive test;
- b) the official chemist shall confirm his findings by sending a written report to the Commission.

(8) BARN SEARCH PROCEDURES

- a) when the Commission receives notification from the official chemist that a positive analysis has been obtained, the Authorized Person or the Stewards shall summon the trainer of the horse in question, or his representative, and such security officers of the Racing Association or Commission as they deem necessary and inform them that a positive test has been obtained;
- b) the Authorized Person or the Stewards shall direct the Commission Veterinarian, Director of Security, any security officers employed by the Association or any other person they deem necessary, to accompany the trainer to his stable, and to conduct in the presence of the trainer and/or his representative a thorough search of the trainer's barn, automobile, and any other vehicle he may have under his care or control or in his possession or custody, or his living quarters where the living quarters are situated on the grounds of an Association, provided the refusal or failure of the trainer or his representative to accompany or remain with the Commission representative shall not invalidate any such search.

(9) BUSINESS DURING INVESTIGATIVE PROCESS

While the Stewards are carrying on an investigation under this rule they may;

- a) suspend the license of the trainer of the horse from which the officials sample was obtained and deny starting privileges to all horses in that trainer's custody unless they are turned over to other trainers approved by the Stewards; or
- b) permit the trainer to carry on his business subject to the restriction that the horse from which the positive analysis was obtained shall not be allowed to start without the permission of the Stewards or the Commission.

(10) CHEMIST CERTIFICATE DEEMED PROOF OF CONTENTS

A signed written report of the official chemist or analyst stating that he has made an analysis of an official sample or blood sample and stating the result of that analysis is prima facie evidence of the facts contained in the written report without proof of the signature or the official capacity of the person appearing to have signed the written report.

(11) CONSEQUENCES OF POSITIVE

Where a positive analysis is obtained from a horse after a race;

- a) said horse shall be disqualified;
- b) the order of finish shall be altered accordingly;
- c) any purse, prize or trophy awarded as a result of the race which has been paid out shall be returned to the Association within 48 hours of the decision to revise the order of finish;

- d) the purse or prize when returned, or if not released, shall be then distributed on the basis of the revised order of finish irrespective of the outcome of any prosecution under these Rules of any person with respect to failing to protect the positive horse from the drug or foreign substance, including a finding that the trainer or owner of the horse testing positive is not responsible for the administration of any drug, or failure to take reasonable steps to protect the horse;
- e) any track record established in the race by the horse from which the positive test was obtained shall be null and void;
- f) said horse may be suspended from racing for a specified period of time by the Board of Stewards after a hearing on the matter, independent of, and in addition to, any penalty imposed on the owner or trainer of the horse as a result of the positive sample.

(12) DISQUALIFICATION NOT TO AFFECT OTHER STARTERS

Where a horse is disqualified as a result of a positive analysis after a race, the eligibility of any other horses which ran in that race and which started in a subsequent race before the announcement of the disqualification, shall not be affected.

(13) JOCKEY TO BE PAID ON ACTUAL FINISH

The owner of a horse that is disqualified as a result of a positive analysis of an official sample shall pay his jockey on the basis of the actual and not the revised order of finish.

RULE 8: BLEEDING AND LASIX

(1) BLEEDER'S LIST

Any horse placed on the vet's list for bleeding while such horse is not enrolled in the Lasix Program shall, unless admitted to the program while on the Vet's list;

- a) remain on the list for a minimum of 14 days on the first occurrence; and
- b) remain on the list for a minimum of 28 days on the second occurrence; and
- c) be barred from racing in Manitoba for 365 days on the third occurrence.

(2) A horse shall not be placed on the vet's list for bleeding while registered in the Lasix program, or if the owner or trainer of such horse immediately applies to be admitted to the Lasix Program, unless such bleeding occurs after and while the horse has been registered in the said program.

(3) A horse placed on a Licensed Veterinarian's list or barred from Racing for bleeding in a racing jurisdiction recognized by the Commission, shall be ineligible to enter and/or be barred from racing in Manitoba for the length of time stipulated by the racing jurisdiction.

(4) LASIX PROGRAM

The use of Lasix is permitted on race tracks in the province in conformity with this Rule and the rules and the regulations established from time to time by CPMA.

(5) LASIX FORMS

The Lasix Program forms are Forms 1,2,3, and 4 as prescribed from time to time

by the Commission;

- a) form 1 is that form to be used for horses applying in Manitoba for their first lifetime enrolment (certification) in a Lasix Program;
- b) form 2 is that form to be used for horses which have been admitted to a Lasix Program in a foreign jurisdiction;
- c) form 3 is that form to be used for horses which have been admitted to the Lasix Program in another Canadian jurisdiction and remain in the program at the time they are registered to race in Manitoba;
- d) form 4 is that form to be used to remove a certified horse from the Lasix Program.

(6) LASIX REGISTRATION PROCEDURES

To register a horse in the Lasix Program, the following procedure shall be followed;

- a) a horse may be entered into the program for the first time while registered to race in Manitoba without proof that it is a bleeder using form 1;
- b) for a horse admitted to the Lasix Program in another Canadian province, the owner or trainer shall apply using form 3, and shall provide a copy of its registration certificate;
- c) for a horse admitted to the Lasix Program in a foreign jurisdiction, the owner or trainer shall apply using form 2 and shall provide a copy of its registration certificate.

(7) COMMISSION VETERINARIAN MAY EXAMINE BEFORE CERTIFICATION

Nothing herein shall prevent the Commission Veterinarian from conducting his own examination before registering any horse in the program.

(8) LATE REGISTRATION PERMITTED FOR STAKE RACE SHIP-INS

In the case of a horse shipping in to race in a stake race, the Stewards may at their discretion authorize an entry in the absence of Form 2 or Form 3 or performance lines, provided that all forms, the past performance lines of the horse, and the veterinarian's certification must be filed with and accepted by the Stewards at least 5 hours prior to post time of the first race of the card on the day in which the stake horse is entered to race.

(9) TIME OF ACCEPTANCE TO PROGRAM

No horse is considered accepted in the Lasix Program until the following procedure is completed, the Commission Veterinarian has signed the Lasix Program application Form 1.

(10) The Stewards shall cause the Commission Veterinarian to immediately record on the lasix list any horse admitted to the Lasix program by them.

(11) ENTRY OF CERTIFIED HORSE AFTER 7 CLEAR DAYS

- a) a horse registered in the Lasix Program shall not be eligible to be entered to race for 7 clear days from the date of its latest acceptance into the Lasix Program in the jurisdiction in which it was last accepted into the program;
- b) provided that the application for admission to the program, and the supporting fully completed Form 1 is delivered to the Commission Veterinarian within

48 hours of the examination referred to therein, the date of acceptance for the purpose of this Rule shall be calculated from the date of such examination, in the event that the application and acceptable completed Form 1 are not received by the Commission Veterinarian within 48 hours of examination, the date of acceptance shall be calculated from the date the Form, application and documentation are actually received and accepted by the Commission Veterinarian.

(12) ENTRY MUST DISCLOSE CORRECT LASIX STATUS

The correct status of all horses enrolled in the Lasix Program must be stated on the entry form at the time of entry.

(13) LASIX HORSE MUST BE CERTIFIED PRIOR TO ENTRY

Any horse that is declared as eligible (hereinafter called “certified horse”) to receive Lasix on the entry form must have been accepted to the Lasix Program at the time of entry.

(14) PROCEDURE TO OBTAIN LASIX ADMINISTRATION

The trainer of any certified horse, or his representative, must;

- a) present the horse at the test barn at least 4 hours and 15 minutes before the published post time for the race in which the horse is entered to compete or, alternately;
- b) be present at the horse’s stall 4 hours and 15 minutes before the published post time for the race in which the horse is entered to compete, and remain there until the arrival of the Lasix administration team.

(15) CERTIFIED HORSE TO BE SCRATCHED FOR FAILURE TO SHOW

If any trainer or his representative does not present the certified horse at the test barn, or is not present at the certified horse’s stall when the Lasix administration team arrives, as the case may be, the horse shall automatically be scratched.

(16) WINDOW OF TIME FOR ADMINISTRATION

The certified horse must receive Lasix no earlier than 4 hours and 15 minutes and no later than 3 hours and 45 minutes before the published post time for the race in which the horse is entered to compete.

(17) AUTOMATIC SCRATCH FOR FAILURE TO RECEIVE LASIX

Any certified horse not receiving Lasix within the specified time shall be automatically scratched.

(18) AUTHORIZED ADMINISTRATION PERSONNEL

The certified horse must be medicated with the correct dosage of Lasix intravenously in its stall or at the test barn by the designated registered animal health technician (or in the presence of the technician by an Licensed Veterinarian who shall use only Lasix, syringes and needles supplied by the technician).

(19) BLEEDING THROUGH LASIX

Should a certified horse exhibit bleeding or exercised induced pulmonary hemorrhage, the horse shall be ineligible to race for a period of;

- a) 30 days for a first occurrence;
- b) 90 days for a second occurrence; and
- c) shall be barred from racing in Manitoba for a third occurrence.

(20) EXAMINATION OF CERTIFIED HORSE FOR IMPAIRED PERFORMANCE

The Commission Veterinarian has the authority:

- a) to conduct an external examination;
- b) to conduct an endoscopic examination;
- c) to require a Licensed Veterinarian to conduct an endoscopic examination, or any certified horse if, in the sole opinion of the Commission Veterinarian, the certified horse exhibiting impaired performance.

(21) COSTS

All costs incurred in an examination ordered by the Commission Veterinarian shall be paid by the owner or trainer.

(22) PROCEDURE TO REMOVE CERTIFIED HORSE FROM PROGRAM

- a) to have a certified horse removed from the Lasix program, the following procedures must be followed;
 - i) the trainer or owner must apply to the Commission Veterinarian to have the horse removed;
 - ii) the horse must have remained in the Lasix Program for a minimum of 100 days calculated from the date of its most recent acceptance;
 - iii) the trainer or owner must provide the Commission Veterinarian with the past performance lines of the horse;
 - iv) the horse must undergo an official workout under the supervision of the Commission Veterinarian without having received an administration of Lasix.
- b) in the event 100 days had not lapsed when it raced without Lasix, it shall not enter until 100 days have elapsed since it's last admission to the program in Canada, and it has followed the procedure to be removed from the program and is removed by the Commission Veterinarian.
- c) in either event, the horse shall not be allowed to race on lasix until it has been re-certified using Form 1 procedure.

(23) CERTIFIED HORSE RACING WITHOUT LASIX IN NON-LASIX JURISDICTION

A certified horse which leaves this jurisdiction and races without Lasix in a jurisdiction which does not permit administration of lasix shall not lose its certified status.

(24) POSSESSION

No person shall have possession of Lasix on the grounds of the Association unless authorized under the Rules.

(25) INCORRECT ENTRY

No licensee shall state, on a entry form or otherwise, that a horse has been enrolled in the Lasix Program when such horse is not a certified horse.

(26) ASSURE ADMINISTRATION

An owner or trainer with a certified Lasix horse in to race shall assure that the certified horse is injected with the correct dosage of lasix within the time required by the Rules.

(27) REFUSE OR NEGLECT TO HAVE HORSE INJECTED

An owner or trainer of a horse that has been certified to receive Lasix in accordance with the provisions of the Lasix Program who fails or refuses, without reasonable justification, to bring the certified horse, or to have the certified horse brought to the test barn or refuse or neglects to be present at the certified horse's stall within the time limited therefore by the provisions of the Pari-Mutuel Betting Supervision Regulations and these Rules for any race in which that horse is programmed to start shall be deemed to have committed a breach of these Rules.

(28) IMPROPER DOSAGE

The trainer of any horse that tests positive for Lasix by reason of a chemical analysis showing such horse to have a Lasix dosage contrary to the Rules is guilty of an offence.

RULE 9: BICARBONATE OF SODA (MILKSHAKING)

- (1) a) the Commission Veterinarian or his designate shall be authorized to take blood samples from any horse entered to race for the purpose of establishing the total blood carbon dioxide level of such horse;
- b) the Commission shall have the authority to establish the manner for the taking and analyzing of a blood sample to establish the total blood carbon dioxide level;
- c) in blood samples taken according to Rule 9 (1)a), and Rule 9 (1)b) a reading of total blood carbon dioxide of 37 or more mmol/L shall be considered a high level, except where the horse from which the sample is taken is registered to race under the "Lasix Program", in which case a reading of 39 or more mmol/L shall be considered a high level and a positive analysis; and
- i) the Commission Veterinarian shall compare such reading with other analysis of blood drawn from the same horse before or after the high reading; and
- ii) should such comparison show the normal range of total blood carbon dioxide to be below 37 mmol/L the high reading of 37 (or 39 for a horse on "Lasix Program") or more mmol/L shall be considered prima facie evidence that the horse has been administered an alkalinizing agent such as bicarbonate of soda or a mixture of alkalinizing agents and any other substance in violation of Rule 11 (10);
- iii) should the Commission Veterinarian be unable to take further blood samples to establish the normal range of total blood carbon dioxide, a reading of total blood carbon dioxide of 37 (or 39 for a horse on "Lasix Program") or more mmol/L shall be considered prima facie evidence that the horse has been administered an alkalinizing agent such as bicarbonate of soda or a mixture of alkalinizing agent and any other substance in violation of Rule 11 (10).
- (2) Horses may be tested for the antibodies and or antigens of erythropoietin or darbepoetin as follows:
- i) once entered to race;
- ii) when claimed;
- iii) when a horse has died and the trainer or owner is required to report the

death of the horse;

- iv) any horse that was entered or raced within the previous 60 days;
- a) the entry of a horse to race in Manitoba shall constitute permission for a person designated by the Executive Director of the MHRC to collect or otherwise obtain a blood sample from or of that horse for purposes of testing. Where a blood sample has been collected for purposes of TCO₂ testing, that sample may be used for testing for the antibodies and or antigens of erythropoietin or darbepoetin, and the entry of the horse to race in constitute permission for a person designated by the Executive Director of the MHRC to obtain that blood sample for purposes of testing for antibodies and or antigens;
- b) the Executive Director of the Racing Commission shall establish a protocol for the collection of or to obtain blood samples from horses and for the testing of those samples for the antibodies and or antigens of erythropoietin or darbepoetin. Participants shall comply with the protocol;
- c) the Executive Director of the Racing Commission may approve one or more testes where he or she is satisfied that the testing methodology used is appropriate to determine whether or not the sample will result in the detection of the antibodies and or antigens of erythropoietin or darbepoetin;
- d) the Manitoba Horse Racing Commission may approve by Directive, a laboratory operator to conduct the testing;
- e) if the antibodies and or antigens of erythropoietin or darbepoetin are detected in the blood sample, the horse from which the blood sample was collected or obtained from shall be placed on the Veterinarians List and shall not be removed from the Veterinarians List until the Executive Director of the Manitoba Horse Racing Commission is satisfied that the antibodies are no longer detectable in a blood sample for the horse;
- f) the Stewards shall declare a claim invalid if antibodies are detected in the blood sample of a horse that was claimed in a race and the Stewards are so notified in writing by the claimant of the horse that they request 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 antibodies were detected. Once the claim is declared invalid, the horse shall be returned to the previous owner and the amount of the claiming price shall be repaid to the claimant. The claimant shall be responsible for any reasonable cost incurred for the care of training of the horse while it was in the possession of the claimant or his trainer;
- g) it s an offence for a person to enter or race a horse with a detectable level of the antibodies or antigens of erythropoietin or darbepoetin.

RULE 10: SHOCK WAVE THERAPY

- a) all shock wave therapy machines shall be registered with the Commission Veterinarian and those machines shall only be possessed or used by veterinarians who hold a valid Commission license;
- b) an accurate, up to date veterinarian log shall be kept of horses treated with shock wave therapy. Such log shall contain the date, time of day and the name of the horse treated. Such logs shall be submitted on a daily basis to

the Commission Veterinarian;

- c) the use of a shock wave therapy machine or any form of shock wave therapy shall not be permitted within 5 days (120 hours) of a horse's race.

RULE 11: OFFENCES AND ILLEGAL OR CORRUPT PRACTICES

GENERAL

(1) DUTY TO ABIDE BY RULES

Without limiting the generality of the following, no person shall breach the Rules, or fail to carry out his duties as set out in these rules, or fail to report the breach of the Rules of another licensee.

(2) DEEMED BREACH

any person convicted of a criminal offence which offence took place on the grounds of an Association shall be deemed to have committed a breach of the Rules.

(3) MISCELLANEOUS OFFENCES

No person shall:

- a) issue a cheque to the Commission which does not clear;
- b) not being the jockey or the spouse of the jockey in question, assume or pay, directly or indirectly, a fine imposed upon a jockey;
- c) be mounted on a horse on the grounds of any race track or training track unless he is wearing a safety helmet with a chin strap secured, and a flak jacket, both of a type approved by the Stewards;
- d) being a licensee, employ unlicensed help;
- e) fail to appear or remain at the place and time stipulated by the Stewards or Commission to review films, assist in any investigation, or give evidence at any hearing or appeal;
- f) refuse to assist in any investigation or testify at any hearing or appeal;
- g) enter, stop or park in area designated "no parking" by the Association, Commission or Authorized Person during the hours stipulated as no parking (the licensee to whom the vehicle has been registered with the Association shall be conclusively deemed to be the person who has parked in the restricted zone);
- h) smoke or have an open flame in a shedrow or stall or other part of the stabling area on the grounds of an Association, except where in a specific area which has been designated for smoking purpose;
- i) refuse permission or access to a person authorized under the Rules to conduct a search of any area under his control including living quarters, or the grounds of an Association nor shall a person impede or interfere with such search;
- j) counsel, aid or abet an attempt to impede or interfere with a search authorized under the Rules;
- k) being a starter or assistant starter, use abusive language to a jockey or mistreat a jockey;
- l) being a starter or assistant starter, mistreat or abuse a horse in anyway;
- m) being a jockey, misuse his whip;

- n) being an owner or trainer, fail to advise the Commission when any person leaves his employ, or horse leaves his control;
- o) being an owner or trainer, fail to advise the Commission when he employs any person, or assumes care and control of any horse, or registers any horse to race;
- p) being a trainer be responsible for the condition and performance of a horse in his care, and for any foreign or prohibited substance found in any horse under his care entered in a race as disclosed by chemical analysis, regardless of the acts or intervention of third parties and whether or not such acts are known to the trainer and regardless of the time of administration of any drug or foreign or prohibited substance which results in a positive analysis found in an official sample;
- q) while on the grounds of the Association, have in his possession or under his care or control, any narcotic as defined in the Narcotic Control Act(Canada), or any restricted drug or controlled drug as defined in the Food and Drugs Act (Canada),without a prescription from a licensed veterinarian;
- r) purchase a pari-mutuel ticket from behind the line;
- s) use abusive or profane language to, or show disrespect to any Association or Commission official or employee, or Steward, or disseminate or make false statement to the public contrary to the bests interest of racing;
- t) being a trainer or groom, fail to complete and register with the Commission a Backstretch Understanding Form, to the satisfaction of the Stewards;
- u) enter or start or cause or allow to be entered or started a horse which is ineligible or disqualified.

(4) OFFICIALS NOT TO OWN HORSES

No employee of the Commission or racing official shall own legally or beneficially, in whole or in part, a horse registered to race or in training, in Manitoba on or off the track, or engage in any activity related to horse racing without the permission of the Stewards.

(5) OFFICIALS NOT TO WAGER

No employee of the Commission or any Race Official shall, during the live race season in Manitoba, wager on the outcome of a live horse race originating in Manitoba.

(6) OFFICIALS NOT TO TOUT

No employee of the Commission or Race Official shall give to anyone, direct or indirectly, any information or advice pertaining to a race for the purpose of influencing any person, or tending to do so, in the making of any wager on any horse in any race; provided that, in the case of Association employees (or other licensee with the permission of the Commission), this Rule shall not apply to the naming of selections which appear in the official program, newspaper or other approved publications or a broadcast for the radio or on television, or to the selling of such publications.

(7) CONNECTIONS NOT TO BET AGAINST STABLE STARTER

No owner, trainer, authorized agent, employee or groom who owns, handles, trains or rides or has any registered or beneficial interest in any horse entered in

a race shall wager on, or cause or permit any person to wager on his behalf on any other horse competing in that race, except in a superfecta, triactor or exactor features in which he shall be permitted to wager on such horse in combination with any other horse in that race, provided that the total money wagered on combinations in which his horse is chosen to finish first must equal or exceed the totals wagered on combinations in which such horse is chosen to place or show.

(8) MINIMUM FINES

For any breach of the Rule pertaining to dishonored cheque the minimum fine shall be \$25.00; for any breach of the restriction on parking the minimum fine shall be \$50.00, and for any smoking or open fire Rule the minimum shall be set out in the ASD Track Rules.

(9) PROHIBITED PRACTICES

No person shall:

- a) be a party to the transfer of a horse or engagement for the purpose of avoiding suspension;
- b) claim in any horse that is in violation of these Rules;
- c) offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race;
- d) being the owner or trainer running horses in any claiming race make any agreement for the protection of his or any other person's horse;
- e) enter, or allow to be entered, in a claiming race a horse against which any financial claim is held, either as mortgage, bill of sale or lien of any kind, unless before entering the horse the written consent of the holder of the financial claim is filed with the Stewards and the race secretary;
- f) being an owner, discuss his intention to claim with anyone other than his trainer and, being a trainer, discuss the claiming of any horse in his care with anyone other than the owner for the purpose of intimidating or attempting to intimidate an owner or trainer from entering or starting a race; or for the purpose of collusion to circumvent these Rules;
- g) make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding, and then only on that horse and only to win;
- h) offer or give a jockey any money, or other benefit in relation to a race, unless that person is the owner or trainer of the horse ridden in that race by that jockey;
- i) instruct or advise a jockey to ride or handle his mounts contrary to the Rules and, without limiting the generality thereof, instruct or induce a rider to commit a willful foul while race riding;
- j) stake the Starter or any of his Assistants, directly or indirectly;
- k) being a Starter or Assistant Starter, accept a stake from any person, whether or not the person, is licensed by the Commission;
- l) being a person other than a security employee or peace officer, have any firearm or other weapon in his possession or under his care or control while on the grounds of an Association;
- m) being an owner or trainer, employ a jockey for the purpose of preventing him from riding in any race;
- n) being a Starter, Assistant Starter, Outrider or Jockey's Valet make a bet on

- any race nor place a bet for anyone else;
- o) possess, or have under his care or control, or apply on the grounds of an Association at any time an electrical or mechanical device, goading device or other expedient designed or intended to increase or decrease the speed of a horse, other than an approved whip;
 - p) tamper with a horse in such a way as to affect its speed in a race; or unduly agitate or otherwise abuse a horse by chaining, whipping, goading, or otherwise;
 - q) enter or start a horse that:
 - i) is not in a sound condition; or
 - ii) has impaired eyesight in both eyes; or
 - iii) has bled during or following an exercise, work (official or otherwise) or a race, after having previously bled except where such horse has been placed on the vet's bleeders list and it has subsequently been removed, or unless the horse has been accepted in the Lasix Program after having bled;
 - r) willfully or knowingly enter or start, or willfully or knowingly cause or allow to be entered or started a horse which is ineligible or disqualified;
 - s) being a trainer, have in his charge or under his supervision any horse owned by a person who is not licensed as an owner or whose owner's license is under suspension;
 - t) give, offer, or promise, directly or indirectly, either on his own behalf or on behalf of another, any bribe, gift, or gratuity in any form for the purpose of improperly influencing the results of a race or which would tend to do so;
 - u) accept or offer to accept on his own behalf or on behalf of another, any bribe, gift or gratuity in any form to influence the result of a race or which would tend to do so;
 - v) being an owner or trainer, accept directly or indirectly any bribe, gift or gratuity or other benefit in any form which is offered to induce him to withdraw a horse from, or not enter a horse, in a race;
 - w) willfully, or negligently, start, or cause or knowingly allow to start, a horse in a race other than the horse named in the entries;
 - x) alter or tamper, or attempt to alter or tamper, with the weight assigned a horse between the time of weighing out and weighing in;
 - y) assault, attempt to assault, or threaten with assault, any person on the grounds of a race track;
 - z) remove from the backstretch or grounds of an Association a deceased horse without written permission from the Stewards, or an Authorized Person or in their absence the Commission Veterinarian;
 - aa) attempt to violate any of these Rules;
 - ab) aid, abet counsel or conspire with any other person to violate or attempt to violate these Rules, and should he do so, he will be deemed as culpable as the principal offender.

EQUINE DRUG OFFENCES

(10) PROHIBITED PRACTICES

No person shall;

- a) administer any drug to a horse without the authorization of a Licensed Veterinarian;
- b) being the trainer, groom or other person having care, charge or custody of a horse, fail to take all reasonable measures to protect it against the administration of any drug;
- c) enter or race a horse that has a high level of blood bicarbonate content, as defined in Rule 9 (1) c) or enter or race a horse that has a prohibited substance as disclosed by a chemical analysis;
- d) when the Stewards receive a report that a drug has been administered to a horse pursuant to this rule, they may order that the horse be scratched;
- e) where the administration of a drug to a horse is not reported as required by this Rule, the person having care or custody of the horse shall not be entitled to the protection of this Rule;
- f) nothing in this section shall prevent any person who has in his possession any substance or articles in contravention of these Rules from being dealt with from such breach of the Rules.

(11) EXCEPTION IN EMERGENCY

Notwithstanding Rule 11 (10), the owner, trainer, groom or other person having care or custody of a horse may administer a drug to a horse in an emergency if the administration of the drug is necessary to preserve the horse's life or health and there is no Licensed Veterinarian or Commission Veterinarian on the grounds of the Association, subject to the following conditions;

- a) the person who administered the drug to the horse shall report the incident to the Commission Veterinarian as soon as he returns to the grounds of the Association;
- b) the Commission Veterinarian shall then report the incident to the Stewards;
- c) if the horse is entered to race and the Commission Veterinarian is not available, a report of the incident must be made to the Stewards before the horse in question is taken to the paddock;
- d) when the Stewards receive a report that a drug has been administered to a horse pursuant to this Rule, they may order that the horse be scratched;
- e) where the administration of a drug to a horse is not reported as required by this Rule, the persons having care or custody of the horse shall not be entitled to the protection of this Rule;
- f) nothing in this section shall prevent any person who has in his possession any substance or articles in contravention of these Rules from being dealt with for such breach of the rules.

(12) USE OF NON-LICENSED VETERINARIAN

No owner or trainer or their representative shall employ on or off the grounds of the Association (except in dire emergency) a veterinarian who is not licensed by the Commission to prescribe for or treat horses registered for racing with an Association under the jurisdiction of the Commission.

ENTRY OFFENCES

(13) NERVED HORSE

No person shall start a horse that has been, nerved, provided that a horse whose posterior digital nerve has been desensitized surgically or by any other means, below the lowest aspect of the base of the proximal sesamoid bones, may be started, if the procedure is recorded on the horse's registration certificate.

- (14) For the purpose of this section, the term "Nerved" shall include that surgical process known as cryosurgery (freezing), as well as the standard practice of mechanical surgery and any other means of causing permanent or temporary desensitizing of any nerve.
- (15) All de-nerved horses shall be registered with the Commission Veterinarian who shall post a list thereof in the Race Secretary's office.

RULE 12: SAFETY AND SECURITY

HUMAN DRUG AND ALCOHOL CONTROL MANDATORY TESTING

- (1) Commission officials and employees and Association officials and employees shall not drink alcoholic beverages while on duty.
- (2) While on the grounds of the Association, it is an offence for any licensee of the Commission to have in his possession or under his care or control, or to have in his body, any narcotic as defined in the Narcotic Control Act (Canada) or any prohibited substance or restricted drug as defined in the Food and Drugs Act (Canada), without a prescription from a medical doctor.

(3) BLOOD SAMPLES

Where any person required to provide a sample for analysis, is by reason of any physical condition;

- a) incapable of providing a sample or breath, urine or other bodily substance; or
 - b) it would be impracticable to obtain a sample of breath, urine or other bodily substance, then that person may be ordered by the Commission or the Stewards to provide a sample of blood to enable proper analysis to be made in order to determine the concentration, if any, of alcohol or the presence of drugs in the blood.
- (4) Samples of blood may only be taken hereunder if the samples are taken by or under the direction of a qualified medical practitioner and the qualified medical practitioner is satisfied that the taking of such samples would not endanger the life or health of the person.
- (5) While on the backstretch area of the grounds of an Association, it is an offence for any licensee to have consumed alcohol in such quantity that the concentration in that persons blood exceeds 30 milligrams of alcohol in 100 milliliters of blood (a Breathalyzer reading of more than .03 percent).
- (6) It is an offence for any licensee to refuse to submit to a breath analysis or to provide bodily fluid or blood for analysis, when ordered to do so by the Commission or Stewards or their representative under the Rules.

- (7) It is an offence for any licensee to provide a false sample or provide a sample that is not his own sample when ordered to submit to a required test.

RULE 13: RACING ASSOCIATIONS

(1) RACE DATES, FEES AND DEADLINES

No Association granted a license hereunder shall;

- a) change its race dates without having such a change approved by the Commission in writing;
- b) change the post time for the first race on any race date by more than 5 minutes, without having such change approved by the Stewards in writing.

(2) COMMISSION OFFICES

Each Association shall provide within its grounds, an office for the use, and to be at the disposal of the Commission and its representatives.

(3) RECORDS

Any Association conducting a race meet shall maintain complete records of all races in such form as the Commission shall from time to time prescribe and shall retain same in good order for inspection by the Commission or any other authorized person for a period of not less than 1 year following the close of a race meet.

(4) RACING INTERVALS

Races shall be run by Associations no longer than 30 minutes apart, such time may be extended by the Stewards.

(5) RACING HOURS

Racing shall be conducted only between the hours of 12 o'clock noon and 12 o'clock midnight local time unless otherwise specifically authorized by the Commission.

(6) PROVISIONS OF SERVICES, FACILITIES, OFFICIALS

Any Association conducting a race meet shall provide such officials, employees, facilities, equipment and services as may be directed by the Commission.

(7) SAFETY AND SECURITY - PREMISES

Each racing Association shall take every reasonable precaution to make its premises safe for the protection of the persons and property of patrons and licensees.

(8) SAFETY AND SECURITY - ACCESS

Each Association shall police its grounds at all times in such a manner so as to prevent the admission or presence of any person in or around the backstretch excepting those having legitimate business in the area and who are duly licensed or Authorized by the Commission.

(9) SAFETY AND SECURITY - AMBULANCE

Each Association shall in attendance at each race track at which horses are being raced or exercised adequate human ambulances and horse ambulances, staffed with adequate personnel to render first aid and transport injured persons or horses to the closest place available for medical or veterinary treatment, as the case may be; such ambulances shall be placed at an entrance to the racing strip.

(10) SLATE OF EMPLOYEES AND OFFICIALS

- a) all Associations shall, before appointing any track security officials, gateman, or watchman, or any other officials, secure approval of such appointment from the Commission;
- b) the slate of officials and employees for each racing season must be submitted by the Association 30 days in advance of the start of each race meet.

(11) COMMISSION APPROVAL

Before entering upon their duties, the following officials and employees of an Association shall be approved in writing by the Commission; physicians, stewards, racing secretaries, assistant racing secretaries, handicappers, starters and their assistants, placing judges, clerks of the scales, paddock and patrol judges, horse identifiers, timers, jockey room custodians, outriders, valets and such other officials and employees of an Association as the Commission may direct from time to time.

(12) VACANCIES

The filling of any casual vacancy of an official position shall also be subject to the approval of the Commission.

(13) VISION TEST

The Commission may require the following officials to have their eyes tested for visual acuity at any time, with the naked eye or with eyeglasses, if required and with field glasses and for color blindness;

- a) any Association Steward, Starter and Assistant Starters, Patrol Judges, Association Placing Judges and the Timer;
- b) such test shall be conducted by an oculist or other vision specialist approved by the Commission;
- c) the fees are to be paid by the licensees;
- d) the licensee shall promptly report the results of each test to the Commission.

SECTION 3

RULE 14: RACING OFFICIALS AND OTHER LICENSEES

Race Secretary and Handicapper

REGISTRATION CERTIFICATES

- a) all original records of ownership in a horse and every subsequent change in ownership during the meet shall be filed with the Race Secretary, prior to the horse being allowed to start;
- b) no registration certificates filed with the racing Association shall be released during a race meet without the approval of the Race Secretary.

(1) LIENS

- a) the holder of a “financial” claim, whether it be a mortgage, bill of sale or lien of any kind against a horse, may file it with the Race Secretary and the secretary of the Horsemen’s Benevolent and Protective Association before the horse is entered, and the Race Secretary shall file a copy with the Commission;
- b) failure of a claimant to file shall relieve the Association of any obligation to the holder of the financial claim;
- c) notwithstanding the foregoing, the owner or the trainer of a horse subject to a financial claim shall disclose the financial claim when registering for racing with the association.

(2) DUTIES

The Race Secretary shall:

- a) at the time of entry of a horse starting for the first time at any meet demand an original certificate of registration showing the tattoo number of the horse, and the horse shall not start unless it is produced, subject to Rule 25 (3);
- b) maintain all ownership records in accordance with the Rules and the direction of the Commission;
- c) receive all entries, scratches and declarations;
- d) keep a complete record of all races;
- e) keep himself informed of all names appearing on the Vet’s, Stewards’, Starter’s, Paddock and Lasix lists;
- f) each morning as soon as the entries have been closed and compiled, post in a conspicuous place a list of the entries;
- g) as soon as the draw has been completed, prepare and post an accurate overnight;
- h) compile an official program which shall be accurate and complete, and shall contain, without limiting the generality thereof, the following information;
 - i) the date,
 - ii) the number of the day of the meet,
 - iii) the name of the Association,
 - iv) the officers and officials of the meet,
 - v) the order in which the races are to be run,
 - vi) the amount of each purse,
 - vii) the conditions and distance of each race,

- viii) the post position number,
- ix) the mutual number, name, age, colour, sex, breeding, and assigned weight or any change in equipment of each horse,
- x) the name of each jockey and trainer,
- xi) the real or stable name of each owner and his racing colours,
- xii) other pertinent data.

(3) RESPONSIBILITY

The Race Secretary shall be responsible for any material errors or omissions in the official program, typographical errors excepted.

(4) COMMISSION AUTHORITY

All condition books, programs and other publications of a racing Association dealing with a race meet shall have displayed in a prominent place the following words: “This race meet is being conducted with the approval of the Manitoba Horse Racing Commission, and the Rules of Racing of the Manitoba Horse Racing Commission apply to the conduct of all races and the Association conducting this meet has been licensed by the Manitoba Horse Racing Commission”.

(5) FOREIGN HORSES

The Race Secretary shall not accept the entry of a horse that has raced in countries other than Canada and the United States of America without the permission of the Commission until the owner or trainer delivers to the race secretary a record of all past performances of such horse in races wherever run, in the current and next previous year, for dissemination to the press and the public.

(6) RESTRICTED ACCESS TO OFFICE DURING ENTRIES AND DRAW

The Race Secretary shall not allow the entry or presence of any person other than officials into the Race Secretary’s office during the taking or drawing of entries.

(7) HANDICAPPER

The handicapper of a handicap race, who may be the Race Secretary, shall be appointed by the Association and he shall:

- a) assign the weights to be carried by each horse in a handicap;
- b) in case of omission, through error, of the name or weight of a horse duly entered, rectify the omission.

Clerk of the Scales, Custodian of the Jockey’s Room and Valets

(8) APPOINTMENT AND FUNCTIONS

Each Association conducting a race meet shall appoint a clerk of scales (“clerk”) and a custodian of the Jockeys’ room (“custodian”), either of whom shall weigh all jockeys out, and those required by the Stewards to be weighed in.

(9) OVER-WEIGHTS

The clerk or custodian shall:

- a) post all over-weights immediately after the specified check-in time;
- b) notify the trainer concerned if any jockey is over-weight by more than 5 pounds;
- c) allow the trainer an opportunity to waive any allowances he has claimed so as to reduce the over-weight to 5 pounds or less;

- d) not allow that jockey to ride until the over-weight has been reduced to 5 pounds or less, accepted by the trainer, approved by the Stewards, recorded and announced and posted for the public;
- e) notwithstanding that the clerk or custodian shall not be obligated to notify the trainer concerned if any jockey is over-weight by 5 pounds or less, nevertheless the trainer shall have the option, subject to the approval of the Stewards, of having any over-weight jockey released from his obligations and replaced by a jockey who is able to make the programmed weight with no payment of a double jock mount or other penalty provided the option is exercised immediately after the jockey has checked in and has recorded his weight for the card.

(10) DUTY TO REPORT INFRACTIONS

The clerk or custodian shall promptly report to the Stewards any infraction of the Rules with the respect to weight, weighing, or riding equipment and any other irregularities or violation of the rules that occurred within his knowledge.

(11) CHANGES TO BE POSTED

The clerk or custodian shall record, announce and post on the notice board any over-weight or any change jockey, weight or racing colours, as compared with those stated in the official program and shall promptly inform the appropriate racing officials of all pertinent changes.

(12) WEIGHING OUT

- a) jockeys shall be weighed for their respective mounts in each race by the clerk or custodian not less than 10 minutes before the time fixed for the race; and
- b) the clerk or custodian shall record such weighs in writing and retain such record until the time for any protest or appeal from any happening during the race has expired.

(13) SUBSTITUTE RIDER

In case of a substitution of a rider after the original rider has been weighed out, the substitute rider shall be weighed as promptly as possible and the name of the substitute and his weight publicly announced and posted, if time permits.

(14) POST RACE REPORTS AND RECORDS

The clerk or custodian shall report the following to the race secretary at the end of each race day:

- a) the name of the jockey carried by each horse in each race;
- b) the weight carried by each horse in each race;
- c) the over-weight carried by any jockey;
- d) the post time of each race;
- e) any other information which may from time to time be required.

(15) ROOM CONTROL AND DECORUM

The custodian shall see to it that:

- a) no persons other than the members of the Commission, the Stewards, or a representative of the Commission, and the necessary jockeys' room attendants are admitted to the jockeys' room on a day of racing without the

- express permission of the Stewards for each time of entry;
- b) order, decorum and cleanliness are maintained in the jockeys' and scale rooms.

(16) RACING COLOURS

The custodian shall oversee the care and storage of all racing colours and be responsible for same for the duration of a meet, loss by fire, cleaning and theft excepted.

(17) The custodian shall:

- a) see that only jockeys' valets are permitted to assist jockeys in weighing out;
- b) oversee the jockey valets and arrange their rotation among jockeys in the matter of weighing out;
- c) see to it that no jockey valet, not approved by the Stewards, is permitted to assist any jockey at any time.

(18) VALETS

No jockey shall have a valet other than one provided by the Association; Valets shall be paid in part from an assessment collected from the jockeys.

Paddock Judge

(19) AUTHORITY AND DUTY

The Paddock Judge shall be in charge of the paddock.

It is the duty of the Paddock Judge to:

- a) inspect all horses entering the paddock;
- b) have all horses properly identified;
- c) keep a record of all equipment carried by each horse in each race;
- d) permit no change in equipment or racing plates not authorized by the Stewards;
- e) in every race, require the farrier in attendance in the paddock to see to it that all horses are properly shod with racing plates (turndowns not permitted);
- f) report immediately to the Stewards the findings of the farrier if a horse is improperly shod;
- g) report any irregularities to the Stewards other than unsoundness;
- h) refer any unsoundness to the Commission Veterinarian;
- i) ensure all horses are saddled in the paddock or walking ring unless the Stewards permit otherwise;
- j) refuse entry to the paddock of anyone other than members of the Commission, racing officials, owners, trainers and their stable employees having horses in the next race and any other persons authorized to enter by the Paddock Judge but under no circumstances shall jockeys' agents be permitted to enter the paddock;
- k) supervise the claim box, and attend to delivery of claims to the Board of Stewards.

(20) OTHER DUTIES

The Stewards may assign such other duties to the paddock judge as they deem necessary or advisable.

Patrol Judges

(21) APPOINTMENT

The Commission may itself, or may require each Association, to appoint one or more Patrol Judges who shall not have any other employment at the track, except with the approval of the Commission.

(22) DUTIES

If appointed, the Patrol Judges shall carry out such duties as may be delegated by the Commission or Stewards.

Timers and Clockers

(23) APPOINTMENT

The Association shall appoint one or more official timers or clockers.

(24) TESTING AND TIMING DEVICES

Before the commencement of racing each year, the Association shall have its timing device, and all official timers approved by the Commission and shall have all their watches tested for accuracy by a watchmaker approved by the Commission if so required.

(25) DUTIES

The timer shall:

- a) determine the official time of each race;
- b) use stopwatches when an electronic timing device is not installed or functioning;
- c) cause the time of each race to be announced and prominently displayed;
- d) attend at the race track daily for morning workouts;
- e) time all workouts at such race track;
- f) make public the length and time of the workouts;
- g) submit to the Stewards and the Race Secretary written reports daily of all timed workouts.

(26) OFFICIAL WORKS

To record an official work, the Timer shall require the trainer or exercise rider working the horse to correctly identify the horse he is working and to state the distance over which such horse is to be worked and the point on the race track where it is intended to start the workout.

(27) RESTRICTED ACCESS

- a) an official timer shall not be permitted access to the stabling area of any race track unless he is also licensed by the Commission in some other category which permits access;
- b) unless so licensed, he shall restrict his activities to such parts of the race track as may be designated by the Association for the workouts or races.

Outriders

(28) APPOINTMENT AND HOURS

The Association shall appoint two outriders while racing is being conducted and both shall be on duty during live racing, and one shall be on duty during training hours.

(29) CLOTHING

The Association shall provide clothing for outriders during racing hours, which shall be kept clean and neat.

Horsemen's Bookkeeper

(30) APPOINTMENT AND DUTIES

Each Association conducting a race meet shall appoint a horsemen's bookkeeper who shall maintain ownership records and shall record all monetary transactions including purse distribution, jockey, valet, nomination, entry and starting fees, and claiming money and shall account to persons entitled thereto.

(31) The purse money of each race shall not be paid until at least 72 hours have elapsed from the concluding time of the race and thereafter if so ordered by the Commission or Stewards.

The Starter

(32) APPOINTMENT

- a) the Association shall appoint a Starter and such number of Assistant Starters as shall be required to efficiently and safely dispatch horses entered to race, in a fair start;
- b) Assistant Starters shall not exercise horses or hold any other Commission licence except with the permission of the Stewards.

(33) AUTHORITY

Subject to Rule 14 (34), only the Starter, or an Assistant Starter approved by the Stewards, may start a race.

(34) SUBSTITUTE

The Stewards may appoint one of their number to supervise the start of any race.

(35) FAIR AND SAFE START-STARTERS & STEWARDS LIST

- a) the Starter shall give all orders and take all measures necessary to ensure a fair and safe start;
- b) if the Starter and his Assistants are unable, after reasonable efforts, to place a horse in the gate for a satisfactory start, or if the horse is fractious or unruly, the Starter may order that the horse be removed from the starting gate, and shall place the horse on the Starter's list;
- c) the Stewards may also order that the horse be scratched and placed on the Stewards' list;
- d) any horse placed on the Starter's or Stewards' list may not be entered until approved by the Starter and reinstated by order of the Stewards.

(36) ORDER OF LOADING

- a) horses shall take their position as the Stewards shall direct;
- b) where the starter wishes to alter the normal order of loading, he shall inform the Board of Stewards and obtain their prior consent.

(37) FIRST LIFETIME START

- a) all horses being entered for their first lifetime start shall be first approved at the starting gate by the Starter or his Assistant, and such approval, in

writing, shall be forwarded to the Race Secretary or his Assistant and a copy deposited with the Stewards;

- b) no first-time starter shall be allowed to wear blinkers unless schooled with blinkers from the starting gate and approved by the Starter.

(38) FIRST MANITOBA START OR POOR GATE RECORD

The approval of the Starter must be obtained for all horses which have never started at a Manitoba track if, in the Starter's opinion, the horse's record indicates problems at the starting gate.

(39) WHIPS - 2 YEAR OLD STARTERS

Jockeys will be permitted to use whips while riding two year olds only with the prior permission of the Stewards in consultation with the Starter.

(40) SCHOOLING LIST

The Starter shall:

- a) maintain a schooling list;
- b) give printed notice of the hours of schooling during each meet;
- c) file a copy of the schooling list with the Race Secretary and Stewards;
- d) report to the Race Secretary and Stewards as soon as a horse on the list has been schooled sufficiently to be permitted to start.

- (41)** Only the Starter and the Stewards shall have the authority to designate the horses which shall constitute the schooling list.

- (42)** Horses shall be schooled in the starting gate, if and when required, under the personal supervision of the Starter or his Assistants.

A horse shall not be eligible to enter or start in any race until the Starter orders his name to be stricken from his schooling list and the Stewards have approved such removal.

(43) STARTING GATE

- a) all races shall be started from a starting gate approved by the Commission;
- b) at all starting points designated by the Commission, the Association shall have at the starting gate a tractor to haul the starting gate off the racing strip and an extra tractor for emergency purposes.

RULE 15: JOCKEYS

(1) FITNESS

Before being licensed, a jockey must be physically examined by the Association's physician, or a physician approved by the Commission, whose report must be produced for inspection by the Stewards; additionally the jockey must provide any other medical certificate required by the Stewards.

(2) FIRST FOUR TO WEIGH IN

The first 4 finishers shall weigh in upon completion of the race, but the Stewards may order all participation Jockeys to weigh in after the finish of a race.

(3) WEIGHING IN

- a) no person shall assist a jockey in removing the equipment that is to be included in the jockeys weight from his horse, except by permission of the Stewards;

- b) no person shall throw any covering over any horse at the place of dismounting until the jockey has removed the equipment that is to be included in his weight.
- (4)
- a) no jockey shall before weighing in, willfully touch any person or thing, other than the equipment that is to be included in his weight;
 - b) each jockey shall, in weighing in, carry to the scale all pieces of equipment with which he weighed out;
 - c) after weighing in, equipment may be handed to his valet.
- (5) **OVER-WEIGHT LIMITATIONS**
- a) no jockey shall weigh in at more than 2 pounds over the weight at which he weighed out, except insofar as such weight may have been affected by the elements;
 - b) unless such weight has been affected by the elements, such jockey's mount may be disqualified.
- (6) **FAST OFFICIAL**
- a) the Stewards may declare a race "official" when confirmation has been received from the designated race official that there are no claims of foul or objections;
 - b) notwithstanding the foregoing, the Commission or Stewards may disqualify a horse from any purse or prize it has won, and deal with the trainer or jockey, if a horse is found after the race has been declared "official" to have not carried the programmed weight.
- (7) The requirements of Rule 15 (1) may be waived by the Stewards for a jockey licensed in another jurisdiction who on arrival in Manitoba proposes to ride in the province for fewer than 7 racing days during the current meet, and such jockey shall so certify to the Stewards before he is granted a licence.
- (8) **RACE STANDARDS**
- Every horse shall be ridden out, and every jockey who rides a horse in a race shall;
- a) ride it with the intention to win or to finish as near as possible to the win position;
 - b) not ease the horse without just cause even though the horse has no apparent chance to earn a portion of the purse.
- (9) **ROOM TIME**
- a) every jockey who is engaged to ride in a race shall report to the scale room on the day of the race at the time required by the officials and shall attend at the paddock for each race at such time as required by the paddock judge;
 - b) the jockey shall at that time report his engagements and over-weight, if any, to the clerk of the scales;
 - c) no jockey shall leave the jockeys' room or adjacent area except to view the races from a point approved by the Stewards, or to ride in a race, after reporting in and until all his engagements of the day have been fulfilled.
- (10) **WEIGHING OUT**
- a) all jockeys taking part in a race must be weighed out by the clerk of the scales or custodian of the jockeys' room, not less than 10 minutes before the

time fixed for the race (the horse in each instance being specified);

- b) they may be weighed in after the race at the discretion of the Stewards.

(11) APPEARANCE & ATTIRE

- a) while riding in a race or appearing in public during a race card, a jockey shall be neat in appearance;
- b) all riders shall be dressed in clean jockey apparel, cap and jacket of silk, satin or waterproof material, white or light breeches, (except mud pants when permitted by the Stewards), and top boots;
- c) before leaving the jockey's room to ride in a race, all jockeys shall extinguish all cigarettes, cigars and pipes.

(12) SAFETY MEASURES

Whenever mounted and during all races, jockeys shall wear safety helmets and flak jackets or a type approved by the Commission.

(13) WHIPS

No whip shall be used unless it is affixed to the end of a padded "popper" which is no shorter than 6.5 inches in length and not less than 7/8ths of an inch in width. The popper shall consist of two layers sewn down each side with no sewing at the top 1/2 inch of the popper. The outer covering shall consist of a material approved by the Stewards that does not harden over time. Material such as Clariino, Vinyl, Nogohide, or Leather, will not be allowed. The inner layer shall consist of memory foam or closed cell foam .015 - .025 inches in thickness, folded over and sewn down each side, with the outer covering to form a hollow channel. No whip shall exceed twenty-nine inches in length. All whips are subject to inspection and approved by the Stewards.

All whips shall be subject to inspection and approval by the Board of Stewards. Only those whips supplied by the Association and meeting the requirements of this rule may be used during races held at Assiniboia Downs.

Notwithstanding the foregoing, a jockey may, with the permission of the Stewards, modify an Association whip to his or her personal preference, provided such modification shall not breach the standards stipulated in this Rule.

(14) FEES

- a) a jockey's fee shall be considered earned when he begins to be legged up on the horse which he has been engaged to ride except if he shall thereafter refuse to ride without being excused by the Stewards;
- b) in a dead heat, the jockeys involved shall divide the jockey fees involved equally;
- c) the Association shall require owners to deposit in advance a sum sufficient to cover jockeys' fees incurred.

(15) BETTING

- a) no jockey shall make a bet on any race;
- b) notwithstanding the foregoing, a jockey may accept a promise or token of any bet with respect to the race in which he is riding through or from the owner or trainer of the horse he rides, but only on that horse, and only to win.

(16) POST RACE PROCEDURES

After a race has been run, and after a jockey has pulled up the horse he has ridden, he shall ride to a place designated by the Stewards and upon obtaining permission from the Stewards to dismount, shall do so, and unsaddle his horse 10 feet out from the place indicated by its number and present himself to the clerk of the scales to be weighed in.

- (17) If a jockey is prevented from riding his mount to the place designated by the Stewards because of an accident to, or illness of, either himself or his horse, he may walk or be carried to the scales, or he may be excused by the Stewards from weighing in.
- (18) Except with permission of the Stewards, every jockey shall upon returning to the place designated by the Stewards, unsaddle the horse he has ridden, and no person shall touch such horse except by its bridle.

(19) ENGAGEMENTS

All jockeys shall faithfully fulfill all engagements in respect to racing, and jockeys are bound by the commitments made by their agents.

- (20) Should any jockey leave Manitoba or be unable for any reason to honour his riding engagements, he or his jockey agent, shall promptly notify the Stewards accordingly.
- (21) No engagement shall be made by a jockey agent for a jockey who is not physically present in Manitoba at the time of the engagement, except with the prior consent of the Stewards.

(22) SUSPENSIONS

The suspension of a jockey for an offence shall begin and terminate on the days specified by the Stewards or the Commission in the ruling.

- (23) a) a jockey who is under suspension will not be permitted to fulfill his engagements in any overnight races;
- b) a jockey who is under suspension for routine riding infractions may be permitted to fulfill his engagements in stake races, where the jockey was named on the nomination slip prior to committing the foul for which he has been subsequently suspended;
- c) if named on two or more nominations at the time of suspension, he shall not ride in more than one stake race unless he serves an additional day of suspension following said stake races.
- (24) Any jockey wishing to apply Rule 15 (23) b) must:
- a) be named on horses nominated to the designated races prior to deadline when nominations close; and
- b) the call must be posted by the race office along with the nominations; and
- c) a copy of the call must be filed with the Stewards immediately after nominations close; and
- d) the owner or trainer and the agent or jockey shall each initial the nomination slip to confirm the call.
- (25) When a jockey is named at time of nomination, this will constitute a commitment

from the owner/trainer to the jockey, to ride his horse, and from the jockey to the owner/trainer to fulfill his obligation.

- (26) A jockey temporarily suspended may be permitted to exercise or gallop horses during the morning hours and to have access to the backstretch area unless otherwise stated in the suspension ruling.

(27) NO OWNERSHIP OR TRAINING OF HORSES

- a) no jockey shall own in whole or in part any race horse, nor train or assist in the training of a horse registered to race or on the grounds of the Association;
- b) this rule does not apply to licensed amateur jockeys in sanctioned amateur races, riding horses which they have owned or trained for at least 60 days immediately prior to the amateur race;
- c) no person shall be a trainer or part owner of any horse in which a jockey has a beneficial or proprietary interest.

(28) CONFLICT OF INTEREST

No jockey shall ride in a race against a horse which is owned in whole or in part by the spouse of the jockey or owned in whole or in part by a child of less than 18 years of age, where the jockey is the parent, legal guardian, or acts as a parent, of such child.

(29) SUBSTITUTION OR CHANGE

The substitution of a jockey to ride any horse in a race for any reason other than over-weight may be made only subject to the following:

- a) with the approval of the Stewards;
- b) subject to payment of such additional jockey fees or other conditions as the Stewards may impose;
- c) no reduction in weight below the programmed weight shall be allowed as the result of a change of a jockey occurring under any circumstances;
- d) any change of jockey shall be promptly and publicly posted and announced.

Any resulting change in weight shall be promptly announced and posted for the benefit of the public.

(30) FITNESS TO RIDE

Each Association's physician or medic may examine all jockeys as they report for duty each day and in the event that they physician or medic is of the opinion that any jockey is under the influence of alcohol or drugs he shall so inform the Stewards, who shall excuse such jockey from all riding engagements made by him for that day and they may, in addition, take such disciplinary action as they may deem fit against such jockey.

- (31) The Commission or the Stewards may at any time order a thorough physical examination of any jockey by a physician appointed by the Commission, and such jockey shall provide the physician with an authorization and direction to release the results of such examination to the Stewards.

(32) REMOVAL FOR CAUSE

The Stewards may remove a jockey from his mount at any time if in their opinion his riding would not be in the best interests of horse racing.

(33) PROGRAM DETAILS

Where a jockey's name appears on a program at least one of his personal names (or a diminutive of it, for instance "Ted" for "Theodore") shall appear before his surname.

Apprentice Jockeys

(34) BOUND BY JOCKEY RULES

Apprentice jockeys shall be bound by all the Rules for jockeys, except insofar as the general Rules may be in conflict with the Rules for apprentices in this section.

(35) FIRST APPRENTICE LICENSE

A first lifetime application for an Apprentice Jockey's license shall be accompanied by:

- a) a statement signed by an owner or trainer who is licensed in an RCI or NAPRA jurisdiction confirming that the applicant has had at least one year's meaningful racing related experience with a racing stable;
- b) his birth certificate or acceptable proof of his date of birth.

(36) APPRENTICE JOCKEY CERTIFICATE

- a) subject to Rule 15 (35), the Commission may grant an apprentice jockey certificate to any person who has never previously been licensed as a jockey in this, or any other jurisdiction;
- b) the granting of the certificate shall permit the holder to be licensed as a free-lance apprentice jockey and shall be approved by the Commission only after the applicant has displayed qualifications acceptable to the Board of Stewards and the Starter;
- c) an apprentice jockey holding a certificate issued by another recognized jurisdiction shall be entitled to all the rights and privileges and subject to all the restrictions as an apprentice holding a certificate issued in the Province of Manitoba.

(37) LIFETIME OF CERTIFICATES

Provisions of certificates previously in force in Manitoba and elsewhere will be recognized.

(38) NO TWO YEAR OLD MOUNTS

No apprentice shall ride in a race for two year olds without permission of the Stewards.

(39) NO WHIP

No apprentice shall carry a whip in a race until he has ridden in at least 5 races and then only with the permission of the Stewards.

(40) ALLOWANCES

An apprentice jockey shall qualify for the following allowances in all races except handicaps, and stakes:

- a) until he has ridden 5 winners – 10 pounds;
- b) for one year from the date of this 5th winner – 5 pounds, provided that, if by the end of the year he has not ridden 40 winners, he shall continue to qualify

for these allowances until the end of a further 3 years or until he has ridden 40 winners, whichever event first occurs;

- c) any race not reported in The Daily Racing Form or a comparable domestic or foreign publication shall not be considered in determining the allowance to which an apprentice jockey is entitled.

(41) EXTENSIONS

Any apprentice jockey certificated by the Commission will be given a time allowance on application to the Stewards for such allowance, when such apprentice:

- a) is injured in the course of his duties and becomes incapable of riding for a period of at least 21 consecutive days; or
- b) becomes incapable of riding for such period as the result of an illness or accident outside the course of his duties but over which illness or accident he has no control and this is so certified by a doctor; or
- c) in addition to one calendar year from his fifth winner, an extension will be made for an apprentice jockey who does not accept riding engagements after the end of the Canadian season, and, in such case, such a jockey will receive a time allowance equal to the number of days from the close of one season's racing in Canada to the opening of the next season's racing in Canada.

(42) SUBSTITUTION OF APPRENTICE

If after entries have been drawn it becomes necessary for whatever reason for the Stewards to name a jockey or approve a jockey change that results in an apprentice jockey being assigned to ride, the apprentice jockey weight allowance may not be claimed.

(43) LOSS OF STATUS

Upon an apprentice jockey's losing all rights to claim an apprentice jockey allowance, he shall not ride again without the permission of the Stewards until he has been granted a jockey licence by the Commission.

Riding Infractions and Disqualifications

(44) LEAVING THE COURSE

If during a race a horse leaves the course, it shall be disqualified.

(45) RIDING INFRACTIONS AND MISUSE OF THE WHIP

- a) when clear, a horse may be taken to any part of the track, but if the horse swerves or is ridden to either side so as to interfere with, intimidate, impede any other horse or create a danger to any other horse or rider, it may be a foul;
- b) if a horse or jockey jostles another horse or rider, it may be deemed a foul and the offending horse may be disqualified: provided there shall be no disqualification if the Stewards determine the foul was wholly caused by a 3rd horse or jockey;
- c) if a horse or jockey jostles another horse or rider and the Stewards determine the jostled horse or rider contributed to the incident, the Stewards shall exercise their discretion in assessing a disqualification;
- d) if during a race a jockey willfully or carelessly strikes or touches another

jockey or another jockey's horse or equipment or misuses his whip in any manner, the misuse may be deemed a foul.

(46) FOUL MUST AFFECT OUTCOME OF RACE

Any foul committed during the running of a race may result in a disqualification of the horse being ridden except that if, in the opinion of the Stewards, the foul, no matter how committed, did not affect the outcome of the race, the offending horse need not be disqualified.

(47) BENEFIT OF DOUBT TO FOULED HORSE

If the Stewards have determined that a foul has occurred but are unable on a balance of probabilities to determine whether or not the foul affected the outcome of the race, the benefit of the doubt shall be resolved in favour of the horse which has been fouled.

(48) DISCIPLINARY ACTION

Nothing in this section shall prevent the Stewards from subsequently dealing with the jockey committing the foul.

(49) MISUSE OF WHIP

Before, during, or following a race, no jockey shall strike his horse on or about the head area, or misuse his whip in any manner.

(50) A jockey who unnecessarily causes his horse to change stride with a view to creating the impression of a foul may be fined or suspended.

(51) A jockey who rides carelessly or dangerously, willfully or otherwise may be disciplined.

(52) OBJECTIONS

Objections under any rule in this section shall be made:

- a) only by the jockey, trainer or owner of the horse alleged to have been fouled;
- b) to the designated Official, Outrider, Patrol Judge, Clerk of the Scales, or Stewards as quickly as possible after completion of the race, but in any event before weighing in; provided that nothing herein shall prevent the Stewards from dealing with any objection received before a race is made official.

(53) STEWARDS INQUIRY

Nothing in Rule 15 (52) shall be construed so as to prevent the Stewards from taking such action as they may see fit in accordance with the Rules.

(54) FRIVOLOUS OBJECTIONS

An owner, trainer or jockey who makes an objection deemed frivolous by the Stewards may be fined.

(55) FAILURE TO OBJECT

Any rider who is fouled and who fails to make a timely objection to the designated Official, regardless of whether a Steward's Inquiry or an Objection from another rider has been posted on the tote board may be fined.

(56) DISCIPLINARY ACTION

- a) a jockey whose horse has committed a foul may be fined or suspended or the

Stewards may in their discretion, find a jockey blameless;

- b) Where a jockey seeks to be held blameless by claiming the interference or incident for which his mount has been disqualified was the fault of his mount or any other cause beyond his control, and/or where a jockey presents a defence in any disciplinary hearing for a riding infraction by claiming the cause was the fault of his mount or any other cause beyond his control, the onus for proving the cause of the fault shall be on the Jockey who must give credible evidence to support his allegations;
- c) the onus of proof shall not shift to the jockey seeking to be held blameless where he claims that the incident was the fault of another rider or horse in the race under review.

(57) NO PENALTY WITHOUT HEARING

Any jockey against whom a foul is claimed shall be given the opportunity of appearing before the Stewards before any penalty is imposed.

Jockey Agents and Rider Engagements

(58) LICENSING

Before an application for a jockey agents license is approved by the Commission, such jockey agent shall file with the Stewards a complete list of the jockeys for whom he acts as an agent.

(59) CHANGES

- a) a jockey agent shall promptly advise the Commission of any additions to, or deletions from, the list of jockeys for whom he acts;
- b) should any jockey agent cease to be an agent for any jockey, such jockey shall promptly notify the Stewards accordingly;
- c) should any jockey wish to change his jockey agent, he may do so only with the permission of the Stewards.

(60) SURRENDER OF LICENCE

Should any jockey agent cease to be an agent for his last jockey, he shall within 7 days after ceasing to be an agent for such jockey, either become an agent for another jockey or deliver his licence to the Stewards for cancellation.

(61) RESTRICTED REPRESENTATION & ENGAGEMENTS

- a) each jockey may have one agent and no more;
- b) all engagements to ride shall be made by a jockey's agent;
- c) a jockey not represented by an agent may make his own engagements.

(62) AGENTS RESPONSIBILITIES

Each jockey's agent shall:

- a) keep in a book, an accurate and current record of all engagements made by him for the jockeys for whom he acts;
- b) record the name of the jockey and the day and race for which the engagement is made and indicate either first or second call whenever more than one is given for any jockey in any race; and
- c) produce such book for inspection by the Stewards at any time upon demand.

(63) DISPUTES

All rival claims for the services of a jockey shall be adjudged and settled by the Stewards.

(64) RESTRICTED ACTIVITIES

No jockey agent shall:

- a) act at the same time for more than 2 jockeys and 1 apprentice jockey;
- b) act for 3 jockeys without the permission of the Stewards;
- c) be allowed in the winner's circle, saddling paddock or walking ring without permission of the Stewards;
- d) communicate or attempt to communicate in any way with any jockey from the time the jockey leaves the jockey room before a race until the jockey has completed his riding engagements for the day, except with permission of the Stewards;
- e) enter a horse on behalf of an owner or trainer after 9:00 a.m.

RULE 16: TRAINERS

(1) LICENSING

No person shall be granted a trainer's or assistant trainer's licence for an extended meet unless and until he has passed such written and practical tests as shall be determined by the Stewards from time to time.

(2) Notwithstanding the foregoing:

- a) any person who can demonstrate that he has held a valid trainer's licence at an extended meet in Manitoba or elsewhere if issued by a jurisdiction recognized by the Commission, based on identical or similar standards and written tests as currently prevail in Manitoba, during any racing season in any one of the preceding five years may be granted a licence without undergoing a current test;
- b) any person who has held a valid licence at an extended meet in the province during the immediate preceding racing season need not be tested.

(3) Nothing herein shall prevent the Commission from requiring any person holding a trainer's licence issued in any jurisdiction, including Manitoba, to undergo a successful re-test for any reason in order to obtain or maintain his trainer status in the province.

(4) RESPONSIBILITIES

A trainer shall:

- a) register all horses in his charge with the Race Secretary of each Association, stating the name, colour, sex, age and breeding of each and the name of the owner;
- b) register all horses in his charge with the Commission;
- c) advise the Commission of any additions to or deletions from the list of horses in his charge;
- d) arrange for a licensed trainer or his licensed assistant trainer to substitute for him during his absence if required to be absent from the track where his horses are participating in races;
- e) when starting horses for the first time at the current meet, disclose if that

horse has been running at unrecognized tracks and shall provide past performance lines where applicable;

- f) when responsible for horses which leave during the current meet to run at an unrecognized track, disclose that fact and provide past performance lines to the Stewards before entering the horse following its return to the grounds of the Association.

(5) REGISTRATION BY OWNER OR AUTHORIZED AGENT

Registration may be made by the owner or authorized agent with the Association but in all cases the name of both owner and trainer must be given.

- (6)** Notwithstanding Rule 16 (5), the trainer shall not be relieved of his responsibility to register all horses in his care with the Commission, or to register any changes thereof.

(7) SUBSTITUTE RESPONSIBILITIES

- a) any substitute trainer must be approved by the Stewards using forms approved by the Commission;
- b) the original trainer and the substitute trainer are prima fiaca jointly and severally responsible for the horses entered prior to the trainer's absence from the track and for any additional horses entered thereafter by either trainer;
- c) the substitute trainer may, on satisfactory evidence tendered by him, be relieved of responsibility under this section.

(8) PRESUMPTION OF REPRESENTATION

- a) subject to Rule 16 (8) b) a trainer shall represent the owner in the matter of all entries, scratches, declarations, protests, objections, inquiries and the engagement of jockeys, veterinarians and tradesmen;
- b) an owner wishing to vary, remove or restrict the authorization granted under Rule 16 (8) a) shall give written notice of his intentions to the trainer and to the Commission to be served in person or by registered mail.

(9) EMERGENCY SERVICES

In the event a trainer is called upon by the Paddock Judge or the Stewards to saddle a horse of which he is not the trainer, he shall not be held responsible for any violation of the Rules caused by conduct of any third party prior to his acquiring custody or control of such horse.

(10) TRAINER LIABILITY

A trainer is responsible for the condition and consistent performance of a horse in his care, and, without restricting the generality of the foregoing, for any foreign or prohibited substance found in any horse under his care entered in a race, as disclosed by chemical analysis, regardless of the acts or intervention of third parties and whether or not such acts are known to the trainer and regardless of the time of the administration of any drug or foreign or prohibited substance which results in a positive analysis found in an official sample.

(11) SICKNESS OF HORSE

A trainer shall promptly report to the Commission Veterinarian the sickness of any of the horses in his charge that are entered to race.

(12) CONFLICT OF INTEREST

No trainer shall train a horse for another licensed trainer with horses registered at a race meet, except as permitted by herein, nor shall he have any interest in the earnings, winnings or bonus of any other trainer. (see Rule 3 (16) b)

(13) CHANGE OF TRAINER AND REMOVAL OF HORSES

- a) if an owner wishes to change trainers, he shall notify his former trainer, the race secretary and the Commission, in writing using a form approved by the Commission;
- b) the owner and the new trainer shall each sign his name on the necessary papers before moving the horse to the new trainer's stall area;
- c) no owner shall move, or permit the move of, his horse from the stall of his former trainer until he has notified the former trainer in writing of his intention to change trainers;
- d) no trainer or owner shall move, or permit to be moved, any horse owned by him or in his care, from the grounds of an Association if forbidden to do so by the Stewards;
- e) a trainer shall be responsible to notify the Commission immediately that a horse formerly in his care is removed from his care for any reason, including retirement or disability, whether or not such horse is subsequently turned over to another trainer or removed from the race track.

(14) MISREPRESENTATION

No trainer shall represent himself as a trainer of a horse unless he is in charge of and actually training said horse.

(15) GOOD HUSBANDRY

A trainer has the responsibility of exercising good husbandry practice with respect to all horses under the trainer's care at the track, whether or not the horses are registered or entered to race, and such responsibility continues even when the trainer is absent from the track, and in particular and without restricting the generality of the foregoing, the trainer has the responsibility of ensuring that the horses are adequately housed, fed, watered and nurtured at all times.

(16) ASSISTANT TRAINER

- a) a qualified assistant trainer meeting requisite licensing standards may be licensed upon the request of a licensed trainer;
- b) such assistant trainer shall be under the direction of such trainer at all times and such trainer shall be responsible for all acts of the assistant trainer as though they were his own;
- c) the assistant trainer shall be subject to all Rules applicable to a licensed trainer.

RULE 17: TRADESMEN

(1) RESTRICTED HOURS AND ACCESS

Tradesmen shall have access to only those areas of the backstretch and during such hours as shall be fixed by the Association or Commission.

(2) ACCOUNTS

Tradesmen will be responsible for collecting their own outstanding accounts for goods supplied or services rendered.

(3) DISPUTES

Notwithstanding the foregoing:

- a) disputes between the horseman and tradesman involving a bill or the amount of it may be referred to the Stewards, who may then deliver written notice to the owner and trainer of the horses in respect of which the services were rendered forbidding them to move their horses from the grounds of the Association where they are stabled until the matter has been adjudicated;
- b) should the horseman move any of his horses, or permit them to be moved, in defiance of such order, the Stewards shall take such action as they deem proper;
- c) should the horseman pay the tradesman's account after he has received the written order forbidding him to move his horses, he shall file a receipt from the tradesman concerned indicating whether the payment represents settlement in full or not, with the Stewards, who may then give the horseman a written memorandum permitting him to move his horses from the grounds of the racing Association.

RULE 18: LICENSED VETERINARIANS

(1) RECORDS

Veterinarians licensed by the Commission shall keep complete records of the administration of any medications by them or their Assistants to any horse registered to race in Manitoba, whether on or off the grounds of the Association.

- (2)** Such records may be inspected only by the Commission, authorized person or Commission Veterinarian or the Stewards.
- (3)** These records shall show: the name and tattoo number of the horse; the name of the trainer; the date and exact time of the administration of the drug or medication; the nature of the medication administered; the exact dosage given.
- (4)** The veterinarian may use a code word to indicate the drug or medication provided that the Commission Veterinarian has been furnished with a copy of such code which identifies the drug or medication.

(5) BLEEDER MEDICATIONS

- a) when a veterinarian administers a drug or medication to a horse classified as a "bleeder" but which is not enrolled in the Lasix Program, that is in to race, he shall complete an approved Veterinarian's In Today Form in duplicate.
- b) he shall retain the original copy and furnish the duplicate copy to the trainer of such horse who shall submit such duplicate to the Commission Veterinarian prior to or at the time such horse arrives at the paddock for a race.

(6) MEDICATION BY LICENSED VETERINARIAN ONLY

- a) except in case of extreme emergency, or with permission of the Commission Veterinarian only a licensed veterinarian may, during the racing season,

treat or prescribe for a horse registered for racing with an Association under the jurisdiction of the Commission whether on or off the grounds of the Association;

- b) blood technicians approved by the MHRC Executive Director may administer a Lasix shot; provided that other procedures set out by the Rules are adhered to.

(7) RESPONSIBILITY

- a) all veterinarians licensed by the Commission shall be responsible to the Commission for any drug or medication administered to a horse registered to race at any meet of the Association by them, whether on or off the grounds of the Association;
- b) a licensed vet may treat or prescribe for a horse by way of an Animal Health Technologist (AHT) provided that all the following criteria have been met;
 - i) the AHT holds a valid MHRC AHT license;
 - ii) the diagnosis was made and the treatment was prescribed by a licensed vet;
 - iii) the AHT is employed by the licensed vet;
 - iv) the licensed vet, at the time the treatment is undertaken (including administration of medication) by the AHT, is on the grounds of ASD and is available to attend at and treat the horse if called.

RULE 19: FROM ENTRY TO FINISH

(1) ELIGIBILITY

Subject to Rule 24 (3), no horse shall be permitted to enter or start unless:

- a) it is duly registered with and approved by the registry office of the Jockey Club (New York) and its original registration certificate showing the tattoo number of the horse is filed with the Association at least one hour before post time for the first race of the day;
- b) it is owned by a licensed owner and is in the care of and saddled by a licensed trainer;
- c) at the time of entry, the horse is eligible to the conditions of the race as specified by the Race Secretary;
- d) it remains eligible until the post time of the race in which it is entered.

(2) NAME CHANGE

If a horse's name is changed, its new name shall be registered with the Jockey Club (New York) and if necessary, the Canadian National Live Stock Reports, and its old, as well as its new name, shall be given in every entry list until it has run 3 races, and both names must be printed in the official program for those 3 races.

(3) PROGRAM IDENTIFICATION

- a) if entered for the first time at a meet, a horse shall be identified by stating its name, colour, sex, and age, and the name of its sire and dam as registered;
- b) such descriptions of such horse shall be repeated at each entry until the horse and description of such horse have been published in the Association's daily program or the list of entries of an Association;

- c) in every race thereafter, sufficient description shall be deemed to be provided if the name, colour, sex, and age of a horse is furnished.

(4) PARTNERSHIP MUST BE REGISTERED

No horse owned by a partnership shall be permitted to enter or to start until the Rules for the registration of partnership have been complied with.

(5) NO NOMINATION OR ENTRY OF HORSE TO BE OWNED IN FUTURE

No person shall enter or nominate a horse he does not own or train.

(6) ENTRY DEEMED SUBSCRIPTION

An entry of a horse in a stake is a subscription to the stake.

(7) ALTERING NOMINATION

A nomination of a horse to a stake may be altered or declared at any time prior to the closing time for such nominations.

(8) UNLICENSED OR SUSPENDED OWNER OR TRAINER

- a) except as provided by Rule 19 (8) b), a horse shall not be entered in a race if it is wholly or partly owned by, trained by, or under the management of an unlicensed person, a person whose licence is under suspension or a person who acts in concert with or under the control of a person whose licence is under suspension;
- b) if any entry from an unlicensed person or a person whose licence is under suspension or of an ineligible horse is received, such entry shall be void and any money paid for such entry shall be returned if the facts are disclosed one hour before post time for the race; except that a horse may be entered by an unlicensed owner/trainer but may not start unless the license application has been approved by the MHRC by 10:00 a.m. the day of the race in question;
- c) if not disclosed within the time limited, such money shall be paid to the winner;
- d) when an owner is suspended, all his horses are likewise suspended from participating in racing;
- e) such suspensions will be rescinded automatically upon the expiration of the suspensions; or
- f) such suspensions may be rescinded if such horses are sold, with the consent of the Stewards or Commissions.

(9) DECEASED OWNERS – NOMINATIONS AND ENTRIES

Nominations, entries and rights of nomination and entry of a deceased owner thereof (other than a deceased member of a registered partnership) shall be exercisable by, and transferable by, his personal representative or his transferee subject to compliance with the Rules and Directives of the Commission.

The personal representative of a deceased owner shall be deemed to hold an owner's licence in respect of horses belonging to the estate of the deceased until the Commission declares that such deemed licence is no longer in effect.

In the case of the death of a member of a registered partnership nominations,

entries, and rights of nomination and entry shall continue to subsist and may be exercised by the remaining partners or any one of them, subject to the terms of the agreement creating the partnership.

(10) TRANSFER WITH ENGAGEMENTS – AND DECEASED OWNERS

Subscriptions and all entries or rights of entry are valid when a horse is sold with its engagements duly transferred; in duly registered partnerships when subscriptions, entries and rights of entries survive in the remaining partners; and when entries under a decedent's subscription have been made previous to the decedent's death by the transfer of the right of entry.

(11) Subscriptions and all entries or rights of entry under them become void on the death of a subscriber, except in cases of duly registered partnerships, or except upon sanction of the Stewards, when the personal representative of an estate shall in writing, request that the benefits of such accrue to the estate of the decedent subscriber for the privileges of transfer, and shall agree to assume any and all obligations incident to the original entries.

(12) TRANSFER OR SALE OF HORSE

- a) when a horse is sold by private or public auction or transferred, it is deemed to be sold or transferred with its engagements unless there is an agreement in writing to the contrary and an executed copy of such agreement is filed with the Race Secretary of the Association sponsoring the engagement;
- b) no horse may be sold or transferred after it has been entered in an overnight race until such race has been completed or cancelled;
- c) all trainer and/or ownership transfers are subject up to a 72 hour hold before being processed.

(13) Should a horse be sold with its engagements or any part of them, the seller shall not declare the horse out of any such engagements.

(14) If, when a horse is sold or transferred or deemed to be sold or transferred with its engagements, the Race Secretary requires that evidence of such sale or transfer be submitted to him, then failure to do so shall render the horse ineligible to start in any stake.

(15) No transfer of interest or lease of a horse, or any part interest therein, that takes place on or off the grounds of an Association during the term of an extended meet is valid as a transfer of ownership for racing eligibility purposes during the extended meet until the sale or lease has been approved by the Board of Stewards or the Commission, and the horse shall not be allowed to nominate, declare, enter or start a race at that meet until the transfer of interest or lease is approved.

(16) ASSOCIATION MAY REFUSE NOMINATION OR ENTRY

The nomination and entries of any person, or transfer of any nomination or entry, may be refused by the Association without either notice or reason being given, subject to the approval of the Stewards.

(17) COLOURS

- a) in all races except stakes, a jockey shall wear the colours of the Association according to post position;

- b) with the permission of the Stewards, a jockey may wear the registered colours of the owners of the horse he is riding in stake races;
- c) all racing colours of owners carried in stake races shall be registered annually with the Commission;
- d) the Association shall ensure there is no duplication or such similarity of racing colours as to cause confusion in the identification of the same;
- e) any disputes between claimants to the right of particular racing colours shall be decided by the Stewards.

RULE 20: WORKOUTS (See Definitions: Workout)

- (1) No horse shall be entered unless:
 - a) it has either started or has completed a timed recorded workout satisfactory to the Stewards in the last 30 days up to and including the day of entries for the race in which it is entered of not less than 3 furlongs;
 - b) if the horse is a first lifetime starter, it must have at least 2 timed recorded official workouts satisfactory to the Stewards in the last 30 days up to and including the day of entries for the race in which it is entered, one workout shall not be less than 4 furlongs; and, have gate approval prior to the race in which it is entered;
 - c) any horse coming off the vet's list must have a 3 furlong workout approved by the Commission Veterinarian and in the presence of an official clocker, except if on the vet's list for a reason other than soundness.

RULE 21: ENTRIES

(1) DATE SYSTEM TO APPLY

In accepting entries, the Race Secretary shall use a date system approved by the Board of Stewards which shall govern all overnight races.

(2) PARTNERS MAY NOMINATE OR ENTER

- a) nominations and entries may be made by any partner unless there is on file with the Race Secretary and Commission a copy of a partnership agreement which provides otherwise;
- b) all partners and each of them shall be jointly and severally liable for all fees and forfeits.

(3) LIABILITY FOR ENTRANCE AND STAKE MONEY

The nominator is liable for the entrance or stake money, and a mistake in the entry of a horse when eligible does not release the subscriber or transferee from liability for stake or entrance money.

(4) DEATH OF A HORSE OR FAILURE TO START

Entrance money is not refunded on the death of a horse, nor on its failure to start.

(5) NOMINATIONS

Nominations or subscriptions in sweepstakes shall be made in writing, or by telephone in the name of the owner of the horse and disclose his/her full name and address.

(6) FORMS

Each Association shall provide forms on which entries, scratches, and declarations are to be made.

(7) PERSONAL ENTRIES

For all races, the race Secretary, assistant race secretary or entry clerk are the only persons authorized to receive entries, nominations, scratches and declarations made in person.

(8) ELECTRONIC ENTRIES

Entries may be made by any form of electronic communication but only the race secretary or assistant race secretary may accept such entries, and they shall be confirmed promptly in writing by the owner, trainer or authorized agent.

(9) ENTRY CLOSINGS

The race secretary may postpone closing of overnight races.

(10) In the case of a stake(s), the closing of nominations, entries, interim payments and declarations shall be in accordance with the conditions published by the Association sponsoring the event and as approved by the Commission.

(11) When an hour for closing is designated, entries, nominations and declarations for stake cannot be received afterwards; but if an hour is not designated, they may be mailed, telegraphed or faxed up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.

(12) Any person who alleges miscarriage of an entry, nomination or declaration in a stake race must provide satisfactory proof that it was mailed, telegraphed or faxed within a reasonable time before the designated time for closing or it shall not be accepted.

(13) INELIGIBLE ENTRY

- a) a horse shall not be qualified to start in any race unless it was eligible at the time of entry, and remains eligible until it starts;
- b) a horse which is improperly entered shall not be entitled to any part of the purse provided that a protest of its eligibility is filed within the time limited by the Rules, but once the "official" sign is posted, this rule shall in no way affect the wagering on the race.

(14) THE DRAW

- a) each day after the entries have been closed, it shall be the duty of the race secretary to designate persons from owners or trainers present in the entry office to draw the entry sheets and post position numbers;
- b) in every case, the entry shall be drawn from its approved receptacle before the number ball is released from the number box.

(15) RESTRICTION ON MULTIPLE ENTRIES

For all overnight races, a trainer:

- a) shall not enter more than 2 horses;
- b) may enter and start 2 horses to the exclusion of a single entry if the horses are of different ownership;

- c) in no case shall 2 horses start if they are of the same ownership, or part ownership, to the exclusion of a single entry;
 - d) a trainer's second entry may not be allowed in an overnight race unless there are already 3 or more horses entered from separate trainers.
- (16) Notwithstanding the foregoing, more than 2 horses trained by the same trainer may be entered in any overnight race when the race is to be split.
- (17) STAKE ENTRIES**
Nothing herein shall be construed so as to exclude any horse eligible for a specified stake where the conditions of such stake allow multiple entries and starts from the same trainer or owner. Open allowance races and Stake prep races will be governed by the same conditions as Stake Races.
- (18) WITHDRAWAL, CHANGE AND SPLIT RACES**
The Association shall have the right to:
- a) withdraw or change any race with the permission of the Stewards;
 - b) split any race.
- (19) In split or divided races the starters in the separate divisions shall be determined by lot, unless otherwise stipulated in any stake conditions which apply.
- (20) COUPLED ENTRIES**
Horses shall be classified as an entry for all purposes in these Rules, but may be uncoupled for wagering purposes at the discretion of the Stewards: if,
- a) one person is the owner of 2 or more horses in a race;
 - b) the spouse of a person who is owner of 1 horse in a race is the owner of another horse in that race;
 - c) the trainer of 1 of the horses in a race is the owner of another horse in the race;
 - d) the owner of 1 horse in the race is the parent or legal guardian of a child under the age of 18 years who is the owner of another horse in that race; or
 - e) the jockey or trainer of 1 of the horses in the race is;
 - i) the spouse of a person who is the owner of another horse in that race; or
 - ii) the parent or legal guardian or acts as parent of a child under the age of 18 years who is the owner of another horse in that race.
- (21) CONSECUTIVE STARTS PROHIBITED**
No horse shall be permitted to start in more than one race on any one day, and no horse shall be permitted to start on consecutive days.
- (22) NUMBER OF STARTERS**
- a) the number of starts in any race shall be restricted to the number of operational stalls in the approved gate being used for that race and taking into consideration the safety of the horses and riders in any particular race;
 - b) the maximum number of starters in any race shall be determined by the Stewards.
- (23) a) subject to Rule 21 (15), when entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by lot;

- b) when permitted by the Rules or stake conditions, lots may be drawn for the entire race or for each division of the race at option of the Association.

(24) LIABILITY FOR ERRONEOUS ENTRY

- a) a trainer shall be responsible for the eligibility of horses personally entered by him or his assistant;
- b) an owner shall be responsible for the eligibility of horses personally entered by him.

(25) NAMED AT ENTRIES

- a) when making entries, every owner or trainer shall include the name of the jockey who is to ride his horse;
- b) if this is not possible, he shall enter the horse without naming the jockey at entry time but must name a jockey not later than the time the preparation of the overnight sheet commences;
- c) if no jockey has been named by the time that preparation of the overnight commences, the Stewards shall name a jockey to ride the horse.

(26) EQUIPMENT CHANGES

- a) any owner or trainer who wishes to change equipment from its last start in this jurisdiction during the current meet shall apply for permission to one of the Stewards prior to entry for the race in question;
- b) no change off a win, except, in the sole discretion of the Stewards, for safety reasons;
- c) the Stewards may at paddock time permit removal of equipment due to inclement weather and adverse track conditions.

RULE 22: ALLOWANCES

(1) WEIGHT ALLOWANCES

Except in handicaps and races where the conditions expressly state the contrary, 2 year old fillies shall be allowed 3 pounds; and mares and fillies 3 years old or over shall be allowed 5 pounds before September 1 in any year, and 3 pounds thereafter.

(2) CANADIAN BRED ALLOWANCES

In all races except stake, handicaps and races restricted to Manitoba or Canadian bred, a weight allowance of 5 pounds will be made for Canadian bred 2 year olds and 3 pounds for Canadian bred 3 year olds.

(3) CANADIAN BRED QUALIFICATION

Canadian bred horses, to be eligible to enter and start in Canadian bred races, or to receive Canadian bred weight allowances in other races, shall have their Canadian National Live Stock Records registration papers, or recorded numbers thereof on file with the Association and the trainers of such horses shall be responsible for filing such papers or such recorded numbers. This requirement may be waived by the Stewards.

(4) PENALIZED HORSE NOT ENTITLED TO ALLOWANCE

Horses penalized in a race shall not be entitled to an allowance in that race.

(5) RESTRICTIONS

Horses not entitled to the first allowance in a race shall not be entitled to the second allowance, and if not entitled to the second allowance, shall not be entitled to any subsequent allowance.

(6) ALLOWANCES OPTIONAL, PENALTIES MANDATORY

Allowances are optional as to all or any part of them and shall be claimed at the time of entry, but even through so claimed remain optional; penalties, however, are obligatory.

(7) NO PENALTY TO NON-WINNER

No horse shall be penalized for having placed 2nd or lower in any race.

(8) PENALTIES AND ALLOWANCES NON-CUMULATIVE

Penalties and allowances are not cumulative unless otherwise declared by the conditions of a race.

(9) MINIMUM WEIGHT

The minimum weight shall be 105 pounds in any race.

(10) NO ALLOWANCE FOR GELDING

No allowance shall be made for geldings in any race except pursuant to Rule 22 (2).

(11) OVER-WEIGHT JOCKEY

- a) a jockey shall declare the amount of any over-weight to the clerk of the scales at least 45 minutes before the time appointed for the first race;
- b) the clerk shall have the over-weight posted immediately on the notice board and announced over the loud speaker system;
- c) failure on the part of any jockey to comply with this rule shall be reported to the Stewards.

(12) LIMIT ON OVER-WEIGHT

Five pounds is the limit of an over-weight any horse is allowed to carry but to comply with this rule an allowance may be waived by an owner or trainer, with the permission of the Stewards.

(13) TRAINER RESPONSIBLE FOR CORRECT ENTRY

The owner or trainer shall:

- a) claim all weight allowances at the time of entry;
- b) be responsible for a horse carrying an incorrect weight.

(14) INCORRECT WEIGHT

A horse shall run carrying his programmed weight, except:

- a) if an error is discovered or a protest received by the Stewards prior to the opening of betting for the 1st race of the day, the Stewards shall cause the horse to run with the correct weight; and
- b) shall forthwith cause any change to be announced to the public;
- c) if the protest is received or the error discovered after the betting opens, the horse shall be permitted to race carrying the programmed weight.

(15) NO DISQUALIFICATION FOR INCORRECT PROGRAM WEIGHT

No horse shall be disqualified from purse money if the jockey weighed out at the

weight shown in the program or as it might be corrected prior to weighing out, even though the original programmed weight is incorrect.

(16) TRAINER RESPONSIBLE

Nothing in Rule 22 (13) or any other rule herein shall relieve a trainer of his responsibilities hereunder or shall prevent the Stewards from dealing with a trainer who claims an incorrect weight allowance on the entry form.

(17) NO CORRECTION OF FAILURE TO CLAIM ALLOWANCE

Nothing herein allows a trainer to correct an error made in failing to claim weight allowances to which he may be entitled.

(18) DISQUALIFICATION FOR FAILURE TO CARRY PROGRAMMED WEIGHT

Notwithstanding the foregoing, if a horse fails to carry the minimum of his programmed and/or corrected weight over the entire distance of the race, such horse shall be disqualified.

(19) EQUIPMENT INCLUDED IN WEIGHT

- a) a jockey's weight shall include his clothing, boots, saddlecloth, saddle pad, lead, pommel pad, undergirth and the saddle and its attachments;
- b) none of the following items shall be included in a jockey's weight:
 - i) whip;
 - ii) head number;
 - iii) number cloth;
 - iv) cap;
 - v) blinkers;
 - vi) safety helmet;
 - vii) flak jacket

RULE 23: SCRATCHES

Declaration and Scratches

(1) ONLY OWNERS AND TRAINER MAY SCRATCH, AND ONLY WITH PERMISSION OF STEWARDS

- a) no horse shall be scratched without the permission of the Stewards;
 - i) request for permission to scratch shall be made in writing and signed by the trainer;
 - ii) subject to the foregoing, in any races where there is a coupled entry, one may be scratched out not less than 60 minutes before post time for the 1st race of the card;
 - iii) subject to the foregoing, a scratch from an early-closing stake race shall be made not less than 45 minutes before post time of the stake race; provided, however, if the horse to be scratched is coupled as an entry for betting purposes, the scratch must be made not less than 60 minutes before post time for the 1st race of the card.

- (2) Notwithstanding Rule 23 (1), the Stewards may permit the scratch of any horse after weighing out for any reason which may seem adequate to them in conformity with the usages of the turf.

(3) LOADING AFTER SCRATCH

- a) when scratches reduce the body of a race and the conditions of the race allow for a replacement horse to be drawn in, the horses left in the race shall move into the lower numbered post positions before any horses are drawn from the “also eligibles”;
- b) the Starter shall, subject to considerations of safety, in all other situations reposition the remaining field so as not to leave an empty stall in the starting gate between the first and last stalls in use in that race.

(4) AUTOMATIC STAKES SCRATCH

In a stake race, if a horse is not named through the entry box at the usual time of closing, the horse is automatically out.

(5) DECLARATION IRREVOCABLE

The declaration of a horse out of an engagement is irrevocable.

RULE 24: Paddock to Post

(1) PADDOCK TIME PROCEDURES

- a) a trainer shall have his horse in the paddock a reasonable time before post time whether called or not;
- b) he shall attend his horse in the paddock and be present to supervise its saddling, unless he has obtained the permission of a Steward to send another trainer as a substitute;
- c) immediately upon arrival in the paddock, all blankets and bandages, except those bandages that will be worn during a race, must be removed;
- d) should weather conditions so dictate, blankets may be worn after saddling at the discretion of the Paddock Judge;
- e) after saddling, all horses must be walked until excused by the Paddock Judge.

(2) IDENTIFICATION

Subject to Rule 24 (3), no horse shall be permitted to start unless it has been tattooed and fully identified.

(3) EXCEPTION OF 2 YEAR OLD

The Stewards may make an exception in the case of the first lifetime start of a 2 year old which has not been tattooed but has otherwise been fully identified.

(4) SADDLE CLOTH AND HEAD NUMBER

In a race, each horse shall carry a conspicuous saddle cloth number and a head number corresponding to its number on the official program, but failure to do so shall not result in a disqualification or placing.

(5) HORSE TO BE SADDLED AND READY

A trainer shall have his horse saddled and walked and ready to attend the post parade when ordered to do so by the Paddock Judge.

(6) PARADE

The allotted time of the post parade, starting when the lead pony enters the racing strip from the paddock and ending when the first horse enters the starting gate, shall be determined by the Stewards.

(7) EXCUSED FROM PARADE

The Stewards may permit a horse to be excused from parading with the other horses and be led to the post, but such horse shall nevertheless pass the Stewards' stand on its way to the post.

(8) PONY PERSON IN THE PADDOCK

Lead ponies and their riders shall be permitted to enter the saddling paddock or walking ring only with the permission of the Stewards or Paddock Judge.

(9) NO DISMOUNTING AFTER LEAVING THE PADDOCK

After the horses enter the racing strip:

- a) no jockey shall dismount without the permission of the Stewards;
- b) no horse shall be entitled to the care of an attendant without the consent of the Stewards or Starter;
- c) the horse must remain free of all hands other than those of the Jockey, Starter, Assistant Starter, and/or Commission Veterinarian before the Starter releases the doors of the gate.

(10) DISMOUNTING DUE TO AN ACCIDENT

In the event of an accident to a jockey or to his mount or equipment, the Stewards or the Starter may permit:

- a) the jockey to dismount and the horse to be cared for;
- b) jockeys to dismount and all horses to be attended to.

(11) DISMOUNTING OR UNSEATING

If a jockey dismounts or is unseated on the way from the paddock to post, the horse shall be returned to the point where the jockey dismounted or was thrown and shall be re-mounted there and ridden the balance of the parade route.

(12) REPLACING INJURED JOCKEY

If a jockey is injured on the way to the post to such extent as to require another jockey, the horse may be taken to the paddock, another jockey obtained, and shall then be ridden as far as possible over any uncompleted portion of the exact route of the parade to the starting point.

(13) LEAVING THE COURSE

- a) if a horse leaves the course while moving from paddock to post, it shall be scratched;
- b) if after having been received by the Paddock Judge, a horse leaves the paddock without permission of the Paddock Judge, it shall be scratched.

(14) ACCIDENT AT THE GATE

- a) in case of an accident to rider, horse or equipment prior to the start, the Starter may delay the race for such reasonable time as the Stewards determine;
- b) in case the start of the horses at the post is delayed for any reason, the Starter, with the permission of the Stewards, may permit all jockeys to dismount.

(15) FAIR START

A horse shall be a starter for all purposes of the Rules when the stall doors of the starting gate open in front of it at the time the Starter dispatches the field of horses and the Assistant Starter releases the horse in a timely manner, unless the

Stewards in their discretion deem the entire race a non-contest or the individual horse to have had an unfair start.

- a) if the gate in front of the horse does not open properly, or an Assistant Starter does not release a horse in a timely fashion, the Starter shall immediately notify the Stewards who shall, if the horse did not in their opinion receive a fair start, declare such horse and any horse coupled or grouped with it in the mutuel field a non starter for all purposes including claims but excepting any prize or purses which it may earn in said race;
- b) no horse winning a race shall be declared a non-starter for any purpose except if the horse received an unfair start to its advantage, it will be automatically be declared a non-starter no matter where it finishes, and will not be entitled to any share of the purse or winnings;
- c) if any horse of any coupled entry or any horse grouped in the mutuel field leaves the starting gate in a valid start, such entry or group shall be regarded as a starter for all purposes except claims.

RULE 25: CLAIMING

(1) ENTRIES AND RACING

No person shall enter or allow to be entered a filly or mare which has been bred into a claiming race unless the following conditions have been met:

- a) full disclosure of this breeding is on file with the Race Secretary and such information is posted in his office;
- b) the breeding slip has been deposited with the Race Secretary's office (all information contained on the slip to be kept confidential);
- c) all payments due for the service in question and for any live progeny resulting from that service are paid in full;
- d) the release of the breeding slip to the successful claimant at the time of the claim is guaranteed; or
- e) a licensed veterinarian's certificate dated at least 40 days after the last breeding of that mare or filly is on file with the Race Secretary's office stating that the mare or filly is not in foal; or
- f) a licensed veterinarian's certificate stating that the filly or mare has been treated with a medication to cause it to abort and stating whether the mare or filly has aborted, is on file with the Race Secretary's office.

(2) HORSE LIABLE TO CLAIM

- a) In claiming races any horse entered for a price is subject to be claimed for its entered price by any person who is eligible to claim or by his Authorized Agent;
- b) at the time of entry into a claiming race, the owner may opt to declare a horse ineligible to be claimed provided:
 - i) a horse that has not started for 180 days will now have two consecutive starts under this waiver rule;
 - ii) a horse that has not started for 90 days will have one start under the waiver rule;
 - iii) failing to declare a horse ineligible to be claimed will result in the horse automatically being available to be claimed;

- iv) 3 year olds who had their last start in the previous year in Manitoba for a claiming price of \$7,500 or \$9,375, are eligible to run for a waiver protected level of, maiden claiming \$5,000 or claiming \$5,000 non winners of two lifetime.

(3) PERSON'S ELIGIBLE TO CLAIM

Any person is eligible to claim:

- a) who is a licensed owner, and in good faith has a horse registered to race at the current meet; or
- b) who is a licensed owner and who loses his last horse through fire, misfortune or claim and who receives a Lost Last Horse Certificate from the Stewards; or
- c) who applies and pays for an owner's license, and who receives an Open Claim Certificate from the Stewards.

(4) SECURITY CHECK REQUIRED

No Open Claim Certificate shall be issued unless, or until, the applicant has cleared a security check undertaken during the meet in which he is wishing to claim.

(5) NO LICENSE TILL CLAIM EXECUTED

No person shall be issued a license until he has claimed a horse.

(6) ACCOUNT REQUIRED

- a) upon issuance of a claim certificate, the holder may open an account with the horsemen's bookkeeper;
- b) no claim shall be valid unless the claimant has an unencumbered credit balance on deposit with the horsemen's bookkeeper at the time the claim is dropped sufficient to cover the claim plus taxes and the horsemen's bookkeeper or his designate so certifies on the claim form.

(7) CERTIFICATE TO ACCOMPANY CLAIM

The claim certificate must accompany the claim.

(8) INITIAL CLAIM UNDER CERTIFICATE SHALL GOVERN ALL SUBSEQUENT CLAIMS

Any person who claims under a claim certificate during a racing season will be subject to Rule 25 (30) for all subsequent claims during the meet.

(9) CLAIMING PRICE

The claiming price of each horse in a claiming race shall be the entered claiming price and shall be printed on the day's official program.

(10) CLAIM IS OFFER TO SELL AND AGREEMENT TO PURCHASE

A claim shall, in all cases, represent a bona fide offer by the Owner to sell the horse, and an acceptance by the claimant to Purchase said horse, at the claiming price.

(11) CLAIMANT RESPONSIBLE TO DETERMINE SEX OF HORSE

The claimant is responsible for determining the sex of the Horse claimed.

(12) PROHIBITED PRACTICES

No person shall:

- a) claim his own horse, or cause his own horse to be claimed, directly or indirectly, for his own account;
- b) claim more than 2 horses out of any 1 race;
- c) drop more than 1 claim for a horse in any 1 race;
- d) being an owner, claim a horse from a trainer with whom he has horses registered to race, nor from any other owner with horses registered with the same trainer;
- e) being a trainer, claim a horse from an owner for whom he trains even if such horse is in the care of another trainer;
- f) being an owner, discuss his intention to claim with anyone other than his trainer and being a trainer, discuss the claiming of any horse in his care with anyone other than the owner, for the purpose of intimidating or attempting to intimidate an owner or trainer from entering or starting in a race; or for the purpose of collusion to circumvent these Rules;
- g) other than an Authorized Agent acting for his principal claim a horse for or on behalf of any other person, and the execution of a claim is deemed to be a declaration that the claim is on account of the person(s) identified in the claim form.

(13) ONLY ONE TRAINER TO BE NAMED IN BOX IN A RACE

A trainer may not be designated on more than 2 claims in any 1 race and claims must not be for the same horse.

(14) FORMS AND PROCEDURES

- a) all claims must be made in writing, signed by the claimant or his Authorized Agent, and by the designated trainer, on forms and in envelopes approved by the Commission;
- b) both the forms and envelopes must be substantially complete and accurate, otherwise the claim will be void;
- c) the envelope must be sealed and deposited in a locked box provided for this purpose;
- d) no money shall accompany the claim;
- e) the horsemen's bookkeeper or his delegate shall sign or initial the claim form in the designated area;
- f) the spelling of a horse's name on the official program on day of claiming shall be considered to be accurate spelling for the purpose of claiming;
- g) when deciding whether a form and/or envelope is filled out completely and accurately, the distinction between the use of upper or lower case letters shall not be taken into consideration in determining whether a claim is void or not, if the claim otherwise meets the criteria for a valid claim.

(15) LOCATION OF CLAIM BOX

The claim box shall be located in the paddock area under the supervision of the Paddock Judge.

(16) TIME TO DROP CLAIM

- a) a claim in any race must be deposited in the claim box before the last horse

- has left the paddock for that race;
- b) a horse that returns to the paddock shall be deemed not to be the last horse to have left the paddock.

(17) CLAIMS TO THE STEWARDS

The Paddock Judge shall cause all claims to be delivered to the Stewards before the running of each race.

(18) CLAIM IRREVOCABLE

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

(19) PROCEDURAL ERRORS

Any procedural errors by any person other than the claimant shall not automatically invalidate any claim; and the Stewards may in their sole discretion invalidate the claim, or uphold the claim and penalize the person committing the procedural error or take any other steps as they deem necessary.

(20) MULTIPLE CLAIMS

If more than 1 person shall enter a claim for the same horse, the disposition of the horse shall be decided by lot and drawn by one of the Stewards or his appointee, and the person so determined to have the right of the claim shall become the owner of the horse.

(21) HORSE MUST HAVE VALID START AND BE ELIGIBLE TO THE RACE TO BE CLAIMED

Horse must start in the race in which it was entered to be claimed.

(22) TITLE TO CLAIMED HORSE

Title to a claimed horse shall vest in the successful claimant from the time the stall doors of a starting gate open in front of such horse, unless the Stewards declare the horse is a non-starter by reason that it has had an invalid or unfair start or the Stewards declare the race a no-contest.

(23) EARNINGS OF CLAIMED HORSE

The earnings of any claimed horse in the race from which it is claimed shall be for the account of the owner from whom the horse was claimed.

(24) DELIVERY

- a) the successful claimant shall take possession of the claimed horse according to the Rules whether it be alive or dead, sound or unsound, or injured through accident misfortune, during or after the race;
- b) after the race has been run, all claimed horses which are alive and sufficiently sound shall be transferred to the claimant or his representative in the paddock.

(25) REFUSAL TO DELIVER

- a) any person refusing to deliver a claimed horse shall be suspended and shall have his case referred to the Commission;
- b) the claimed horse shall be placed on the Stewards' list and refused entry or starting until it is delivered to the purchaser and accepted or rejected by him;
- c) any purse earned by such horse in said claiming race shall be frozen until said horse is delivered and dealt with according to this Rule;

- d) the successful claimant shall be entitled to inspect the claimed horse before taking possession if not delivered promptly in accordance with the Rules, and at his option may accept, or refuse, delivery of the horse; if refused, the claiming monies shall be refunded to the successful claimant.

(26) IF CLAIMED HORSE IS A TEST HORSE

- a) a claimed horse, if ordered to the test barn by the Stewards, must be accompanied by the claimant or his representative along with the previous owner, the previous trainer or the designated representative of the previous owner;
- b) all such parties shall remain in the retention area until all specimens have been taken from the claimed horse and they shall remain until the sample tag attached to the specimen has been signed by the previous owner or his representative as witness to the taking of the specimen;
- c) the previous owner, trainer or their representative shall witness the taking of the test and sign the test tag, but the failure of any person required by these Rules or the CPMA regulations to attend or witness shall not by itself invalidate the sample nor prevent the results derived from such test from being accepted as evidence of a positive test.

(27) POSITIVE TEST

When a horse has been claimed or sold and a urine or other test subsequently discloses that an improper medication or drug was administered and the Stewards suspend such horse from racing, such suspension shall remain in effect until it is rescinded by the Commission.

A successful claimant may at his option, revoke his claim upon receipt of notification of a positive test or of a ruling of the Commission or the Stewards that the claimed horse was ineligible to the race from which it was claimed, and may return the horse to the previous owner and recover his claiming monies and taxes in full, provided he shall exercise this option within 3 hours of receipt of notification of such positive test or ineligibility ruling.

(28) VOIDED CLAIM

- a) when a claim is declared void for any reason subsequent to a race and/or delivery to the successful claimant, the horse shall, subject to the discretionary powers of the Commission or those conferred on the Board of Stewards under the Rules, be returned to the original owner;
- b) in the event there had been a drawing by lot to determine the successful claimant, all other claims from the said race for the same horse remain null and void. Subject to the discretionary powers of the Commission and the Stewards, when the Stewards or Commission rule a claim is invalid or void and the horse is returned to the original owner;
 - i) the amount of the claiming price is to be repaid to the claimant;
 - ii) any purse monies earned subsequent to the date of the claim and before the date on which the claim is ruled invalid may be retained by the claimant; and
 - iii) the claimant shall be responsible for any reasonable costs incurred for the care, training or racing of the horse while it was in his possession,

except where the claim was voided at the option of the claimant because the horse tested positive or because the claimed horse was ruled ineligible, in which case the previous owner shall be responsible to reimburse the claimant for his reasonable costs, and irrespective of any earnings of the horse during such keep.

(29) HORSE IN JAIL

If a horse is claimed and its next start is in a claiming race, it must be for a price at least 25% higher unless 10 days have elapsed since the date of the claim, in which case it can start for any price; the 10 days shall not include the day the horse was claimed.

(30) RESTRICTIONS ON SALE OR TRANSFER

Subject to Rule 25 (31), if a horse is claimed it shall not be sold or transferred to anyone in whole or in part, except in a claiming race, for a period of 30 days from the date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it be raced outside Manitoba until after the completion of the race meet from which it was claimed without the written permission of the Stewards.

If a horse is claimed under a claim certificate, it shall not be sold or transferred to anyone in whole or in part, except in a claiming race, for a period of 30 days from the date of claim, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for a like period, nor shall it be raced outside of Manitoba until after the completion of the race meet from which it was claimed, without the permission of the Stewards.

(31) CLAIMED HORSE ENTERED BACK

Where the horse drawn to start in a claiming race has been entered to start in any subsequent claiming race, a successful claimant, if any, of the horse in the first race shall have the option of scratching the horse from the subsequent race.

(32) PROTESTS AND APPEALS

- a) any protest or appeal concerning the validity of a claim shall be made in writing and filed with the Commission by 10:00 a.m. the next day following the claim;
- b) any such protest or appeal filed within the time limited shall be heard by the Commission within 24 hours where feasible; if not feasible, as determined by the Chair or Vice-Chair; the protest or appeal will be heard by the Chair alone; or, in his absence, the Vice-Chair; or in the absence of both, by the Authorized Person;
- c) the finding of such person shall be binding on all affected parties as a finding of the Commission, and shall not be subject to an appeal to the Commission or any other tribunal;
- d) no protest or appeal concerning the validity of claim may be made solely on basis that there was a perceived conflict of interest between any of the interested parties;
- e) for the purpose of the Rules, any Chair, Vice-Chair or Authorized Person hearing a protest or appeal alone pursuant to this rule shall have all of the

powers and authority as a full quorum of the Commission sitting as a Board for the purpose of hearing such protest or appeal.

(33) CLAIMS ARISING IN ANOTHER JURISDICTION

When a horse is claimed at a recognized meet under Rules which are at variance with these Rules, title to such horse and restrictions on entry or racing (if any) shall be recognized in Manitoba to follow the Rules of the jurisdiction in which the claim was made.

SECTION 4

RULE 26: SPEED HORSE RULES

- (1) FOLLOWING RULES TO APPLY TO ONLY SPEED HORSE RACES**
Rules in this Section apply only to dashes restricted to Speed Horses.
- (2) RULES ADDITIONAL TO GENERAL RULES BUT PREVAIL IN CASE OF CONFLICT**
Rules in this Section shall be in addition to the general Rules for Flat Racing set forth herein, but in the event of a conflict, Speed Horse Rules shall prevail.
- (3) RESTRICTIONS IN CONDITIONS**
Stake races may not restrict entries in any way other than age and/or sex, and Province of breeding or foaling.
- (4) CONDITIONS FOR ADDED MONEY EVENTS**
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;
 - c) the dates and amounts of nominations, sustaining and starting payments;
 - d) 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 starters anticipated.
- (5) NOMINATIONS**
All nominations to added money events must:
 - a) be made in writing;
 - b) be signed by the owner or authorized agent;
 - c) provide the name and address of both the bona fide owner and lessee and authorized agent;
 - d) provide the name, colour, sex, sire and dam of the horse;
 - e) specify the event or events to which the horse is to be nominated.
- (6) PAYMENTS**
 - a) payments shall be considered made on time if delivered or posted on or before the deadline stipulated in the conditions of the event;
 - b) payments actually received later than 10 days from the due date will not be accepted even if postmarked on or before due date;
 - c) cheques that are dishonoured will automatically cancel eligibility and a horse declared ineligible to the race pursuant to this Rule shall not qualify for late penalty or supplementary nominations.
- (7) STAKES AND FUTURITIES**
 - a) Stakes and Futurities must be contested if one or more horses are declared to start;
 - b) in the event only one horse, or only horses in the same interest, start, it shall constitute a walk over;
 - c) in the event no declarations are made, the total nomination and sustaining payment shall be divided equally among the horses remaining eligible after payment of the last sustaining payment, but such distribution shall not be

credited as purse winnings.

(8) ENTRIES - ELIGIBILITY

No Quarter Horse shall be entered or start unless:

- a) the horse is registered with the American Quarter Horse Association (AQHA);
- b) registration certificates have been filed with the Stewards;
- c) the horse, owner and lessee, if any, and trainer are all in good standing with the AQHA;
- d) the horse is owned or leased by a licensed owner and is in the care of, and saddled by, a licensed trainer;
- e) the horse is entered in the name of the owner as recorded on the registration or in the name of a registered lessee, or in a stable name duly registered by a fully qualified and licensed owner or lessee.

(9) EXCEPTION FOR PENDING REGISTRATION

Notwithstanding the forgoing, the Stewards may permit the entry and start of a horse in the name of a prospective registered owner or lessee if the following conditions are met:

- a) AQHA officials confirm that they are in possession of a valid transfer and the required fee, and the change of ownership or lease is in process of being recorded, and a new registration certificate will be returned to the new owner or lessee; or
- b) the vendor or lessor delivers to the Race Secretary or Stewards fully completed transfer documents together with the requisite fee, and the vendor and purchaser, or lessor and lessee, as the case may be, instructs and authorizes the Race Secretary to deliver the documents and fee directly to the AQHA registration offices.

(10) ENTRIES - WORKOUTS

- a) a horse is not eligible to enter without the permission of the Commission unless it has started in a race or completed a time recorded official workout satisfactory to the Stewards in the 60 days up to and including the day of entries for the race in which it is entering;
- b) the minimum times accepted for Quarter Horse works are set forth below:

Distance	Time
220 yds	15 seconds
440 yds	28 seconds

(11) WEIGHTS

- a) all quarter horse races shall carry a minimum weight of 125 pounds;
- b) 15 pounds is the limit of an over-weight any horse is allowed to carry.

(12) TIME TRIALS

- a) finalists shall qualify by time only, regardless of their finish position in their trial;
- b) if horses race in the same time in the same trial or in different trials, qualifiers for the finals will be determined as follows:
 - i) same time, same trial, different placings, the qualifier is the horse finishing in the highest position;

- ii) same time, same trial, and a dead-heat, the qualifier is determined by shake (or lot) between the dead-heated horses;
 - iii) same time, different trials, the qualifier is determined by a shake (or lot) of the horses with the same time regardless of their finish in their respective trial;
 - iv) same time, different trials in which one of the trials involves two horses in a dead heat, all three horses shake to determine the qualifier.
- c) a horse which is disqualified during the running of a time trial shall take the time of the horse behind which it is placed, plus a penalty of 1/100th seconds.

(13) RIDING RULES

In a straightaway race, every horse must maintain position as nearly as possible in lane in which it starts.

(14) PURSE DISTRIBUTION

Purse distribution shall be as follows, unless specified otherwise in the conditions:

- a) 2% of the purse shall be paid to the Manitoba Quarter Horse Association, and the balance as set forth below;
- b) for all overnight events;
 - 1st - 45%
 - 2nd - 25%
 - 3rd - 15%
 - 4th - 10%
 - 5th - 5%
- c) for all stake events;
 - 1st 43%
 - 2nd 20%
 - 3rd 15%
 - 4th 9%
 - 5th 5%
 - 6th 3%
 - 7th 2%
 - 8th 1%
 - 9th 1%
 - 10th 1%
- d) in the event that there is not a finisher for each purse to be awarded, the portions not won shall be divided among the higher positions in the percentages indicated.

(15) RECORDED WINS - RACE CONDITIONS

- a) the conditions of any race shall not exclude the recorded wins of any horse based on the size of the purse won;
- b) a win recorded for a horse based on a disqualification of the actual winning horse shall not be considered in eligibility to any allowance race.

INDEX

	Page #
Age Restrictions.....	12
Appeals	
Commission.....	21
Content.....	22
Delivery.....	22
Exhibits & Seizures.....	24
Hearing dates.....	23
Hearing rules & procedures.....	23
Transcripts.....	24
Notice of Hearing.....	22
Right to Appeal.....	21
Stays.....	22
Steward Hearings.....	27,28,29,66
Apprentice Jockeys.....	63,64
Allowances.....	63,64
Certificates.....	63
Extensions.....	64
No Whip.....	63
Two year old mounts.....	63
Ambulances.....	50
Assistant Trainers.....	69
Authorized Agents.....	20
Authorized person.....	24
Backstretch access.....	20
Bicarbonate of Soda (milkshaking).....	42,43
Bleeders List.....	38
Claiming.....	26,34,35,82,83,84,85,86,87,88
Account required.....	83
Claim certificate & eligibility.....	83
Claimant responsibility.....	83
Claim irrevocable.....	85
Delivery & refusal.....	85
Earnings.....	85
Forms & procedures.....	84
Jail time.....	87
Multiple claims.....	85
Person eligible.....	83
Positive test.....	86
Procedure error.....	85
Prohibited practices.....	46,84
Protection claim.....	46,84
Protests & appeals.....	34,87
Restriction on sale.....	87

Test horse	86
Time to drop claim	84
Titles of transfer	85
Trainer consent.....	84
Voided claim.....	86
Clerk of Scales & Custodian.....	53,54,55
Duties	53,54
Overweight.....	53,54
Posting changes.....	54
Reporting infractions.....	54
Room control.....	54
Weighing out	54
Clockers	56
Duties	56
Restricted access	56
Colours.....	55,73,74
Commission	7,8,9,10,11,12
General	7
Powers.....	10
Waiver of Rule Breach.....	11
Commission Veterinarian.....	31,32,33
Appointment.....	31
Inspection of horses.....	33
Vet's list.....	32
Complaints & Objections.....	33,34,35,36
Claim monies	35
Costs.....	35,
Fraud	35
Corporations.....	19,20
Dead Heats	29
Declarations & Scratches.....	79,80
Definitions.....	1,2,3,4,5,6,7
Directives	7
Disqualifications & Placements	27
Entries	71,72,73,74,75,76,77
Consecutive starts prohibited	76
Coupled entries.....	76
Date system.....	74
Deceased owners.....	72
Eligibility.....	71
Entry closing	75
Erroneous entry	77
Infoal filly/mare.....	82
Lasix status.....	40
Multiple entry restriction.....	75,76
Nomination forms	74,75

Number of starters.....	76
Refusal of entry.....	73
Sale of horse.....	73
Split races.....	76
The draw.....	75
Transfers.....	73
Unlicensed owners.....	72
Workouts.....	74
Equipment Changes.....	77
Equine Drug Offences.....	48
Fair Start.....	57
Fast Official.....	59
Fines.....	10,29,46
Payment of.....	10
Minimum fines.....	46
Financial Responsibility.....	14
Fraudulent Practices or Criminal Practices.....	45,46,48,49
Assault.....	48
Bets for jockeys.....	47
Claim for another licensee.....	47
Discussion of claim.....	88
Firearms.....	48
Mechanical devices.....	48
Tamper with horse.....	48
Tamper with weight.....	48
Unlicensed owners.....	75
Violation of rules.....	9,45
Guests.....	20
Handicapper.....	53
Hearings.....	22,23,24,27,28,29,36,44
Horsemen's Bookkeeper.....	57
Human Drug Testing.....	49
Ignorance of Rules.....	7
Jockeys.....	38,58,59,60,61,62,63,64,65,66
Appearance.....	60
Betting.....	60
Conflict of interest.....	62
Engagements.....	61
Fees.....	63
Fitness to Ride.....	58,62
Misuse of Whip.....	44,64,65
Named at entry.....	81
Not to own or train.....	62
Overweights.....	59
Post Race Procedures.....	61
Removal for cause.....	62

Room time	59
Substitutions	62
Suspensions	61
Weighing in	58
Weighing out	59
Whips	60
Jockey Agents	66,67
Lasix	38,39,40,41,42
Administration.....	40
Automatic scratch.....	40
Bleeding through lasix	40
Forms.....	38,39
Non lasix jurisdictions.....	41
Registration	39
Refuse injection.....	42
Removal from program	41
Stake ship ins.....	39
Time of acceptance.....	39
Time of entry	39
Licenses.....	12,13,14,15,16,17,18,19,20,21
Acceptance of rules	9
Application content	13
Access to restricted area.....	13
Age restrictions	12
Class	13
Commission approval.....	12
Conditional.....	14
Discretionary	14
Expiration.....	13
In lieu of license	13
Lost license.....	14
Multiple	15
Occupational	15
Owner.....	21,44,68,69
Proxy	20
Reciprocal	12
Trainer	15,45,67,68,69
Licensed Veterinarians	70,71
Bleeder medications	70
Records.....	70
Responsibilities	71
Manitoba Resident	3,8
Nerved Horse	49
Notice of Violation.....	27,28
Objections	65
Offences	44,45,46,47,48,49

Outriders	56
Overnights.....	52
Paddock Judge	56
Parade to Post.....	80,81
Horse excused	81
Dismounting.....	81
Fair start	81
Leaving the course	81
Replace injured jockey.....	81
Partnerships.....	17,18
Patrol Judge.....	56
Penalties	29
Photo Finish	30
Placing Judge	30
Post Race Testing	36,37,38
Barn searches	37,44
CPMA procedures	36
Deceased horse.....	36
Failure to show	36
Horses to be tested	36
Positive Test.....	37
Chemist certificate.....	37
Consequences of positive.....	37
D.Q.....	35,37,38
Notification.....	37
Searches.....	9,37
Pre Race Inspection.....	33
Protests.....	34,35,36
In writing.....	34
Ineligible horse.....	34
Wrong distance.....	34
Hearing.....	36
Post race protest	34
Post meet protest	35
Redistribution of purse	35
Racing Associations	50,51
Race dates.....	50
Safety & security.....	50
Racing Secretary	52,53
Duties	52
Responsibility.....	53
Registration certificates.....	52
Riding Infractions	64,65,66
Disciplinary action	65,66
Failure to object.....	65
Infractions	64

Misuse of Whip.....	64,65
Objections	65
Stewards inquiry.....	65
Scratches	79,80
Searches	9,37,44
Speed Horse Rules	89,90,91
Stable Names	16
Starter.....	44,59,60,61,81
Fair start	26,57,81
First lifetime start	57
Mistreat horse.....	44
Mistreat jockey.....	44
Refusals	57
Schooling list.....	58
Starter list	57
Stewards.....	25,26,27,28,29,30,31
Appointment.....	25
Authority & duty.....	25,26
Discretionary Powers	26,27
D.Q.	27,35,38,78,79
Hearings	23,24,27,28,66
Outside employment	25
Stewards list	27
Tradesmen.....	69
Trainers	45,67,68,69, 80,84
Good Husbandry	69
Licensing.....	67
Misrepresentation.....	69
Responsibilities	67
Substitutions.....	68
Trainer liability.....	68
Weights.....	58,77,78,79
Allowances.....	77,78
Canadian bred.....	77
D.Q.	78,79
Equipment included	79
Incorrect weight	78
Minimum weight.....	78
Overweight jockey	78
Overweight limitations.....	78
Restrictions.....	78
Weighing in	58
Workouts	74

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