



Brett Arnason (Chair)
Peter Fuchs(Vice-Chair)
Darrell Stephansson(Member)
Robert King (Member)
Marg Homenuik(Member)

MANITOBA HORSE RACING COMMISSION

PO BOX 46086 WESTDALE

Telephone (204) 885-7770 Facsimile (204) 831-0942

THOROUGHBRED RULES

DIRECTIVE 2021/03

The following are the rule amendments form Directive 2021/03 for the 2021 thoroughbred meet at Assiniboia Downs.

All previous Directives are rescinded.

BY ORDER OF THE COMMISSION



for Chair, Brett Arnason

June 29, 2021

Date

Thoroughbred Rule Directives 2021/03
Manitoba Horse Racing Commission
June 29, 2021

RULE 3: LICENSING

(4) LICENCES AND ACCESS PASSES

- (a) The Commission may issue licences or access passes;
- (b) temporary licences and access passes may be issued for a maximum of 5 days, and may be renewed for one or more further 5 day periods;
- (c) only the following persons may be issued licence:
 - owners;
 - trainers;
 - assistant trainers;
 - jockeys;
 - apprentice jockeys;
 - exercise riders;
 - grooms
 - jockey's agents;
- (d) all other persons may be issued an access pass.;
- (e) the holders of a licence or access passes shall have reasonable access to the backstretch area of the track;

(17) At time of application, licensees must provide a list that includes all people they employ requiring a backstretch access pass. Licensees must notify the Commission of any changes to whom they employ.

(18) The licensee is responsible for the conduct of all of the licensee's employees while the employees are acting in the course of their duties.

(19) The licensee must conduct appropriate background checks on prospective employees to determine if the person has engaged in conduct that may be prejudicial to the best interest of horse racing.

(20) The licensee must immediately notify the Commission, in writing, the cancellation of employment for any employees that hold an access pass. The Commission will inform the Association and security personnel of cancellation of any access passes.

(21) An access pass may be revoked for any of the following reasons:

- (a) Under advisement of the Association or security that a person may no longer access the backstretch area;
- (b) If the licence of the employer is suspended or revoked;
- (c) Any behaviour which relates to the employee's honesty and integrity;

(15) No Access Pass Without Employment

Upon the termination of employment of any access pass holder:

- a) the licensee shall notify the stewards who shall inform the Association so as to alert their security personnel;
- b) the stewards may demand the surrender of the access pass, and after such demand having been made, whether it is complied with or not, the holder's access should be automatically and immediately

suspended and the matter shall be reported to the Commission and to the security personnel of the Association.

(5) EXPIRATION

(a) Class A and Class B licences issued in 2020 will be extended to May 31, 2021.

(b) Class A and Class B licences issued in 2021 will be valid until April 30, 2022.

RULE 4: APPEALS TO COMMISSION

RIGHT TO APPEAL

- (2) (a) Any notice of appeal from a finding of fact, judgement or decision based thereon made by the Board of Stewards pertaining to the running of a race with respect to the disqualification, placing or non-placing of a horse for an alleged rule violation shall be made to the authorized person or other delegate of the chair;
- (b) A request for appeal must be based upon specific grounds which would warrant a modification or reversal of the original decision;
- (c) Notice of appeal must be made to the Commission within 48 hours of the decision being appealed. A further eight calendar days will be accorded to file the appeal with the authorized person or other delegate of the chair. All request for appeal shall be in writing and must be completed upon a form provide by the Commission;
- (d) Within thirty (30) days, or as operationally feasible, after receiving the filed request for appeal, the authorized person, or other delegate of the chair, must confirm or vary the decision in writing.

(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. The deposit shall be disposed of as the Commission sees fit whether the appeal is heard or not, including being forfeited if the Commission considers the appeal to be frivolous or vexatious.

RULE 5: OFFICIALS

(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, or any licence 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

(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 five days, not including the day of placement on list;
- c) Any owner or trainer whose horses have been place 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. In no event, shall the horse be removed from the list until it has been on the vet's list for five days.

RULE 8: BLEEDING AND LASIX

(5) LASIX FORMS

The Lasix program forms are Form 1 and 2 as required by the Commission.

- (a) Form 1 is to be used for horses applying in Manitoba for their first time enrolment (certification) in a Lasix program;
- (b) Form 2 is 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) Horses coming into Manitoba to race that are already registered into a Lasix program and the horse ran on Lasix in its last race, will automatically continue to run on Lasix. The Commission will confirm if a horse ran on Lasix in its last race by using Racing Digest (or official program) as a guide.

(22) PROCEDURE TO REMOVE CERTIFIED HORSE FROM THE LASIX PROGRAM

- (a) Removal of a horse from the Lasix program is requested by the trainer and is in the best interest of the horse (horse must have been on the Lasix program for at least 100 days). The decertified application (Form 2) is given to the Commission veterinarian who shall then authorize the removal of the horse from the Lasix program;
- (b) In the event 100 days has not passed while racing with Lasix, it shall not enter until 100 days have elapsed and must followed the procedure to be removed from the program by the Commission veterinarian.
- (c) In either event, a horse shall not be allowed to race on Lasix until it has been re-certified using Form 1.

Rule 9: BICARBONATE OF SODA (TCO2)

- 1 (a) The Commission veterinarian or his designate shall be authorized to take blood samples from any horse entered 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 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(b) a reading of total blood carbon dioxide of 36.0 mmol/L or more shall be considered a high level and a positive analysis, except where the horse from which the sample is taken is registered to run under the Lasix Program (EIPH) in which the reading of 38.0 mmol/L shall be considered a high level and a positive analysis;
 - i) The Commission may 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 36.0 mmol/L, the high reading of 36 mmol/L (or 38 mmol/L for a horse on the 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 be unable to take further blood samples to establish the normal range of total blood carbon dioxide, a reading of the total blood carbon dioxide of 36 (or 38 for lasix horses) 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).

RULE 11: OFFENCES AND ILLEGAL OR CORRUPT PRACTICES

(7) CONNECTIONS NOT TO BET AGAINST STABLE STARTER

No owner, trainer, authorized agent, or employee who owns, handles, trains or rides or has any registered or beneficial interest in any horse (aka stable/starter/person) 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, or any multi-race bets. Stable/starter/person shall be permitted to wager on their horse(s) in combination with any other horse in that race or other races (multi-race bets), provided that the total money wagered on combinations in which a stable/starter/person's horse is chosen to finish first must equal or exceed the totals wagered on combinations in which such horse is chosen.

RULE 13: RACING OFFICIALS

(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 licensed or have been issued an access pass by the Commission.

RULE 14: RACING OFFICIALS AND OTHER RACING POSITIONS

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

(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 8 pounds;
- c) Allow the trainer an opportunity to waive allowances he has claimed so as to reduce the over-weight to 8 pounds or less;
- d) Not allow that jockey to ride until the over-weight has been reduced to 8 pounds or less, accepted by the trainer, approved by the Stewards, recorded and announce and posted for the public;
- e) Notwithstanding that the clerk or custodian shall not be obligated to notify the trainer if any jockey is over-weight by 8 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 is able to make the programmed weight with no

payment of a double jock mount or another penalty provided the option is exercised immediately after the jockey as checked in and has recorded his weight for the card.

RULE 18: VETERINARIANS

RECORDS

(3) These records shall show: the name and tattoo or microchip 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.

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 or microchip number of the horse is filed with the Association at least one hour before post time for the first race of the day;
- e) Also Eligibles:
 - i) Also eligibles shall be drawn from horses having the best preference;
 - ii) A horse listed as an also eligible for a race on a specific day can still enter to run in a different race on a different day;
 - iii) Scratch time is after the race day veterinarian check. This determines if any spots have opened up for any of the also eligible horses to draw in;
 - iv) Should a spot become open, the trainer of the horse does not have to automatically run in the race and has the option to scratch without penalty. Should the horse elect to run in the opened spot, it would require a veterinarian check.
 - v) If an also eligible horse is moved into a race it shall be scratched from any subsequent race it has been drawn into, unless preference allows it in;

RULE 24: PADDOCK TO POST

(1) **IDENTIFICATION**

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

Deleted Rules

RULE 3: LICENSING

(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 following year.

RULE 4: APPEALS TO COMMISSION

RIGHT TO APPEAL

(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.

RULE 8: BLEEDING AND LASIX

(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

RULE 25: CLAIMING

(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.