

**CHAPTER 386****RACECOURSE BETTING****RULES OF RACING****ARRANGEMENT OF RULES**

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**RULES OF RACING**

## (SECTION 5)

*[Commencement 20th October, 1955]**G N 163/1955**G N 254/1956**G N 202/1961**G N 82/1962**G N 154/1962**G N 327/1969**5 cf 1987*

1. These Rules may be cited as the Rules of Racing.

Short Title

**ARTICLE I***Division of the Rules*

2. The two divisions of the Rules of the Commission are herein designated respectively: Part I (Administration), Part II (Rules of Racing).

**ARTICLE II***Powers Reserved*

3. All powers of the Commission not specifically defined in these Rules are reserved to the Commission under the Racecourse Betting Act.

**ARTICLE III***General Rules*

4. The Rules of Racing herein prescribed and any amendment or additions thereto apply to all persons, associations, partnerships or corporations holding or conducting a Meeting within The Bahamas licensed under the Racecourse Betting Act where horse racing shall be permitted for any stake, purse or reward.

5. These Rules shall also apply to any participant in or patron of any such licensed Meeting.

6. Every licence to hold a Meeting is granted upon condition that the licensee shall accept, observe and enforce these Rules. Furthermore, it shall be the duty of each and every officer, director, and every official and employee of said licensee to observe and enforce the Rules.

**ARTICLE IV***Definitions*

7. "Commission" shall be deemed to be the Racing Commission appointed under the Racecourse Betting Act.

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**8.** “Owner”, “ownership” or “stable”, as applied to the racing of a horse, shall be deemed to include the husband or wife of the owner as well as his or her children under the age of 21 years. It also includes a part owner and a lessee and may comprise one or two, but not more than two, natural persons in a partnership or any other form of collective ownership or control approved by the Commission.

**9.** “Association” is any person or persons or any Corporation licensed to conduct horse racing within The Bahamas for any stake, purse or reward.

**10.** “Stewards” shall be deemed to mean the Stewards appointed by the racing association conducting the meeting, and approved by the Commission, or their deputies or substitutes acting together, or such of them as may be acting at the time.

**11.** “Racetrack” or “track” shall be deemed to mean any and all parts of the plant of a racing association, including, but not limited to, the racing strip, the approaches and entrances, the stands and all other accommodations and facilities afforded to the public, the stables, barns, paddocks, quarters of jockeys and others employed in or about the track, judges’ and stewards’ boxes, photo-finish and film patrol plants, pari-mutuel offices, facilities and equipment, totalizer and public annunciator system.

**12.** Words of the masculine gender include the feminine and neuter gender and may refer to a partnership; and words in the singular number include the plural, and in the plural number include the singular.

**13.** “Rules” shall be deemed to include all rules made by the Commission applicable to administration and racing unless another meaning is clearly indicated.

**14.** “Bookmaking” or “making book” shall be deemed to mean the acceptance or solicitation of a wager upon any result in a horse race, except through the duly licensed pari-mutuel system.

**15.** A recognized meeting in The Bahamas is a meeting held with the sanction of the Commission upon a racecourse in The Bahamas operated by a duly licensed Association, for the time and at the place where such meeting is licensed to be held.

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**16.** Arrears include all moneys due in respect of fines, compensation, fees, entrance money, stakes, subscriptions and forfeits.

**17.** A “horse” includes mare, gelding, colt and filly.

**18.** A horse is “bred” at the place of his birth.

**19.** The age of a horse is reckoned as beginning on the first of January in the year in which he is foaled.

**20.** A “Maiden” is a horse which, at time of starting, has never won a race on the flat in any country.

**21.** An “Untried Horse” is one whose produce are maidens.

**22.** The “Breeder” of a horse is the owner of his dam at the time of foaling.

**23.** A race includes a stake, a purse, a sweepstakes, a private sweepstakes or a match, but does not include a steeplechase or hurdle race.

**24.** A “Purse” is a race for money or other prize to which the owners of the horses engaged do not contribute.

**25.** A “Sweepstakes” is a race to which the entrance fee, subscription and other contribution of three or more owners, is distributed according to the conditions of the race; and any such race is still a sweepstakes when money or other prize is added.

**26.** A “Private Sweepstakes” is one in which no money or other prize is added and which, previous to closing, has not been advertised, either by publication, or by circular, or entry blank, or in any other way.

**27.** A “Match” is a race between two horses the property of two different owners on terms agreed upon by them to which no money, or other prize is, added; it is void if either owner dies.

**28.** A “Handicap” is a race in which the weights to be carried by the horses are adjusted by the handicapper for the purpose of equalising their chances of winning.

**29.** A “Free Handicap” is one in which no liability is incurred for entrance money, stake or forfeit, until acceptance of the weight, either directly, or through omission to declare out.

**30.** A “Highweight Handicap” is one in which the top weight shall not be less than 140 pounds.

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**31.** A “Post Race” is one in which subscribers declare, at the usual time before a race for declaring to start, the horse or horses they are to run, without limitations of choice or other than that prescribed by the Rules of Racing or the conditions of the race.

**32.** A “Produce Race” is one to be run for by the produce of horses named or described at the time of entry.

**33.** A “Claiming Race” is one in which every horse running therein may be claimed in conformity to the Rules.

**34.** The “Nominator” is the person in whose name a horse is entered for a race.

**35.** An “Authorised Agent” is a person appointed by a document signed and acknowledged by the owner before a Notary Public and lodged annually at the office of the Commission or if for a single meeting only with the Secretary to the Commission for transmission to the Commission.

**36.** “Weight for Age” means standard weight according to the Rules. A “weight for age” race is one in which all horses carry weight according to the scale without penalties or allowances.

**37.** A “Walkover” is when two horses in entirely different interests do not run for a race.

**38.** “Declaration” shall mean the act of withdrawing an entered horse from a race before the closing of entries.

**39.** “Entry” shall mean a horse made eligible to run in a race.

**40.** “Equipment” as applied to a horse shall mean whips, spurs, blinkers, tongue straps, muzzles, hoods, nosebands, bits, shadow rolls, martingales, breastplates, bandages, boots, plates, girth straps, etc.

**41.** “Forfeits” shall mean money due because of an error, fault, neglect of duty, breach of contract, or a penalty.

**42.** “Place” in racing shall mean first, second, third, and in that order is called “Win”, “Place”, “Show”.

**43.** “Post Position” is the position assigned to the horse at the start of a race.

**44.** “Post Time” is the time set for the arrival at the starting point of the horses in a race and must be shown on the official programme and also shown a reasonable time prior to the race on a clock device, provided for that

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purpose, prominently displayed and clearly readable from the grandstand.

45. “Race Days” are days specified in the licence to an Association on which horse racing will be conducted in the period of a race meeting.

46. “Starting Gate” shall mean an “American” type mechanical or electrical contrivance with individual stalls for the purpose of starting a horse.

47. “Scratch” shall mean the act of withdrawing an entered horse from the race after the closing of entries.

48. “Scratch Time” shall mean the time set by the Association for the closing of applications for permission to withdraw from races of that day.

49. “Subscription” shall mean the act of nominating to a stake race.

50. “Trainer” is a person who holds a licence from the Racing Commission to train race horses.

51. Where in these Rules the term licence is used in connection with an owner, owner-trainer, trainer, assistant trainer, jockey, jockey’s agent, or stable employee, such term shall include a permit.

## **PART I ADMINISTRATION**

### **ARTICLE V**

#### *The Commission*

52. General policies on racing matters are to be declared by the Commission at its meetings or by unanimous consent in writing. The administration thereof shall be in the hands of the Chairman acting through the staff of the Commission.

53. Each Association shall establish and maintain an office for the use of the Commission at each racetrack at which such Association conducts horse racing.

54. The Commission may require that the names of the Commissioners and of its specified employees, with their titles, if any, and the address of the Commission’s office appear on the daily racing programmes.



**55.** Whenever the Commission has adopted a rule or has rendered a decision, whether on appeal or otherwise, the signature of the individual Commissioners shall not be required on any written order or other form of determination, but the Secretary of the Commission shall certify and promulgate the same, and his signature on such written order or other form of determination or on any promulgation thereof shall be valid and effective as evidencing the official action thus taken by the Commission.

**56.** The Secretary of the Commission shall be entitled to attend all meetings of the Stewards.

## ARTICLE VI

### *Commission Staff*

**57.** The staff of the Commission shall consist of a Secretary and such other employees, permanent or temporary, as the Commission may determine.

**58.** (a) All appointments to the staff of the Commission shall be made by the Chairman after approval thereof at a meeting of the Commission.

(b) The Chairman may arrange for the employment of such temporary employees as he may deem necessary, upon approval by the Commission.

**59.** The staff of the Commission, both permanent and temporary, shall receive such compensation for their services as may be determined annually by the Commission; and no increase or decrease in such compensation shall be made except with the consent of the Commission.

**60.** The Chairman is authorised to terminate the employment of any member of the staff of the Commission at any time such termination has been approved at a meeting of the Commission or by written consent of the Commissioners.

**61.** No member of the staff of the Commission shall at any time or place act as an official at any race meeting, whether for compensation in any form or otherwise, without the formal consent of the Commission, certified in writing by the Chairman.

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**ARTICLE VII***Rules of Racing*

**62.** The Rules of Racing prescribed by the Commission with respect to running races or race meetings are in force in The Bahamas and shall be deemed to be part of these Rules.

**ARTICLE VIII***Occupational Licences*

**63.** The Commission has the power under section 18 of the Racecourse Betting Act to grant permits (in this Article referred to as “licences”) to owners, trainers, assistant trainers, jockeys, jockeys’ agents and stable employees, and it may refuse or suspend or revoke such licences. Every such licence shall provide that the licensee shall comply with the Rules of the Commission and that violation thereof may be punished by suspension or revocation of such licence.

No person requiring a licence from the Commission shall carry on any activity whatsoever upon the premises of a licensed racing association unless and until he has been so duly licensed; except that any such person with the consent of the Secretary of the Commission may so act pending action on his application duly filed.

**64.** No person shall enter any horse, dog or other animal in any race at any racecourse, or be employed as jockey, groom, exercise boy, stable boy or otherwise in connection with any horse, dog or other animal entered in any race and at any racecourse or be employed in any capacity whatsoever at any racecourse without first having obtained a licence from the Racing Commission so to do.

**65.** Every licence shall be for not more than one racing season.

**66.** The Racing Commission may refuse a licence to any person or revoke or suspend a licence either for cause or without assigning any reason therefor.

**67.** The Racing Commission shall notify an Association of the revocation of any issued licence within two days after such revocation.

**68.** Each applicant for a licence shall pay to the Commission an annual licence fee, which shall be prescribed by the Commission.

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**69.** The application for a licence shall be in writing in such form as the Commission may prescribe, and shall contain such information as the Commission may require. It shall be accompanied by a certified cheque, bank officers' cheque or draft, or money order, for the amount of the licence fee.

**70.** Applications for such licences shall be received by the Commission on or before the 30th day of November in each year at its principal office.

**71.** No licence shall be issued until after approval thereof by the Commission.

**72.** Each such licence, unless revoked, shall be for the period of one racing season.

**73.** If the Commission shall find that the financial responsibility, experience, character and general fitness of the applicant are such that the participation of such person will be consistent with the public interest, convenience or necessity and with the best interests of racing generally in conformity with the purposes of the law, it shall thereupon grant a licence. If the Commission shall find that the applicant fails to meet any of the said conditions, it shall not grant such licence and it shall notify the applicant of the refusal.

**74.** (a) The Commission may refuse to issue or renew a licence, or may suspend or revoke a licence issued pursuant to this Article, if it shall find that the applicant, or any person who is a partner, agent, employee or associate of the applicant, has been convicted of a crime in any jurisdiction, or is or has been associating or consorting with any person who has or persons who have been convicted of a crime or crimes in any jurisdiction or jurisdictions, or is consorting or associating with or has consorted or associated with bookmakers, touts, or persons of similar pursuits, or has himself engaged in similar pursuits, or is financially irresponsible, or has been guilty of or attempted any fraud or misrepresentation in connection with racing, breeding or otherwise, or has violated or attempted to violate any law with respect to racing in any jurisdiction or any rule, regulation or order of the Commission, or shall have violated any rule of racing which shall have been approved or adopted by the Commission, or has been guilty of or engaged in similar, related or like practices. This Rule shall be in addition and not in derogation of the Commission's general power to refuse, revoke or suspend a licence.

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(b) In addition to the powers to suspend or revoke a licence issued by it or as an alternative to exercise any such powers the Commission may impose a penalty not exceeding \$400. *5 cf 1987, s 2*

**75.** No licence shall be revoked or penalty imposed unless such revocation or imposition of the penalty is at a meeting of the Commission on notice to the licensee who shall be entitled to a hearing in respect of such revocation or penalty.

**76.** Each jockey must obtain a licence from the Commission.

**77.** No jockey licence shall be granted to anyone less than twelve years of age.

**78.** No boy shall be granted a jockey licence without the permission of his parent or guardian in writing.

**79.** No boy shall be granted a licence unless his parent or guardian satisfy the Commission that he is sufficiently qualified to act as a jockey and that he has had at least six months' experience of riding on horse back.

**80.** The Stewards may permit a jockey to ride pending action on his application for a licence.

**81.** (a) An owner to be eligible for a licence shall be required to submit an affidavit as to his ownership of all horses in his possession.

(b) No person shall be eligible for an owner's or trainer's licence, if, during the term of such licence, he intends to act as veterinarian with horses racing under the jurisdiction of the Commission.

**82.** An amateur wishing to ride in races on even terms with jockeys must obtain a jockey licence from the Commission.

**83.** In an emergency, the Stewards may permit owners, trainers, assistant trainers and jockeys to start, train or ride pending action on their applications.

**84.** Any trainer, owner or other person who harbours anyone not so provided with a permit shall be immediately reported to the Stewards of the Meeting, who shall in turn make investigation and report their findings to the Racing Commission.

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**85.** The Racing Commission shall employ a graduate Veterinary Surgeon in good standing, and licensed to practise under the laws of the Bahama Islands.

## ARTICLE IX

### *Racing Associations*

**86.** The Association shall honour any and all licences issued to owners, trainers, assistant trainers, jockeys, jockey agents, and stable employees:

Provided always that upon the Association showing cause to the satisfaction of the Racing Commission that a licence issued to an owner, trainer, assistant trainer, jockey, jockey agent or stable employee should be revoked such licence may be revoked by the Racing Commission.

**87.** Members of the Commission, its staff and its designated representatives shall have the right of full and complete entry to any and all race tracks at any time.

**88.** Associations shall at all times maintain their race tracks in good condition to the satisfaction of the Commission, and with a special consideration for the comfort and safety of the public, of the horses stabled, exercising or entered to race thereat, and of all those whose business requires their attendance thereat; and to this end shall have available adequate and proper implements to maintain a uniform track, weather conditions permitting.

**89.** Associations shall install at their tracks and maintain flood-lights to provide adequate illumination of the stable areas at night, and such patrol system as may be approved by the Commission.

**90.** Each Association shall maintain and furnish complete police and watchman service day and night in and about all stable enclosures and furnish to the Racing Commission each week a complete tabulation list thereof, showing the name, duty and place stationed, and portions of enclosures supervised by such policemen and watchman.

**91.** Watchmen and policemen so employed shall be individually responsible for the certain part of the stable enclosure where they are on duty and shall immediately investigate and report the presence of anyone during the night or day who may be within the said stable enclosure without possessing proper credentials. A letter of instructions to all watchmen and policemen shall be addressed to

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each of them by the Association covering fully their duties and their strict obligation to keep stable enclosures free from outsiders and hangers-on, and a copy thereof furnished to the Racing Commission.

**92.** All stable enclosures must be properly fenced and admission granted only on the proper licence or credentials actually shown to the gateman.

**93.** Racing Associations shall install at the finish lines at their tracks, and shall adequately maintain, one photo-finish camera, to be approved by the Commission, to automatically photograph the finish of races. The official photographer shall furnish promptly to the Secretary of the Commission one print of every photofinish, and the Secretary shall keep a permanent file of all such prints and the negatives thereof.

**94.** Racing Associations shall install at their tracks and adequately maintain annunciators for the purpose of displaying the numbers of the placed horses at the conclusion of each race.

**95.** The erection of buildings, seating stands or other structures on the grounds of any Racing Association, and the alteration or the removal of any thereof, shall be made only with the written approval of the Commission and the issuance of a permit therefor, after the filing with the Commission of a description thereof, with plans showing the detail of the same and a detailed statement of the cost therefor.

**96.** Associations shall furnish and maintain at least one ambulance each day that their tracks may be open for racing, equipped, ready for immediate duty, and to be placed at a spot to be designated by the Commission, so that no time may be lost in answering calls.

**97.** Each Association shall provide and maintain first aid facilities with at least one bed, equipped with first aid appliances and material as shall be approved by the Racing Commission, and shall provide the attendance of a competent physician and/or one registered nurse thereat during racing hours.

**98.** Each Association shall make such sanitary arrangements as baths, toilets, etc., for the use of jockeys, as may be reasonably required by the Commission, the same to be conveniently located on the grounds.

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**99.** Each Association shall provide proper and well located boxes or pits for separately receiving stable manure and other refuse, situated well distant from living quarters, and such boxes and pits shall be emptied and their contents entirely removed from the premises of the Association daily except Sundays.

**100.** Each Association shall on every racing day provide and maintain in a strictly sanitary condition such adequate toilets and facilities for furnishing drinking water for its patrons and persons having business at the tracks, as may reasonably be required by the Commission.

**101.** Associations shall make no charge of stall rental during the conduct of a race meeting at their premises, except in the case of leases or other contracts relating to special facilities for stabling, and such leased or contracted facilities shall be made available to horsemen whenever they are not occupied by the tenant, upon reasonable notice to the tenant.

**102.** Each Association shall provide and maintain one unit of adequate starting gates on every race day of its meeting and every day during the racing season on which it permits the exercising of horses on its racing strip; the said Association shall use every reasonable endeavour to have in attendance, whenever the said gates are in use, one or more men skilled and qualified to keep the said gates in good working order, and shall provide for such periodical inspections thereof as may be reasonably required by the Commission.

**103.** Associations shall make prompt written acknowledgement of stake nominations and subscriptions.

**104.** Associations, under the direction of the Commission, shall institute and diligently maintain a system of horse identification and physical examination.

**105.** The Association shall not permit anyone to enter in or about the grounds, stables or stable enclosures who does not have in his or her possession a licence issued by the Commission as owner, trainer, jockey, groom, farrier, or veterinarian, except during the special period from the time the last race on a Race Day has been declared “official”, to the time set by the Association for the closing of entries, when visitors will be allowed. All other persons, such as salesmen and deliverymen, shall receive from the Association proper credentials, and a full record of the same shall be compiled and open to inspection at any time.

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**106.** A report shall be made by the head of the Association police force to the Racing Secretary and the Secretary to the Commission daily, stating any disturbances, drunkenness, or disorderly conduct in or about the grounds, stable area, racetrack, etc., giving the name and licence number of any horseman committing any offence whatsoever.

**107.** Associations shall exclude from the paddocks in the interest of public safety all those persons who have no immediate business with the horses entered, except the members of the Commission, its staff and special representatives.

**108.** Stands for judges, timers and stewards shall be maintained in positions commanding an uninterrupted view of the entire racing strip, and shall be subject to approval by the Commission.

**109.** All devices pertaining to racing which are used on racetracks must be approved in writing by the Commission before installation and shall not be removed except with the written consent of the Commission.

**110.** Each Association shall conduct horse racing only between the hours of 12 o'clock noon and a quarter of an hour before sunset, unless otherwise specifically authorised by the Commission.

**111.** The maximum number of races per Race Day at all racecourses under the supervision of the Commission shall be seven; in no case to be changed or altered until and except the matter be taken before the Commission and approved by the Commission.

**112.** Post time for the first race on each Race Day during the Meeting must be approved by the Commission.

**113.** Each Association conducting racing in The Bahamas shall file with the Commission the conditions of races it proposes to hold, together with the stakes, purses or rewards for such races.

**114.** All persons found making book on the races at any track shall be barred therefrom by the Association operating the same, for not less than the duration of the meeting, and a memorandum thereof forthwith transmitted to the Commission.



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**115.** An Association shall not permit any person who is known or reputed to be a bookmaker or a vagrant within the meaning of the statutes of The Bahamas, or a fugitive from justice, or whose conduct at a racetrack in The Bahamas or elsewhere is or has been improper, obnoxious, unbecoming or detrimental to the best interests of racing, to enter or remain upon the premises of any licensed Association conducting a race meeting under the jurisdiction of the Commission; and all such persons shall upon discovery or recognition be forthwith ejected.

**116.** Associations shall promptly give to the Commission and to the Treasurer such information in writing as either may request from time to time and shall freely and fully co-operate with them in every way.

**117.** Not less than fourteen days before a race meeting, each Association licensed to conduct a race meeting in The Bahamas shall file with the Commission a complete schedule of the rates of admission fees the Association proposes to make at the meeting. The Commission may call for further data and information in writing, or it may require the officers of any Association to appear in person before it. No Association shall charge any admission fee the rate of which has not previously been approved by the Commission. After the rates of admission fees have been approved by the Commission no change shall be made in those rates without the approval of the Commission.

**118.** Every Association shall collect from each person admitted to the licensed racecourse each Race Day an amount equal to 10% of the price of admission, whether such admission fee be collected or not, which tax shall be paid into the Public Treasury.

**119.** No such admission tax mentioned in the foregoing Rule will be payable in respect of the members and representatives of the Racing Commission, racing officials, officers and employees of the Association, and persons representing newspapers published in The Bahamas.

**120.** Each Association shall furnish a list showing the names of all such persons defined in Rule 119 to the Racing Commission on the day following each Race Day.

**121.**(1) Each Association must file specimen tickets and badges with the Racing Commission at least fourteen days in advance of the opening of the race meeting.

(2) These specimens must be complete in detail as to type of admission ticket, badges, or other evidence of the right to enter the grounds on a Race Day.

(3) The Racing Commission shall inspect and approve the proposed tickets, badges, etc., before tickets or other rights to enter the grounds are sold or distributed by the Association.

**122.** Any person or Association guilty of a breach of any of the Rules contained in this Article shall be liable to a penalty not exceeding four hundred dollars. *5 cf 1987, s 2*

## ARTICLE X

### *Sanitation*

**123.** All used bedding and manure shall be removed at least once each week from every racecourse.

**124.** Each animal shall be provided with separate water buckets, sponges, rub rags, and other equipment which shall be kept exclusively for each animal.

**125.** Each trainer shall keep all hay and grain in a sanitary manner.

**126.** Each horse shall be kept in an individual stall and shall not be switched to any other stall, except on transfer of ownership or trainer.

**127.** Each stall shall be sprayed with an effective insecticide to ensure reasonable freedom from insect pests at least once a week by the trainer responsible for the horse quartered therein.

**128.** The use of hypodermic needles is hereby forbidden, except when used by a veterinarian.

**129.** Any illness shall immediately be reported by the trainer to the Racing Commission Veterinarian and Racing Secretary.

**130.** These Rules and sanitary regulations contained in this Article shall be binding upon and strictly complied with by all racecourse operators, horse owners, trainers and grooms. The Racing Commission Veterinarian and the Association Superintendent shall have full authority to enforce such Rules and regulations and are hereby charged with the responsibility for so doing and any person guilty of a breach of these Rules shall be liable to a penalty not exceeding four hundred dollars. *5 cf 1987, s 2*

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**ARTICLE XI***Transmission of Information*

**131.** Except as otherwise in this rule provided, no person, being upon the premises of a licensed racing corporation, shall transmit therefrom by telephone, telegraph, teletype, semaphore, signal device, radio, television or other method or means of electrical, mechanical, manual or visual communication, the result of any race, or any information whatsoever with respect to the odds or the wagering pools; or any information dealing with track conditions, jockey changes, changes of equipment, scratches, or any other information whatsoever relating to a race:

Provided, however, that the Associations licensed by the Commission to conduct race meetings may permit radio broadcasts and video telecasts of racing programmes upon the written approval of the Commission; and upon such terms as the Commission may impose in such approval; and provided further that such licensed Associations may permit representatives of the public press to send, for the exclusive use of such press, news items, “scratches” and changes of jockeys and equipment, and also the results of each race after the same has been declared “official” together with the amounts of the final pools and the pay-off prices of such races; and such licensed Associations may permit telephone, telegraph and teletype wires and equipment on their respective premises during race meetings for the use of such representatives of the public press and for the transaction of the ordinary business of such licensed Association and the Commission: but no message shall be sent in or out of the said licensed Association’s premises by any communication device or means for transmitting money or other thing of value or directing the placing of any wager on the result of a race; nor shall any such message be sent in cipher or code unless the same be in plain and intelligible English.

**ARTICLE XII***Association Employees*

**132.** Before entering upon the discharge of their duties the following officials employed by any Association shall be approved in writing by the Commission, viz.: all stewards, racing secretaries, handicappers, starters, placing

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judges, clerks of the scales, paddock judges, timers, examining veterinarians and track veterinarians, and such other persons as the Commission may designate from time to time because of their importance in the actual conduct of racing.

**133.** No person under sixteen years of age shall be permitted to attend any race meeting or be employed in any manner about any racecourse, excepting jockeys and exercise boys.

**134.** Eye tests shall be given by competent opticians to all stewards, and placing and patrol judges, as and when directed by the Commission, the test to include particularly distance and colours, and the original reports thereof shall be kept on file at the office of the Commission.

**135.** Each Association may provide a sufficient number of authorised messengers to make purchase of pari-mutuel tickets for patrons in the club house and box areas. In such case, messengers shall wear distinctive numbers on badges prominently displayed. Each Association shall be responsible for any authorised messengers employed by it, and shall make good any loss occasioned by their default. Any messenger found touting patrons shall be discharged at once. All rules for the operations of the messengers shall be submitted to the Commission for its approval.

### ARTICLE XIII

#### *Racing Employees*

**136.** The post positions of horses shall be printed on the daily programmes. When such information is not available at the time the programmes are printed, the same and all other changes in the official programmes shall be posted in a conspicuous place both in front of the club house and in front of the grand stand, where the same may be easily read by the public, and also shall be announced over the public address system.

**137.** All jockeys and exercise boys shall undergo examinations whenever directed by the stewards to determine their fitness to ride, and the reports of such examinations, duly signed by the examining physician shall be filed promptly with the Commission.

**138.** No stable may have in its employment any employee under sixteen years of age, except exercise boys and jockeys, who shall not be under twelve years of age.

**139.(a)** The personnel of every stable shall be licensed by the Commission; and such personnel and all changes thereof shall be registered by owners with the Association on whose tracks their horses are racing or stabled, and shall be available at all times to representatives of the Commission.

(b) No stable employee shall be permitted to work without first filing application for a licence from the Commission and obtaining a track identification card; and no stable employee shall be paid off on discontinuance until he has surrendered his said identification card which shall be immediately delivered to the track office.

## ARTICLE XIV

### *Horses*

**140.** Every horse that is entered to race on any day shall be examined by an official veterinarian appointed by the Commission, at a time appointed by the Commission, and if any horse is, in his opinion, not in fit condition to race, he may exclude the said horse therefrom whether or not it has already been brought into the paddock.

**141.** When a horse, after entering the paddock, is excluded or withdrawn from the race for any reason satisfactory to the Stewards, notice shall be posted on the notice board and immediate announcement made over the public address system. Money paid for mutuel tickets on any horse so excluded or withdrawn shall be refunded.

**142.** Charts and records of every horse stabled at tracks during meetings thereat shall be kept by or under the direction of the Racing Secretaries of the Associations. The said charts shall show the breeding, name, registration, age and sex of the horse, and such charts and records shall be available to the members of and the Secretary to the Commission.

**143.** No horse shall be qualified to start in any race unless he be entered by a licensed owner and in charge of a licensed trainer.

**144.** No owner or trainer or his representative, shall employ a veterinarian who is not duly licensed as such by the Commission. Each such veterinarian shall make a daily report to the Secretary of the Commission of all horses under treatment by him including the nature of the horse's

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injury or illness; the treatment being given therefor and such other information as may be required by the Secretary of the Commission.

**145.** No horse which has been declared unfit by a veterinarian shall be nominated for any race until it shall have been given a certificate of fitness by a veterinarian duly licensed by the Commission.

## ARTICLE XV

### *Racing Results*

**146.** When a result is “Official”, that word shall be displayed on the result board and shall signify that the placing of the horse is final insofar as the pay-off is concerned. If any change be made in the order of finish of a race after the result is so declared “Official”, it shall not affect the pay-off. The posting on the result board of the order of winning, place and show horses or the prices to be paid shall not be deemed to signify that such result and prices are official until the “Official” signal has been shown on the result board or announced by the public address system.

**147.** In the event of a foul being claimed, a red flag shall be hoisted forthwith, and announcement thereof made on the public address system.

**148.** Rulings of the Stewards with regard to the award of purse money, made after the result has been declared “Official”, shall in no way affect the mutuel pay-off.

**149.** (a) A photo-finish picture shall be taken of all races at every licensed racecourse and the use of all negatives, pictures, equipment and methods shall be subject to the approval of the Commission.

(b) The Racing Commission shall maintain and have on file a permanent photographic negative and one print therefrom of each race of which a photo-finish picture has been taken.

(c) All negatives and prints of the photo-finish of a race shall be considered public records.

(d) All negatives and prints of the photo-finishes of races shall be retained in the files of the Commission for a period of three years; and at the end of such time the said negatives and prints shall be destroyed.

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**ARTICLE XVI***Pari-Mutuel Operations*

**150.** Such rules for pari-mutuel betting as may be specified by the Commission shall be printed in the daily racing programme sold to the public within the premises of Associations.

**151.** All race tracks under the jurisdiction of the Commission are required to install and maintain mechanically operated totalizators.

**152.** No pari-mutuel tickets shall be sold except at regular ticket windows, properly designated by signs showing the types of tickets sold at such windows, or through authorised messengers. No such tickets shall be exchanged.

**153.** Payment on winning pari-mutuel tickets shall be made only upon presentation and surrender of such tickets.

**154.** All winning pari-mutuel tickets must be presented for payment before the fifteenth day of April in the year following the year of their purchase and failure to present any such ticket within the prescribed period of time shall constitute a waiver of the right to participate in the award or dividend.

**155.** All moneys remaining unpaid on winning pari-mutuel tickets after the fifteenth day of April in the year following the year of their purchase shall be paid into the Public Treasury in aid of the general revenue.

*5 cf 1987, s 2*

**156.** Each Association must in all cases of a pari-mutuel pool distribute not less than two dollars and twenty cents on each winning two dollar wager. No part of any minus pools resulting from such payments shall be charged against the Government's or the Commission's participation in the total pools or the breaks.

**157.** Mutilated pari-mutuel tickets or those whose validity is questioned shall be submitted to an auditor designated by the Commission for inspection, and the ruling of the said auditor thereon shall be final and conclusive.

**158.** No person under the age of sixteen years shall be allowed to wager. No jockey shall enter the betting area.

**159.** (a) The pari-mutuel machines will be locked by electrical control immediately upon the horses reaching the starting post, but before they enter the starting gates.

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(b) If the pari-mutuel machines fail to function, then no tickets may be sold and the selling windows shall close when the horses reach the second furlong post before the starting post, excepting in the races comprising the Daily Double and Quinellas.

**160.** If authorised and uniformed messengers are provided by the Associations they shall give receipts to all patrons purchasing pari-mutuel tickets through them, and winning tickets shall be paid by such messengers only upon surrender of such receipts. Methods of operation shall, at all times, be in accordance with these Rules.

**161.** Bookmaking, or betting other than through the pari-mutuel system conducted by a duly licensed Association, is strictly prohibited.

**162.** An itemised record of all unpaid pari-mutuel tickets shall be prepared and a complete record thereof including the total, forwarded to the Commission and the Treasurer within thirty days after the last day of each race meeting.

**163.** At race meetings where the totalizator machine is operated, if any additional method of calculation, having been approved by the Commission, is used or undertaken, full records thereof shall be furnished to the Commission and the Treasurer.

**164.** If a horse be excused from racing for any reason whatsoever after the betting thereon has begun, the money bet on that horse shall be refunded.

**165.** If it be determined by the Stewards that a horse has been prevented from racing because of the failure of the stall door of the starting gate to open, the money bet on the horse shall be refunded.

**166.** In all races except sweepstakes with five or more separate entries which start, Associations shall provide win, place and show pools; in all races with four separate entries which start, they shall provide win and place pools; in races of three or two separate entries which start, they shall provide only a win pool; and pari-mutuel tickets shall be sold accordingly:

Provided, however, that in sweepstakes with less than four separate entries which start, Associations may, at their option, provide that there shall be no betting; and in such cases an additional race with betting shall be added to the programme.



**167.** No refunds of money paid for pari-mutuel tickets to be made, as directed by the Rules of the Commission, shall be made except upon the presentation and surrender of the tickets.

## ARTICLE XVII

### *Pool Calculations*

**168.** Within the enclosure of any racecourse licensed by the Commission and conducted under the Rules of the Commission, but not elsewhere, the sale of pari-mutuel pools, under such Rules as the Commission shall provide, is hereby authorised and permitted.

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**169.** The commission of a licensee on a pari-mutuel pool shall in no event exceed 21% of the amounts contributed thereto, and the maximum of 21% of the said amounts shall include the 5% Government commission provided by law together with the additional 2% commission granted to the Racing Commission for its use by law. After deducting such commissions above provided and the “breakage” (hereinafter defined) a pari-mutuel pool shall be redistributed.

*5 cf 1987, s 2*

**170.** Redistribution of funds otherwise distributable of the pari-mutuel pool shall be made to the nearest five cents under the amount calculated.

**171.** No distribution of a pari-mutuel pool shall be made of the odd cents of any sum otherwise distributable, which odd cents shall be known as the “breakage”.

**172.** The “breakage” shall be known as the difference between the amount contributed to a pari-mutuel pool and the total of the commissions and sums redistributed.

**173.** The “breakage” shall be paid to the Commission and put into the special fund to be known as The Benevolent Fund. The Commission shall have authority to pay as revenue into the Treasury any sums out of The Benevolent Fund that are not required for any other purpose.

**174.** No person or Association shall directly or indirectly purchase pari-mutuel tickets or participate in the purchase of any part of a pari-mutuel pool for another for hire or any gratuity.

**175.** No person shall purchase any part of a pari-mutuel pool through another wherein he gives or pays

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directly or indirectly to such other person anything of value, and any person violating this Rule shall be suspended or barred from entry to any racecourse licensed within The Bahamas.

**176.** No ticket may be sold after the totalizators have been locked or the warning horn sounded for wagering to cease.

**177.** In the event of the totalizator becoming inoperative by reason of a mechanical breakdown or otherwise, then no tickets may be sold and the selling windows shall close when the horses reach the second furlong post before the starting post, excepting in the races comprising the Daily Double and Quinellas.

**178.** In the event of the totalizator becoming inoperative by reason of a mechanical breakdown or otherwise, then the selling windows for Daily Double tickets must close ten minutes before post time of the first half of the Daily Double, and no tickets shall be sold on such Daily Double thereafter.

**179.** In the event of the totalizator becoming inoperative by reason of a mechanical breakdown or otherwise, then the selling windows for Quinella tickets must close ten minutes before post time of the Quinella race in respect of which such Quinella tickets are sold, and no tickets shall be sold on that Quinella thereafter.

**180.** The pari-mutuel pools shall be calculated and distributed as follows —

- (a) In any race, the win, place, show, and daily double pools are treated separately and calculated independently of each other.
- (b) In all pools, the net amount (net pool) for distribution shall be all sums deposited in the pari-mutuel pool less twenty-one per centum of the total deposits plus the breaks.
- (c) WIN POOL. The net pool divided by the amount wagered on the horse finishing first determines the pay-off per \$ including profit and wager. When two horses finish first in a dead heat, the money in the WIN POOL is divided the same as in a place pool calculation.
- (d) PLACE POOL. The amounts wagered on horses finishing first and second are deducted from the

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net pool to determine the profit. The profit is divided in half, and the halves, in turn, divided by the two amounts mentioned above. This determines the profit per \$ to which is added the wager.

When two horses finish second in a dead heat, one-half of the profit is allocated to the tickets representing wagers on the horse finishing first, and the remaining half is allocated equally to the wagers on horses finishing in the dead heat for second.

- (e) **SHOW POOL.** The amounts wagered on the horses finishing first, second and third are deducted from the net pool to determine the profit. This profit is divided into three equal parts, and each part, in turn, divided by the three amounts mentioned above. This determines the profit per \$ to which is added the wager.

When two horses finish third in a dead heat, one-third of the profit is allocated to the tickets representing wagers on the horse finishing first, one-third to the wagers on the horse finishing second, and the remaining third equally to the wagers on the horses finishing in the dead heat for third.

- (f) When only two horses finish, the **SHOW POOL**, if any, shall be distributed the same as in a place pool.
- (g) When only one horse finishes, the **PLACE** and **SHOW POOL**, if any, shall be distributed the same as in a win pool.
- (h) In any race in which no horse finishes, all money wagered on the race shall be refunded upon presentation and surrender of pari-mutuel tickets sold thereon.

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## ARTICLE XVIII

### *The Daily Double*

**181.** The rules for Daily Double betting shall be printed in the daily racing programme sold to the public within the premises of Associations.

**182.** The Daily Double is not a parlay and has no connection with or relation to the pool shown on the totalizator board.

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**183.** In order to win a Daily Double, it is necessary for the purchaser of a Daily Double ticket to select the winners of each of the two races specified for the Daily Double. If either of his selection fails to win, his contract is voided, except as hereinafter provided.

**184.** (a) In the event of a dead heat either in the first race or second race of the Daily Double, two winning combinations result. The amount wagered on both winning combinations are deducted from the net pool to determine the profit. The profit is divided in half, and the halves, in turn, divided by the two amounts mentioned above. This determines the profit per \$ to which is added the amount of the wager.

(b) In the event of a dead heat in both races of the Daily Double, four winning combinations result. The amounts wagered on these four winning combinations are deducted from the net pool to determine the profit. This profit is divided into four equal parts and each part, in turn, divided by the four amounts mentioned above. This determines the profit per \$ to which is added the amount of the wager.

**185.** The Daily Double pools shall be calculated and distributed as follows —

- (a) The net pool divided by the amounts wagered on the winning combination determines the pay-off per \$ including profit and wager.
- (b) If no ticket is sold combining the two winners of the Daily Double, the net pool shall then be apportioned equally between those having tickets including the winner in the first race of the Daily Double and those having tickets including the winner in the second race of the Daily Double, in the same manner in which a place pool is calculated and distributed.
- (c) If not ticket is sold including the winner of the first race of the Daily Double, the net pool shall be paid to the holders of tickets which include the winner of the second race of the Daily Double.
- (d) If no ticket is sold including the winner of the second race of the Daily Double, then the net pool shall be paid to the holders of tickets which include the winner of the first race of the Daily Double,

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- (e) If no ticket is sold including the winner of either race, then the net pool shall be paid to the holders of tickets, which include the horses finishing second in the two races of the Daily Double.
  - (f) If no ticket is sold which would require distribution of the Daily Double pool, the Association shall make a complete and full refund of the pool.

**186.**(a) If for any reason the first race of the Daily Double be cancelled and declared “no race”, a full and complete refund shall be made of the Daily Double pool.

(b) If for any reason the second race of the Daily Double be cancelled and declared “no race”, the net Daily Double pool shall be paid to the holders of Daily Double tickets which include the winner of the first race.

**187.** There shall be a refund of Daily Double wagers in the event of a horse being scratched before the betting on the Daily Double has closed. (This refund to apply only to wagers on the horse scratched.)

**188.** In the event a horse is excused in the second half of the Daily Double, after the first race is “Official”, all money wagered on the scratched horse in the second half of the Daily Double shall be deducted from the Daily Double pool and refunded to holders of tickets including such number with the winning number of the first half of the Daily Double.

**189.** The Mutuel Manager is held responsible for the correctness of all pay-off prices posted on the board. Before the Mutuel Department of any racecourse posts the pay-off prices of any pool for any race, the Mutuel Manager shall require each of the calculating sheets of such race to be proven by the calculators, and winners verified. Such proof shall show Pay-Breaks-Commission and added together show they equal the total pool. All pay-slips are to be checked with calculating sheets as to winners and prices before being issued to cashiers, and all board prices are to be rechecked with the calculator before they are released to the public.

**190.** Each Association must maintain an approximate odds board and one or more efficient odds men whose

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duty it shall be to post odds on each race for the purpose of informing the public of the actual wagering on each horse in each race as disclosed by an accurate take-off of the straight pool at the time such odds are posted.

## ARTICLE XIX

### *Racing Commission Auditor*

**191.** A Racing Commission Auditor and helpers shall be appointed and paid by the Racing Commission.

**192.** The duties of the Racing Commission Auditor shall be —

- (a) To supervise the operation of the ticket sellers and calculators.
- (b) To check the copies of the ticket sellers' returns and ensure that the numbers of the balance of unsold tickets agree with these returns.
- (c) To check the copies of the calculators' sheets.
- (d) To ensure that no tickets are sold after ticket selling windows or machines should be closed or locked in accordance with rules 159, 176, 177, 178 and 179.
- (e) To see to it that ticket selling windows are closed; unless ticket selling machines are installed by the Association, in which case he is to lock such machines in accordance with rules 159, 176, 177, 178 and 179.
- (f) To furnish to the Racing Commission and to the Treasurer of The Bahamas, within twenty-four hours of the completion of any Race Day, a certified return showing the receipts and expenditures in respect of the operation of the totalizator for that Race Day.

**193.** The Racing Commission Auditor shall have the power —

- (a) To suspend the operation of any totalizator directly such Auditor is satisfied that any error has occurred in any calculations made and to continue such suspension until the error is adjusted.
- (b) To suspend temporarily or permanently any pari-mutuel employee who transgresses any rules made under the Racecourse Betting Act, and

5 *cf* 1987, s 2

such employee may be subject to a fine of not more than forty dollars, payable to the Racing Commission, and put into The Benevolent Fund. Such suspension or fine shall be subject to appeal to the Racing Commission in accordance with rule 247.

- (c) To approve the temporary employment of pari-mutuel personnel in cases of absence of the duly licensed pari-mutuel employee.

## ARTICLE XX

### *Medication and Drugs*

**194.** The Commission may require the Associations to set apart a building or an enclosure in a building in a location acceptable to the Commission, containing such facilities for medication, drug or other tests of horses as may be required by the Commission.

**195.** The winner of every race and such other horses as the Stewards or Commission may designate shall be sent immediately after the race to the Testing Enclosure for examination by the Supervisor of Drug Tests and the taking of such specimens of saliva, and/or blood as shall be directed; but blood specimens shall be taken only by a licensed veterinarian.

**196.** The Stewards or Commission may require at any time that any horse be sent to the Testing Enclosure for the taking by the Supervisor of Drug Tests of such specimens of saliva, urine and or blood as shall be directed, as well as for an examination for “sponging” and such other examination as shall be directed.

**197.** The Supervisor may also, when so directed by the Stewards or Commission, require the taking of any or all of the foregoing specimens from any horse stabled at a track during a meeting.

**198.** The owner or the trainer or the owner’s or trainer’s groom or other representative must be present in the Testing Enclosure when a saliva, urine or other specimen is taken from his horse, and must remain until the sample is sealed in his presence. The official sample tag attached to the specimen shall be signed by the owner or trainer or their representative, if present, as witness to the taking of the specimen. Wilful failure to be present at or a refusal to allow the taking of any such specimen, or any act or threat to impede or prevent or otherwise interfere

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therewith, shall subject the person or persons guilty thereof to immediate suspension by the Stewards, and the matter shall be referred to the Commission, which notwithstanding the action taken by the Stewards, may impose a penalty not exceeding four hundred dollars.

*5 of 1987, s 2*

**199.** All specimens taken by or by direction of the Supervisor may be delivered to a laboratory appointed by the Commission for official analysis. Each specimen shall be marked by number and date and may also bear such information as the Supervisor considers essential to its proper analysis; but the Supervisor shall not disclose to the Racing Diagnostician at the laboratory appointed by the Commission or any member of his staff, the identity of the horse from which the specimen was taken or the identity of its owner, trainer, jockey or stable. The container of such specimen shall be sealed as soon as the specimen is placed therein, and each such seal shall bear the stamp of the Commission.

**200.** The Supervisor of Drug Tests of the Commission or any of his assistants may take samples of any medicines or other materials suspected of containing improper medication or drugs which would affect the racing condition of a horse in a race, which may be found in stables or elsewhere on racetracks or in the possession on such tracks of any person connected with racing, and the same shall be delivered by the Supervisor to the Racing Diagnostician at the laboratory appointed by the Commission for analysis under the same conditions as in this Article prescribed for the analysis of saliva and urine.

**201.** No action shall be taken on the report of the laboratory appointed by the Commission unless and until the medication or drug has been properly identified.

**202.** Horses starting in the care of a trainer or belonging to an owner under investigation, but against whom no action has been taken, shall suffer no prejudice except that saliva and such other tests as the Stewards or Commission may direct shall be given to such horses regardless of their position of finish in any race.

**203.** The Secretary of the Commission shall promptly report to the Criminal Investigation Department at the Central Policy Station, Nassau, all cases in which it is reported by the Racing Diagnostician of the laboratory appointed by the Commission that narcotics or stimulants have been administered to any horse.



**204.** No person shall be admitted at any time to the building or part thereof utilized by the Commission for making medication, drug or other tests of horses except the staff immediately in charge of such work, the Commissioners, the Secretary, the Stewards and such other persons as may be authorised, in writing, by the Chairman of the Commission or the Supervisor of Drug Tests.

**205.** Trainers and assistant trainers are responsible for the condition of horses in their care and are presumed to know these Rules.

**206.** All bottles and other containers kept in or about any track-room or elsewhere in any barn on the premises of an Association shall bear a label stating plainly the contents thereof, including the name of each active ingredient:

Provided, however, that this rule shall not apply if the containers bear regular prescription labels with pharmacists' numbers, names and addresses and the names of the prescribing veterinarians.

## ARTICLE XXI

### *Benevolent Fund*

**207.** All fines under these Rules shall, on realization, be remitted to the Racing Commission.

**208.** The "breakage" shall be remitted to the Racing Commission.

**209.** A fund shall be kept under the name of The Benevolent Fund for the benefit of racing and for the relief of trainers, grooms, jockeys and their dependants. The Fund shall be under the charge of the Racing Commission and shall be administered by it in its discretion.

**210.** There shall be credited to such Fund —

- (a) All fees received by the Racing Commission on account of licences granted to trainers, jockeys and grooms.
- (b) Unless otherwise provided or directed by the Racing Commission, all fines imposed under these Rules and received by the Racing Secretary.
- (c) The sum known as the "breakage".

*GN 327/1964*

**211.** The Racing Commission may make out of The Benevolent Fund any payment, which in its discretion and in accordance with any such Rules it thinks fit, to any jockey, trainer or groom who from accident, sickness or other cause which to the Racing Commission may seem good, is incapacitated from carrying on his occupation.

**212.** No owner, trainer, jockey or groom, or other person shall have any voice whatever in the administration of this Fund nor any claim against the Racing Commission or against such Fund as aforesaid by reason of his having subscribed to such Fund or otherwise in connection therewith. All payments from any such fund shall be made without any admission of legal liability and, subject to any rules governing such Fund, may be reduced and suspended or discontinued in the absolute discretion of the authority controlling the Fund.

## ARTICLE XXII

### *Procedure for Hearings*

**213.** (a) Whenever a matter has been referred to the Commission by the Stewards which involves an alleged violation by any person of any law or of any Rule of the Commission, or whenever the Commission, on its own initiative, shall determine to take cognizance of any such alleged violation, or any other matter within its jurisdiction, the following procedure shall be followed in dealing with such matter, insofar as the same may, in the opinion of the Commission, be appropriate and effective under the circumstances.

(b) Upon the receipt from the Stewards of a reference of any such matter, or upon the request of any Commissioner with respect to any matter within the jurisdiction of the Commission, the Chairman shall forthwith acquaint the other Commissioners with the substance thereof, and upon the approval of a majority of the Commissioners, the Secretary shall, by pre-paid telegram or by mail, send to the most recent post office address of the person charged with such violation by the Stewards or by the Commission, as such address may be shown upon application for a licence by such person or otherwise, a notice to show cause before the Commission at a place, date and time to be stated therein, why the licence of such person should not be suspended or revoked, together with such other penalty as may be lawfully imposed, for such violation of the Rules of

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the Commission as may be specified by the Stewards and/or the Commission, stating in such notice such particulars of the alleged violation as may reasonably acquaint the person charged with the nature thereof; and where proceedings are initiated by the Commission, similar notice shall be given as directed by the Commission. A further or supplemental notice or notices may be given by the Commission in its discretion. Notice of hearing and specification of alleged violations shall be sent by mail or telegram at least two days before the date fixed in such notice for such hearing unless, upon approval by a majority of the Commissioners, the time fixed therein be shortened.

- (c) The order of proof in hearings shall be —
  - (i) Evidence of the violation alleged.
  - (ii) Cross examination of Commission's witnesses.
  - (iii) Evidence by the person charged in defence or explanation.
  - (iv) Cross examination of the person charged and his witnesses.
  - (v) Any rebuttal or other evidence on behalf of the Commission or any interested party as may be regarded as pertinent by the Chairman.

(d) Hearings shall be conducted in such manner as to ascertain and determine the substantial rights of the parties and the Commission shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure.

A person charged or his agent shall be entitled to obtain, at his own cost, from the Commission, a copy of the record of the hearing to which he is a party.

Records of the proceedings of such hearings shall be made and retained in the files of the Commission. A majority of the Commissioners shall constitute a quorum for the hearing and determination of any such proceedings.

(e) Upon the close of the proceedings, the Commission shall, within a reasonable time, prepare and file with its Secretary its written findings and determination with respect to each and every allegation contained in the aforesaid notice and any supplemental notice. The concurring votes of a majority of the Commission shall be necessary to a determination.

(f) No rehearing of any such matter shall be had except upon written application thereof and solely upon the ground of newly discovered evidence which could not have been made available at the hearing; such evidence to be specified in such application and the right to present the same shall be established to the satisfaction of the Commission.

(g) All penalties imposed by the Stewards or the Commission upon any person charged shall continue in full force and effect until the determination of the Commission is rendered, unless otherwise directed in writing by the Commission.

## **PART II RACING**

### **ARTICLE XXIII**

#### *Interpretations*

**214.** These Rules of Racing are to be interpreted and enforced in a manner consistent with the laws of The Bahamas in effect from time to time.

### **ARTICLE XXIV**

#### *Calculation of Time*

**215.** When the last day for doing anything under these Rules falls on a Sunday, it may be done on the following Monday, unless a race to which such act relates is appointed for that day, in which case it must be done on the previous Saturday.

**216.** “A month” means a calendar month; and “a day” means twenty-four hours.

### **ARTICLE XXV**

#### *Regulations For Race Meetings*

**217.** The Rules of the Commission, including its Rules of Racing, supersede the conditions of a race or the regulations of a meeting or of an Association when they conflict.

**218.** By permission of the Commission races may be run over a racecourse other than the one over which they have been announced to be run.

**219.**(a) If a horse runs at any unrecognized meeting, he is disqualified for all races to which these Rules apply.

(b) Any person owning, training or riding horses which run at any unrecognized meeting is disqualified, as are also all horses owned by or in charge of any such person.

(c) Any person acting in any official capacity at any unrecognized meeting may be disqualified.

**220.**No person under sixteen years of age shall be permitted to attend any race meeting or be employed in any manner about any racecourse, excepting jockeys and exercise boys.

**221.**No person shall use improper, profane or indecent language to a racing official or any employee or representative of the Racing Commission.

**222.**No person shall in any manner, or at any time, disturb the peace or make himself obnoxious on the grounds of an Association.

**223.**No person or horse ruled off by, or under suspension by the Stewards shall be admitted to the grounds of any Association, except as provided in rule 463.

## ARTICLE XXVI

### *Stewards*

**224.**Whenever the word “Steward” or “Stewards” is used, it means Steward or Stewards of the Meeting.

**225.**(a) There shall be not less than five Stewards to supervise each race meeting who shall be paid a minimum fee of forty dollars per race meeting.

(b) At least four of such Stewards shall be appointed by the Association conducting such race meeting and such appointments shall be approved by the Commission. The fees of such Stewards shall be paid by the Association.

(c) The Commission shall appoint at least one Steward for each race meeting. The fee of such Steward shall be paid by the Commission.

(d) The Stewards shall exercise such powers and perform such duties at each race meeting as may be prescribed by the Rules of Racing.

(e) The Stewards shall hold office for the entire racing season unless they shall resign their office or unless their

*GN 254/1956*  
*5 cf 1987, s 2*

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services shall be terminated by the Commission. A decision of the Commission to terminate the appointment of a Steward shall be final.

**226.**(a) Each Steward may appoint a deputy at any time.

(b) Appointments of any deputy or deputies for a Steward or Stewards shall be subject to the approval of the Commission.

**227.**If fewer than five Stewards are present at race time the Racing Secretary shall appoint a qualified person or qualified persons to act, subject to the approval of the Racing Commission, so that the total number of Stewards shall not be less than five. *GN 202/1961*

**228.**The Stewards shall have the power to interpret these Rules and decide all questions not specifically covered by them.

**229.**In matters pertaining to racing the orders of the Stewards supersede the orders of the officers and directors of the Association.

**230.**All questions pertaining to which their authority extends shall be determined by a majority vote of the Stewards.

**231.**The Stewards are vested with the power to determine the extent of disqualification in the case of fouls. They may place the offending horse behind such horses as in their judgment it interfered with, or may place it last.

**232.**The Stewards shall have the power to examine or cause to be examined at any time any horse stabled on the Association grounds, or in stabling approved by the Association.

**233.**The five Stewards must be on duty during race time, which shall mean from thirty minutes before post time for the first race of that Race Day and until after the last race of the day has been made “Official”.

**234.**Every complaint against an official shall be made to the Stewards in writing signed by the complainant; and the Stewards shall either deal with any complaint in accordance with the Rules or if they have no power under the Rules to deal with a complaint refer such complaint to the proper authority.

**235.** In the performance of their duty, the Stewards shall have reasonable control over and unrestricted access to the stands, weighing rooms, jockey rooms, enclosures and other places in use for the Meeting, excepting the pari-mutuel building.

**236.** The Stewards shall have power to regulate and control the conduct of all officials other than those employed exclusively in the pari-mutuel building, and of all owners, trainers, jockeys, grooms and other persons attendant on horses.

**237.** For a breach of any of these Rules the Stewards shall have power to punish, at their discretion, any person subject to their control either by suspension of the privilege of attending the races during the meeting or by suspension from acting or riding during the meeting or by a penalty not exceeding four hundred dollars or by such penalty and one of such forms of suspension.

*5 cf 1987, s 2*

**238.** The Stewards have power to determine all questions arising in reference to racing at the meeting, subject to appeal to the Commission. Should no decision have been arrived at by the Stewards within seven days of an objection being lodged, the Secretary to the Commission shall then report the case to the Commission which may at its discretion decide the matter.

**239.** The Stewards shall take notice of any questionable conduct with or without complaint thereof.

**240.** The Stewards shall inform the Secretary to the Commission of all protests and complaints and of any action taken thereon. The Secretary shall keep a record of all such protests or complaints and the action taken thereon, and shall report them weekly to the Commission.

**241.** The Stewards may demand proof that a horse neither is disqualified in any particular, nor entered or owned, in whole or in part, by a disqualified person, or trained by a disqualified person. In default of proof satisfactory to them, the Stewards may declare the horse disqualified.

**242.** The Stewards have power at any time to order an examination, by such person or persons as they think fit, of any horse entered for a race, or which has run in a race, or which is stabled on the Association grounds or in stabling approved by the Association.

**243.** In case of accident or casualty to a horse before off time, the Stewards may excuse the said horse.

**244.** The Stewards shall not entertain any disputes relating to bets.

**245.** If any case occurs which is not or which is alleged not to be provided for by these Rules, it shall be determined by the Stewards in such manner as they think just and conformable to the usage of the turf; and the Stewards may impose such punishment and take such other action in the matter as they may deem to be within the intent of these Rules, including reference to the Commission.

**246.** An appeal shall lie to the Commission from any decision made by the Stewards. In determining any such appeal the Commission shall have power to increase any penalty that the Stewards have imposed.

**247.**(1) When a person is penalized or disciplined under these Rules, he may request a hearing before the Racing Commission.

(2) Such an appeal must be filed in writing at the office of the Racing Commission within seven days of the date of the said penalty or imposition of the said discipline.

(3) The request shall be signed by the person making it and must set forth his reason for believing he is entitled to a hearing.

(4) Any applicant for a hearing will be heard in person or by counsel or he may submit his case in writing.

(5) All complaints and requests to the Racing Commission must be in writing, and all papers filed with the Racing Commission shall be the property of the Racing Commission.

(6) An appeal from a decision of a racing official to the Racing Commission shall not affect such decision until the appeal has been decided by the Racing Commission.

**248.** Every person participating in and every patron of a licensed Race Meeting shall abide by the laws of The Bahamas and these Rules, and accept the Stewards decisions on any and all questions to which their authority extends, subject to the right of appeal to the Racing Commission.

**249.** All owners and trainers of horses and their stable employees are subject to the laws of The Bahamas and these Rules immediately upon acceptance and occupancy of stabling accommodation from or approved by an Association or upon making entry to run on its racetrack.



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The said owners and trainers and stable employees shall abide by these laws and Rules and accept the decision of the Stewards on any and all questions to which their authority extends, subject to their right of appeal to the Racing Commission.

## ARTICLE XXVII

### *Timer*

**250.** There shall be one or more timers. They shall determine the official time of each race.

**251.** When an electrical timing device is used, the races shall also be timed otherwise.

**252.** The time of each race shall be announced and displayed.

**253.** A written report of the time of each race shall be made to the Racing Secretary and the Handicapper.

## ARTICLE XXVIII

### *Trainers*

**254.** (a) Each trainer must obtain a licence from the Racing Commission.

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(b) For an owner-trainer or a trainer to qualify for an owner-trainer's or a trainer's licence he must have such minimum number of horses as the Commission in its discretion may decide, and not more than fifteen horses in his care.

**255.** The Stewards may permit a trainer to act pending action on his application for a licence.

**256.** A licensed trainer may represent the owner in the matter of declaration.

**257.** A trainer shall have his horse in the Paddock at the time appointed by the Commission.

**258.** A trainer shall be responsible for the condition of a horse trained by him.

**259.** Each trainer shall register with the Racing Secretary all the horses in his charge, giving the name, age, sex, breeding and ownership of each.

**260.** Each trainer shall register with the Racing Secretary every person under his charge.

**261.** No trainer shall accept, directly or indirectly, any bribe, gift or gratuity, in any form, which might influence the result of a race, or which would tend to do so.

**262.** No trainer shall move or permit to be moved any horse or horses in his care from the grounds of an Association without the written permission of the Racing Secretary.

**263.** A trainer shall see to it that a report is made promptly to the Racing Secretary or the Racing Commission Veterinarian of any or all sickness of his horses.

**264.** Any trainer guilty of a breach of any of the Rules contained in this Article shall be liable to suspension or a penalty of four hundred dollars or to both suspension and penalty. *5 cf 1987, s 2*

## ARTICLE XXIX

### *Officials of Meetings*

**265.** All officials connected with the actual conduct of racing shall be approved by the Commission.

**266.** Each Association shall employ a Racing Secretary, and such appointment shall be subject to the approval of the Commission.

**267.** When a vacancy occurs among the racing officials, other than the Stewards, prior to post time of the first race of the day, or when a vacancy occurs after the Race Day has started, the Racing Secretary with the approval of the Stewards shall immediately fill the vacancy. The appointment shall be effective only for that day.

**268.** Such appointments shall be reported immediately to the Racing Commission.

**269.** (a) The Secretary of the Association, or his deputy, shall be Clerk of the Course. He shall discharge all duties, expressed or implied, required by the Rules, and he shall report to the Stewards all violations of the Rules or of the regulations of the meeting.

(b) He shall keep complete records of all races.

(c) The Racing Secretary shall receive all declarations, and the Racing Secretary shall receive all stakes, forfeits, entrance moneys, fees, and all other money that can properly come into his possession as agent for the Association for which he is acting.

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(d) The Racing Secretary shall pay over, when due, all moneys collected by him to such persons as may be entitled to receive the same.

**270.** The Handicapper shall make up entries for the races to be held on each and every Race Day at a time to be designated by the Association.

**271.** The Handicapper shall compile an official programme for each Race Day, which shall state the time fixed for each race and give the names of the horses and substitutes which are to run in each of the races of that Race Day.

**272.** The programme shall indicate the order in which each race is to run; the purse, conditions, distance of each race; the owner and trainer of each horse; each owner's racing colours; the weight assigned to each horse; his number and post position. The programme may show other pertinent data.

**273.** The Racing Secretary shall inspect trainers' and jockeys' licences, partnership papers, all papers and documents with respect to a contract between a jockey and his employer; and papers relating to the appointment of authorized agents.

**274.** No owner or trainer badge or pass may be issued without the approval of the Racing Commission; all badges and passes so approved must be recorded in a book kept by the Racing Secretary, and each badge or pass must be numbered and kept in numerical order in the records. The Commission shall have the right at all times to inspect such record.

**275.** At least fourteen days prior to the first day of a Race Meeting the Association shall submit in writing to the Commission the names of all racing officials engaged for the Meeting, and no racing official shall be qualified to act until he shall have been approved by the Commission. In the event of incapacitation of any such approved racing official the Association may, with the approval of the Commission, appoint a substitute.

**276.** The officials of a Race Meeting are as follows: At least five Stewards; three Placing Judges; Clerk of the Scales; Starter; Handicapper; Clerk of the Course; Racing Secretary; Timer; Paddock Judge; Racing Commission Veterinarian; Mutuel Manager and the Racing Commission Auditor.

**277.** The Secretary to the Commission, the Racing Commission Veterinarian, the Racing Commission Auditor and the Handicapper shall be appointed and paid by the Commission. All other officials herein designated shall be appointed by the Association; all the appointments, including the Stewards, being subject to the approval of the Commission which reserves the right to demand a change of personnel for what it deems good and sufficient reason, the successor to officials so replaced to be subject to the approval of the Commission.

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**278.** No one interested in the result of a race, either because of ownership of any horse entered or because of bets or otherwise, shall act as racing official in respect to that race.

**279.** No racing official or his assistant shall wager money or any other chattel of value on the result of any race at the Meeting.

**280.** No racing official or his assistant shall accept, directly or indirectly, any gratuity, reward or favour in connection with racing at the Meeting.

**281.** Each racing official and his assistants shall report to the Stewards all observed violations of these Rules.

**282.** A camera selected by the Association conducting the Meeting, if approved by the Commission, shall be used to make a photograph or photographs of the horses at the finish to assist the Placing Judges in determining their positions as exclusively indicated by their noses.

**283.** The official time of each race shall be determined by the official Timer.

**284.** The Placing Judges shall promptly display the numbers of the first four horses in each race in the order of their finish.

**285.** When the Placing Judges differ in their placing the majority shall prevail.

**286.** The Placing Judges shall file with the Racing Secretary after each Race Day a copy of the official placement of the first five horses in each race of that day, and shall supply to other officials such information in respect to the racing as the Association may require.

**287.** The Placing Judges must occupy the Judges' box at the time the horses pass the winning post, and their sole duty shall be to place the horses. They must announce their decisions promptly, and such decisions shall be final,

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unless objection to the winner or any placed horse is made and sustained:

Provided that this rule shall not prevent the Placing Judges from correcting any mistake, such correction being subject to confirmation by the Stewards.

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**288.** After, and not until, all jockeys riding have been weighed in and found to have carried the correct weight, the Clerk of the Scales shall notify the Stewards, who shall, upon receipt of such notice, promptly display the sign “OFFICIAL”, declaring the result of the race.

**289.** Nothing in these Rules shall be construed to prevent the Placing Judges, with the approval of the Stewards, from correcting an error before the display of the sign “OFFICIAL” or from recalling the sign “OFFICIAL” in case it has been displayed in error.

**290.** Under no circumstances shall the posts of Racing Secretary and Handicapper be held by the same person.

## ARTICLE XXX

### *Owners*

**291.** Each owner shall provide and maintain all racing equipment for his horse or horses, including saddles, bridles, bits, martingales, girth straps, etc.

**292.** Each owner must obtain a licence from the Racing Commission and shall register with the Racing Commission and the Racing Secretary all his horses, giving the name, colour, sex, age and breeding of each.

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**293.** An owner or trainer shall not enter or start a horse, without permission of the Stewards, that —

- (a) is not in serviceably sound racing condition;
- (b) is a known bleeder;
- (c) has been needled or otherwise treated with novocaine or with any other local anaesthetic within forty-eight hours before the start of the said race;
- (d) has been given in any manner whatsoever internally or externally any stimulant, depressant, hypnotic or narcotic drug, of any kind or description, prior to the race.

**294.** If an owner changes trainers, he must notify the Racing Secretary and cause the new trainer to sign his name on the said owner’s registration.

**295.** No owner shall accept, directly or indirectly, any bribe, gift or gratuity, in any form, which might influence the result of any race, or tend to do so.

**296.** An owner shall see to it that a report is made promptly to the Racing Secretary or the Racing Commission Veterinarian of any sickness of his horses.

**297.** The personnel of every stable and changes thereof shall be registered by the owner with the Association on whose racetrack their horses are racing.

All such personnel must obtain an occupational licence from the Racing Commission.

**298.** Any owner guilty of a breach of any of the Rules contained in this Article shall be liable to suspension or a penalty of four hundred dollars or to both suspension and penalty. *5 cf 1987, s 2*

### ARTICLE XXXI

#### *Registration cf Horses*

**299.** No horse shall be allowed to enter or start in any race unless duly registered with and named to the Commission.

**300.** If a horse's name is changed, his new name shall be registered with the Commission.

### ARTICLE XXXII

#### *Equipment Changes*

**301.** Permission for any change of equipment from that which a horse carried in his last previous race may be obtained only from the Stewards.

**302.** Permission for a horse to add blinkers to his equipment or to discontinue the use of them must be approved by the Starter before being granted by the Stewards.

### ARTICLE XXXIII

#### *Entries, Subscriptions, Declarations and Acceptances for Races*

**303.** Every person subscribing to a sweepstakes or entering a horse in a race to be run under these Rules accepts the decision of the Stewards or the decision of the Commission, as the case may be, on any question relating to a race or to racing.

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**304.** The nominations or entries of any person or the transfer of any nomination or entry may be cancelled or revoked without notice by the Association, or by the Stewards or the Commission.

**305.** A horse is not qualified to run in any race unless he is duly entered for that race.

**306.** No horse shall be permitted to enter or to start unless he is in the care of and is saddled by a licensed trainer.

**307.** No horse shall be permitted to start that has not been fully identified.

**308.** Before a horse is eligible to be properly entered in any race, it must be duly registered and named in accordance with rule 299, and its owner must file with the Racing Secretary its age, name, colour, whether it is a stallion, mare or gelding; and the names of its sire and dam, and if the sire or dam is unnamed, such further pedigree or description as will distinguish the horse intended to be entered from all other horses.

**309.** At the time of entry of a horse starting for the first time at any Meeting, a certificate of registration shall be required by the Racing Secretary.

**310.** No horse shall be permitted to start whose name and true ownership is not registered with the Racing Secretary.

**311.** If a horse's name is changed, his new name shall be registered with the Racing Commission in accordance with rule 300 and his old as well as his new name must be printed on the official programme for the duration of the Meeting.

**312.** The entry of a horse must be in the name of his true owner or owners and must be so printed on the official programme.

**313.** All ownerships and every change in ownership in a horse during the Meeting shall be filed with the Racing Secretary and with the Commission.

**314.** The Handicapper shall assign the weights to be carried by each horse in the handicap.

**315.** No alterations of weights shall be made after publication of the official programme.

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**316.** In case of omission through error of the name or weight of a horse duly entered, the omission shall be rectified by the Handicapper.

**317.** The holder of a claim, whether it be a mortgage, bill of sale or lien of any kind against a horse shall be required to file such claim with the Racing Secretary previous to the time the horse is entered.

**318.** No horse involved in a partnership shall be permitted to enter or start until the Rules for the registration of partnerships have been complied with.

**319.** No disqualified horse shall be allowed to enter or start in any race.

**320.** No horse on the schooling list shall be qualified to be entered or to start.

**321.** No horse shall be allowed to enter or to start in any race if the owner of that horse is in arrears, except with the approval of the Racing Secretary.

**322.** Not more than two horses of the same ownership or interest shall be entered in a purse race, and both may start.

**323.** In the race comprising the Daily Double and the Quinellas only two horses may be entered by any owner or trainer.

**324.** A horse shall not be considered started for a race unless there has been duly paid any stakes or entrance money payable in respect of that race.

**325.** Entrance money is not refunded on the death of a horse or his failure to start.

**326.** The nominator is liable for the entrance money or stake, and the death of a horse or a mistake in its entry when eligible, does not release the nominator from liability for stakes or entrance money.

**327.** The Handicapper shall enter nine horses to run in each race, and name at least three substitute horses for each race for the purpose of entry in the event of declaration or scratching of one or more of the said nine horses; and the above entries and substitutions shall be printed on the official programme.

**328.** The Racing Secretary and/or the Handicapper shall make provision for no more than seven races on each Race Day.



**329.** When entries made up by the Handicapper are closed, and all declarations made at the time stipulated by the Association, the entries of such Race Day shall be conspicuously posted in the office of the Racing Secretary. Any newspaper desiring the same shall be furnished with a copy.

**330.** Entries shall be closed at a time to be fixed by the Racing Secretary and no alterations shall be made in any entry after the closing of entries, but an error may be corrected.

**331.** No horse is qualified to be entered or run which is wholly or partly the property of or in any way under the care or superintendence of a disqualified person. Disqualification of a husband or wife from racing horses or having any licence applies equally to both.

**332.** Any horse which has been the subject of improper practice may be disqualified for such time and for such races as the Stewards shall determine.

**333.** The Stewards shall have the power to call on any person in whose name a horse is entered to produce proof that the horse entered is not the property, either wholly or in part, of any person who is disqualified, or to produce proof of the extent of his interest in the horse, and in default of such proof being given to their satisfaction, may declare the horse out of the race.

**334.** Entrance money is not returned on the death of a horse nor on his failure to start, whatever be the cause of the failure.

**335.** A horse of a partnership cannot be entered or run in the name of an individual partner unless that individual has a half interest or more in such horse.

**336.** Entries and subscriptions may be accepted jointly by any one or more of the owners in the case of a partnership. However, all partners and each of them shall be jointly and separately liable for all fees and forfeits.

**337.** In the absence of notice to the contrary, entries and declarations of forfeit, due on the eve of and during a meeting, are due to the office of the Clerks of the Course where the race is to be run.

**338.** An entry of a horse in a sweepstakes is a subscription to the sweepstakes. An entry or subscription may, before the time of closing, be altered or withdrawn.

**339.** No horse shall be considered scratched or declared out of an engagement until the owner or his authorized agent or some person deputed by him shall have given due notice in writing to the Racing Secretary before the time stipulated by the regulations of the Association. Each Association shall provide blank forms on which declarations are to be made.

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

**341.** If the miscarriage of any declaration is alleged, satisfactory proof of such miscarriage shall be required of the complainant, otherwise the declaration shall not be accepted.

**342.** No horse duly entered will be excused from racing unless upon a Veterinarian's certificate of unfitness, or other causes acceptable to the Stewards.

**343.** Notification to the Racing Secretary of the death of a horse shall be equivalent to a declaration of forfeit.

**344.** A sale to a person ruled off, or to an unqualified person, will not entitle such person to be recognized as the owner.

## ARTICLE XXXIV

### *Agents*

**345.** (1) Each authorized agent must obtain a licence from the Racing Commission.

(2) Application for a licence must be filed for each owner represented.

(3) A written instrument signed by the owner must accompany the application and shall clearly set forth among the delegated powers whether or not the said agent is empowered to collect money from the Association and if so, then the owner's signature must be acknowledged before a Notary Public.

(4) Each application shall be in duplicate and one copy filed permanently with the Racing Secretary.

(5) Any changes must be in writing and filed as above.

(6) The term of the licence shall expire on the fifteenth day of April in each year unless the agent's appointment is revoked by the owner or the licence is revoked by the Racing Commission prior to that date.

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(7) Owners' revocations must be filed in writing with the Racing Commission and with the Racing Secretary.

### ARTICLE XXXV

#### *Partnerships*

**346.** All partnerships, and the name and address of every individual having any interest in a horse, the relative proportions of such interest, and the term of any sale with contingencies, or of any arrangement, must be signed by all the parties or by their authorized agents and be lodged with the Commission before any horse which is a point property of which is sold with contingencies can start in any race, and all the partners and each of them shall be jointly and severally liable for all stakes and obligations. No statement of partnership or assignment of interest will be accepted unless the proportionate interest of each partner is at least 50 per centum.

**347.** All statements of partnerships, of sales with contingencies, or of arrangements, shall declare to whom winnings are payable (which must be in the name of the nominator), in whose name the horse will run, and with whom rests the power of entry or of declaration of forfeit; and this information shall be lodged with the Commission.

**348.** No part owner of a horse shall assign his share or any part of it without the written consent of the other partners, lodged as provided by rule 346.

### ARTICLE XXXVI

#### *Stakes, Forfeits, Subscriptions, etc.*

**349.** No horse shall be allowed to enter or start in any race unless he is capable of running four furlongs in 58 seconds or less.

**350.** Every horse shall be considered as having started and be liable for whatever is due for so doing, when its jockey has been weighed and its number displayed, unless the Stewards shall otherwise determine.

### ARTICLE XXXVII

#### *Qualifications of Starters*

**351.** (a) A horse shall not be qualified to start in any race unless, before the hour of twelve o'clock noon on the day of the race his presence in the paddock be reported to

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the Commission's Veterinarian, he be announced to the Clerk of the Scales as a starter, and the name of his jockey given to the latter official.

(b) Any subsequent change of jockey must be sanctioned by the Stewards, who, if no satisfactory reason is given for the change, may suspend any person they may think culpable in the matter. Any such change must be promptly and publicly posted and announced.

**352.** The Stewards may permit or direct the withdrawing of a horse after weighing out.

**353.** The time fixed for each race shall be printed on the programme.

Post time is the time designated by the Commission at which horses are to arrive at the post for each race and such time shall be shown on the dial provided for that purpose.

## ARTICLE XXXVIII

### *Paddock Judges*

**354.** Each Association shall employ a Paddock Judge, such appointment to be subject to the approval of the Racing Commission.

**355.** (a) All horses must be saddled in the paddock.

(b) The Paddock Judge shall be in charge of the paddock and inspect all race horses and their equipment prior to each race; and shall report forthwith to a Steward any violation observed by him.

(c) No horse shall be permitted to start unless his reins be free and clear with no device or devices used to shorten the length of the reins less than directly in front of the withers.

(d) No one not actually connected with its stable shall touch a horse while in the paddock preparatory to starting in a race, except for authorised inspection as in this rule provided.

**356.** It shall be the duty of the Paddock Judge to see to it that two girth straps, or one girth strap plus a surcingle, are used in saddling each horse.

**357.** The Paddock Judge shall keep a record of all equipment carried by all horses in all races under his jurisdiction, permitting no change in equipment not authorised by the Stewards.

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**358.** The Paddock Judge shall report any irregularities to the Stewards.

## ARTICLE XXXIX

### *Weighing Out*

**359.** The Clerk of the Scales shall weigh all jockeys out and in.

**360.** The Clerk of the Scales shall record and publish on the Notice Board any overweight or any change of jockey, weight or racing colours, as compared with those stated on the official programme and shall promptly supply all proper racing officials with all pertinent changes.

**361.** The Clerk of the Scales shall promptly report to the Stewards any infraction of these Rules with respect to weight, weighing or riding equipment.

**362.** The Clerk of the Scales shall report to the Racing Secretary after each race the weights carried by each horse in each race, together with the name of each horse's jockey and the overweight carried by any jockey.

**363.** All jockeys taking part in a race shall be weighed out for their respective mounts in each race by the Clerk of the Scales not less than twenty minutes before the time fixed for that race. In case of a substitution of rider after the original rider has been weighed out, the substitute shall be weighed as promptly as possible and the name of the substitute and his weight publicly announced and posted.

**364.** If a horse runs in a hood, muzzle, martingale or breast plate, they must be included in the jockey's weight. His weight shall also include his clothing, boots, saddles and its attachments, saddle cloth, etc.

**365.** No whip or substitute for a whip, blinkers or number cloth shall be allowed on the scales, nor shall any bridle be weighed.

**366.** No jockey shall be weighed out for any race unless there has been deposited for him or guaranteed to him, with the Racing Secretary, his fee for a losing mount in the race.

**367.** If a jockey intends to carry overweight, he must declare the amount thereof at the time of weighing out, or if in doubt as to his proper weight, he may declare the weight he intends to carry.

**368.** If a jockey intends to carry overweight exceeding by more than two pounds the weight which his horse is to carry, the owner or trainer consenting, he must declare the amount of overweight to the Clerk of the Scales at least 45 minutes before the time appointed for the race, and the Clerk shall cause the overweight to be stated on the Notice Board immediately. For failure on the part of a jockey to comply with this Rule he may be punished as provided by rule 237.

**369.** No horse shall carry more than five pounds overweight except in races confined exclusively to amateurs.

**370.** The trainer is responsible for the weight carried by his horse. *GN 202/1961*

## ARTICLE XL

### *Starting*

**371.** (a) The Starter shall give all orders necessary for securing a fair start.

(b) He shall report to the Stewards by whom and by what cause any delay was occasioned, and any cases of misconduct by assistant starters or by jockeys when under his orders.

(c) The Starter's decision as to the validity of a start shall be final.

(d) The Starter may appoint his assistants subject to the approval of the Racing Commission.

**372.** If a horse whose number has been exhibited or whose starting is obligatory does not start and run in the race, the Stewards may suspend any person or persons responsible thereof.

**373.** If, after reaching the starting post a horse is so badly injured as to make it impractical or impossible for him to run in a race, the Starter may excuse that horse.

**374.** After the horses are ordered to the starting post, and until the Stewards direct the gates to be reopened, all persons except the racing officials shall be excluded from the course to be run over.

**375.** A bell shall be rung to indicate the time to saddle and a horn sounded to indicate the time to go to the post.

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**376.** Horses shall parade and, under penalty of disqualification, shall carry their weight from the paddock to the starting post, such parade to pass the finish line.

**377.** In case of an accident to a jockey or to his mount or equipment the Stewards or the Starter may permit the jockey to dismount and the horse to be cared for during the delay, and may permit all jockeys to dismount and all horses to be attended during the delay.

**378.** If a jockey is thrown on the way from the paddock to the post, the horse must be remounted, returned to the point where the jockey was thrown and then proceed over the route of the parade to the post.

**379.** If a jockey is so injured on the way to the post as to require another jockey, the horse shall be taken to the paddock, another jockey obtained, and then ridden over any uncompleted portion of the exact route of the parade to the post.

**380.** If a horse leaves the racetrack while moving from paddock to post, he shall return to the racetrack at the nearest practical point to that at which he left the racetrack and shall complete his parade to the post from the point at which he left the racetrack.

**381.** No person other than the rider or Starter or Assistant Starter shall be permitted to strike a horse or attempt by shouting or otherwise to assist it in getting a start.

**382.** (a) The position of horses when starting shall be determined by lot, the method of drawing lots to be determined by the Handicapper.

(b) Beginning from the inside rail, the horses shall take their positions at the post in keeping with the numerical order resulting from the lot drawing.

(c) Notwithstanding the provisions of paragraph (a) of this rule, the Starter may place vicious and unruly horses on the outside and behind the line.

(d) A horse in the hands of the Starter shall receive no further care from anyone at the starting post except the Assistant Starter, provided that if any accident happen to a jockey, his horse or his equipment, the Starter may permit any jockey or jockeys to dismount and the horses to be cared for during the delay; otherwise no jockey shall dismount.

**383.**(a) Except in cases provided for in paragraph (b) of this rule, all races shall be started in a starting gate selected by the Association conducting the meeting if approved by the Commission.

(b) By permission of the Stewards a race may be started without a gate.

(c) When a race is started with or without a gate, there shall be no start until and no recall after the Assistant Starter has dropped his flag in answer to that of the Starter.

**384.** A start in front of the post is void, and the horses must be started again.

**385.** All horses shall be schooled properly before starting and, upon the report of the Starter, the Stewards may suspend any trainer, who, after being notified, shall start an unruly horse.

**386.** Only the Starter shall have the authority to designate the horses which shall constitute the schooling list.

**387.** The Starter shall file a copy of the schooling list with the Racing Secretary, the Handicapper, the Stewards and the Racing Commission.

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**388.** The Starter shall report to the Racing Secretary, the Handicapper, the Stewards and the Racing Commission as soon as a horse on the list has been schooled sufficiently to be permitted to start.

*GN 202/1961*

**389.** A horse will not be eligible to start until the Starter orders its name stricken from his schooling list.

**390.** The Starter may fine or suspend a jockey for disobedience of orders or for attempting an unfair advantage, but such fine shall not exceed twenty dollars. A suspension shall take effect after the race in question has been run.

*5 cf 1987, s 2*

**391.** The Starter shall report in writing to the Stewards and to the Racing Secretary all fines and suspensions which he has imposed and no fines or suspensions, so reported, shall be modified other than by the authority of the Racing Commission.

**392.** Neither the Starter nor his assistants shall mistreat a jockey.

**393.** The horses shall be started as far as possible in a line, but may be started at such reasonable distance behind the starting post as the Starter thinks necessary.



**394.** For disobedience of his orders at the starting post or for attempting any unfair advantage, the Starter may refer the matter to the Stewards for action; but any penalty shall not take effect until after the last race of the day.

**395.** The concurrent statements of the Starter and his assistant as to incidents of the start are conclusive.

## ARTICLE XLI

### *Rules of the Race*

**396.** (a) When clear, a horse may be taken to any part of the course provided that crossing or weaving in front of contenders may constitute interference or intimidation for which the offenders may be disciplined.

(b) A horse crossing another so as actually to impede him is disqualified, unless the impeded horse was partly in fault or the crossing was wholly caused by the fault of some other horse or jockey.

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(c) If a horse or jockey jostles another horse, the aggressor may be disqualified, unless the impeded horse or his jockey was partly in fault or the jostle was wholly caused by the fault of some other horse or jockey.

(d) If a jockey wilfully strikes another horse or jockey, or rides wilfully or carelessly, so as to injure another horse, which is in no way in fault, or so as to cause horses to do so, his horse is disqualified.

(e) When a horse is disqualified under this rule, every horse in the same race belonging wholly or partly to the same owner is also disqualified.

(f) Complaints under this rule can only be received from the owner, trainer or jockey of the horse alleged to be aggrieved, and must be made to the Clerk of the Scales or to the Stewards before or immediately after his jockey has passed the scales. But nothing in this rule shall prevent the Stewards taking cognizance of foul riding.

(g) Any jockey against whom a foul is claimed shall be given the opportunity to appear before the Stewards before any decision is made by them.

(h) A jockey whose horse has been disqualified or who unnecessarily causes his horse to shorten his stride with a view to complaint, or an owner, trainer or jockey who complains frivolously that his horse was crossed or jostled may be punished.

**397.** If the Stewards at any time are satisfied that the riding of any race was intentionally foul or that any jockey was instructed or induced so to ride, all persons guilty of complicity shall be suspended and the case shall be reported to the Commission for such additional action as it may consider necessary.

**398.** If a horse leaves the course he must turn back and run the course from the point at which he left it.

**399.** If a race has been run by all the horses at wrong weights or over a wrong course or distance, and an objection be made before official confirmation of the number of the horses placed in the race, or if a Judge is not in the stand when the horses pass the winning post, the race shall be run again not less than 30 minutes after the finish of the wrongly run race.

**400.** When one horse pays forfeit for a match the other need not walk over, but for a sweepstakes, even if all the horses but one have declared forfeit, that horse must walk over, except by the written consent of all the persons who pay forfeit; in the case of a purse, the consent of the Stewards is necessary to dispense with a walkover.

**401.** All horses shall be ridden out in every race.

**402.** If two horses run in one interest in any race, each shall give his best effort. The practice of declaring to win with one or the other of such horses will not be allowed.

## ARTICLE XLII

### *Weighing In*

**403.** All jockeys taking part in a race shall be weighed in at the conclusion of such race.

**404.** Every jockey must immediately after pulling up ride his horse to the place of weighing, dismount only after obtaining permission from the official in charge, and present himself to be weighed by the Clerk of the Scales:

Provided that if a jockey be prevented from riding to the place of weighing by reason of accident or illness by which he or his horse is disabled, he may walk or be carried to the scales.

**405.** Except by special permission of the official in charge, every jockey must upon pulling up unsaddle his own horse, and no attendant shall touch the horse, except

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by his bridle. Upon the returning of a jockey to the winner's circle to dismount after a race has been run, no one may touch the equipment of the jockey until he has been weighed in, except upon the approval of the official in charge.

**406.** If a jockey shall not present himself to weigh in, or if he be more than one pound short of his weight, or if he be guilty of any fraudulent practice with respect to weight or weighing, or except as provided in rule 404, if he dismount before reaching the scales, or dismount without permission, or if he touch (except accidentally) before weighing in any person or thing other than his own equipment, his horse may be disqualified and he himself may be punished as provided by rule 237.

**407.** If a horse carry more than two pounds over his proper or declared weight, his jockey shall be punished unless the Stewards are satisfied that such excess of weight has been caused by rain or mud.

### ARTICLE XLIII

#### *Dead Heats*

**408.** (a) When a race results in a dead heat, the dead heat shall not be run off; owners shall divide except where division would conflict with the conditions of the race.

(b) When two horses run a dead heat for first place, all prizes to which first and second horses would have been entitled shall be divided equally between them; and this applies in dividing prizes whatever the number of horses running a dead heat and whatever places for which the dead heat is run. Each horse shall be deemed a winner and liable to penalty for the amount he shall receive.

(c) When a dead heat is run for second place and an objection is made to the winner of the race, and sustained, the horses which ran the dead heat shall be deemed to have run a dead heat for first place.

**409.** If the dividing owners cannot agree as to which of them is to have a Cup or other prize which cannot be divided, the question shall be determined by lot by the Stewards.

**410.** On a dead heat for a match, the match is off.

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**ARTICLE XLIV***Disputes, Objections, Appeals, etc.*

**411.** When a race is in dispute both the horse that finished first and any horse claiming the race shall be liable to all the penalties attaching to the winner of that race until the matter is decided.

**412.** Every objection shall be decided by the Stewards, but their decision shall be subject to appeal in writing to the Commission so far as relates to points involving the interpretation of these Rules, or to any question other than a question of fact.

Notice of appeal must be given in writing to the Commission within 48 hours of the decision being made.

*Objections, When and Where Made*

**413.** Every objection must be made by the owner, trainer or jockey of some horse engaged in the race, or by the officials of the course, to the Clerk of the Scales or to one of the Stewards, or an objection may be made by any one of the Stewards.

**414.** If a jockey wishes to protest a happening in a race, he must so notify the Clerk of the Scales, immediately upon his arrival at the scales for weighing in.

**415.** All objections except claims of interference during a race must be in writing signed by the objector.

**416.** An objection cannot be withdrawn without leave of the Stewards.

**417.** All costs and expenses in relation to determining an objection or conducting an inquiry shall be paid by such person or persons, and in such proportions as the Stewards shall direct.

**418.** Before considering an objection, the Stewards may require a deposit of twenty dollars, which shall be forfeited if the objection is decided to be frivolous or vexatious. 5 cf 1987, s 2

**419.** If an objection to a horse engaged in a race be made not less than 15 minutes before the time set for the race, the Stewards may require the qualifications to be proved before the race, and in default of such proof being given to their satisfaction, they must declare the horse disqualified.

**420.** An objection to any decision of the Clerk of the Scales must be made at once.

**421.** An objection to the distance of a course officially designated must be made not less than 15 minutes before the race.

**422.** An objection to a horse on the ground of his not having run the proper course, or of the race having been run on a wrong course, or of any other matter occurring in the race, must be made before the numbers of the horses placed in the race are confirmed officially.

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**423.** (a) An objection on the ground —

- (1) of mis-statement, omission or error in the entry under which a horse has run; or
- (2) that the horse which ran was not the horse nor of the age which he was represented to be at the time of entry; or
- (3) that he was not qualified under the conditions of the race or by reason of default; or
- (4) that he has run in contravention of the rules of partnership or registration,

may be received up to 48 hours exclusive of Sunday after the last race of the last day of the meeting.

(b) In any other case an objection must be made within 48 hours of the race being run, exclusive of Sunday, save in the case of any fraud or wilful mis-statement, when there shall be no limit to the time of objection provided the Stewards are satisfied that there has been no unnecessary delay on the part of the objector.

**424.** If an objection to a horse which has won or which has been placed in a race be declared valid, he is disqualified and shall receive no portion of the purse, and the other horses shall take places accordingly. The eligibility of such other horses which ran in such race, and which have started in a subsequent race before the announcement of such disqualification, shall not be in any way affected.

**425.** If by reason of an objection to a horse a race or place is awarded to another horse, the money for such race shall be distributed in accordance with the final placing, and the owner of a horse to which the race or place is finally awarded can recover the money from those who wrongfully received.

**426.** Pending the determination of an objection any prize which the horse objected to may have won or may win in the race shall be withheld until the objection is determined,

**427.** The Stewards shall inform the Secretary of the Commission of all protests and complaints and of any action taken thereon. The Secretary shall keep a record of all such protests or complaints and the action taken thereon, and shall report them weekly to the Commission.

**428.** When a protest is properly lodged the red flag will be hoisted by authority of the Racing Commission. After a decision on the protest has been reached by the Stewards the result shall be publicly announced, and the white flag shall be hoisted. *GN 202/1961*

## ARTICLE XLV

### *Restrictions on Jockeys and Stable Employees*

**429.** (a) No jockey shall bet on any race except through the owner of and on the horse which he rides, and any jockey who shall be proved to the satisfaction of the Stewards to have any interest in any race horse, or to have been engaged in any betting transaction except as permitted by this rule, or to have received presents from persons other than the owner, may be punishable as provided by rule 237.

(b) Any person knowingly acting in the capacity of part owner or trainer of any horse in which a jockey possesses an interest, or making any bet with or on behalf of any jockey except as provided in the preceding paragraph of this rule, or otherwise aiding or abetting in any breach of these Rules may be punished as provided in rule 237.

**430.** No jockey shall be the owner of any race horse.

**431.** A jockey shall not ride or agree to ride in any race without the consent of the owner to whom he is under contract.

**432.** A jockey or trainer under suspension shall not be permitted to ride or train in a race for anyone during the period of his suspension, Any person who shall employ a jockey or trainer in contravention of this Rule may be punished as provided by rule 237.

**433.** If a jockey engaged for a race, or for a specified time, refuses to fulfil his engagement, he may be punished as provided by rule 237.

**434.** 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. He shall then report his engagements and overweight, if any, to the Clerk of the Scales, and thereafter shall not leave the Jockey Room, except to view the races from a point approved by the Stewards or to ride in a race, until all of his engagements of the day have been fulfilled.

**435.** All jockeys shall undergo physical examinations by the Association Physician, whenever directed by the Stewards of the Meeting, to determine their fitness to ride.

**436.** (1) Jockeys' fees shall be —

- (a) For a winning mount, 10% of the stake after the trainer's 10% has been deducted.
- (b) For a losing mount, four dollars.

(2) Jockeys' fees shall be considered earned when the horse which he has been engaged to ride leaves the paddock for the post.

**437.** In a dead heat the jockeys involved shall divide equally the sum total of the fees they would have received individually had one beaten the other or others. Likewise, the owners of the horses involved shall pay their equal share.

**438.** The suspension of a jockey for an offence shall begin immediately after the ruling.

**439.** A jockey temporarily suspended may be permitted to exercise or gallop horses during the morning hours.

**440.** A fine must be paid by the jockey himself, such fine to be collected by the Racing Secretary out of the jockey's riding fees.

**441.** Jockeys shall be named at a time to be set by the Association, and the said time shall not be before the day of the race nor later than twelve o'clock (noon) on Race Day.

**442.** No owner or trainer shall engage any person who has not a written discharge from his last employer, but any person prevented by this Rule from obtaining or retaining

*5 cf 1987, s 2*

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employment shall have the right to appeal to the Commission against the person withholding his written discharge.

**443.** Any owner or trainer employing a person in violation of the above rule is liable to a penalty of not less than two hundred dollars, and if he continues to employ or harbour such person after notice has been served on him by the Stewards or on complaint of the late employer he may be further liable to a penalty of four hundred dollars or to suspension, as the Racing Commission may decide. *5 cf 1987, s 2*

## ARTICLE XLVI

### *Jockey Room Master*

**444.** Each Association shall employ a Jockey Room Master, whose appointment shall be subject to the approval of the Racing Commission.

**445.** It shall be the duty of the Jockey Room Master to see to it that order and cleanliness are maintained in the Jockey and Scale Rooms.

**446.** The Jockey Room Master shall assist the Clerk of the Scales in the performance of his duties.

**447.** The Jockey Room Master shall see to it that no person, other than the racing officials, the Racing Commission, or its representatives, is admitted to the Jockey Room on a day of racing without written permission from the Stewards for each time of entry.

**448.** The Jockey Room Master shall see to it that no jockey shall leave the Jockey Room after he has reported to the Scale Room on the day of the race at the time required by the officials, except to view the races from a point approved by the Stewards, or to ride in a race, until all of his engagements of the day have been fulfilled.

**449.** The Jockey Room Master shall report to the Stewards any irregularities that occur in his province.

**450.** The Jockey Room Master shall see to it that jockeys are neat in appearance and attired in keeping with these Rules when they leave the room to ride in a race.

## ARTICLE XLVII

### *Racing Colours and Numbers*

**451.** All racing colours carried in races shall be registered annually with the Racing Commission.



**452.** No person shall start a horse in racing colours other than those registered in his own name, but a temporary change from the recorded racing colours may be approved by the Stewards.

**453.** The Commission will not permit the use of colours which in its opinion are not neat and clean and proper in other respects.

**454.** Any temporary change from the recorded colours of the owner must be posted on the Notice Board, prior to the race for which such change is made.

**455.** A jockey must wear the colours of the owner or owners of the horse he is riding, and a number on the saddle cloth corresponding to the number of the horse on the official programme.

**456.** A jockey shall wear a number on his left arm and it and the saddle cloth number shall correspond to the number of the horse in the official programme.

**457.** Under special circumstances a horse may be permitted by the Stewards to run in colours not those of the owner.

### ARTICLE XLVIII

#### *Corrupt Practices and Disqualifications of Persons*

**458.** If any person —

- (a) gives, offers or promises, directly or indirectly, any bribe in any form to any person having official duties in relation to any race or race horse, or to any trainer, jockey or agent, or to any other person having charge of, or access to, any race horse; or
- (b) having official duties in relation to any racetrack, race or race horse, or if any trainer, jockey, agent or other person having charge of, or access to, any race horse, solicit, accept, or offer to accept any bribe in any form; or
- (c) licensed by the Commission shall be approached with an offer or promise of a bribe or with a request or a suggestion for a bribe or for any improper, corrupt or fraudulent act or practice in relation to a race or racing, or that any race shall be conducted otherwise than fairly and in

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accordance with these Rules, and if such licensed person shall not immediately report the matter to the Stewards; or

- (d) wilfully enters or causes or permits to be entered, or to start, in any race a horse which he knows or has reason to believe to be disqualified; or
- (e) shall have in his possession or in or about any racetrack, or shall use appliances, electrical, mechanical, or otherwise, other than the ordinary equipment, of such nature as could affect the speed or racing condition of a horse; or
- (f) be guilty of any improper, corrupt or fraudulent act or practice in relation to racing, or shall conspire with any other person to commit, or shall assist in the commission of, any such act or practice,

he shall, on being found by the Stewards to have violated any provision of any preceding paragraph of this rule, be liable to suspension, or to a penalty of four hundred dollars or to both such suspension and penalty. *5 cf 1987, s 2*

**459.** No person shall assume or pay, directly or indirectly, a fine imposed upon a jockey.

**460.** No groom or jockey's attendant shall make a bet on any race nor shall he place a bet for anyone else.

**461.(a)** If the Stewards shall find that any drug, stimulant or narcotic has been administered or attempted to be administered, internally or externally, to a horse before a race, which is of such a character as could affect the racing condition of the horse in such race, such Stewards shall impose such punishment and take such other action as they may deem proper under any of the Rules, including reference to the Commission, against every person found by them to have administered or to have attempted to administer, or to have caused to be administered, or to have caused an attempt to administer, or to have conspired with another person to administer, such drug, stimulant or narcotic.

(b) The trainer, groom and any other person having charge, custody or care of the horse, is obligated properly to protect the horse and guard it against such administration or attempted administration and, if the Stewards shall find that any such person has failed to show proper protection and guarding of the horse, they shall forthwith

5 cf 1987, s 2

report the matter to the Commission, and the Commission, being satisfied of the truth of the Stewards' finding, shall suspend or revoke such person's licence, and may impose a penalty not exceeding four hundred dollars. The Commission shall take similar action in any such case that comes to its notice through any source other than a report by the Stewards.

(c) The owner or owners of a horse so found to have received such administration shall be denied, or shall promptly return, any portion of the purse or sweepstakes, and any trophy in such race, and the same shall be distributed as in the case of a disqualification. If a horse shall be disqualified in a race because of the infraction of this rule, the eligibility of other horses which ran in such race and which have started in a subsequent race before announcement of such disqualification shall not be in any way affected.

**462.** No person within the grounds of a racing Association where race horses are lodged or kept shall have in or upon the premises which he occupies or controls or has the right to occupy or control, or in his personal property or effects, any hypodermic syringe, hypodermic needle, or other device which could be used for the injection or other infusion into a horse of a drug, stimulant or narcotic, without first securing written permission from the Stewards. Every Association, upon the grounds of which race horses are lodged or kept, is required to use all reasonable efforts to prevent the violation of this rule. Every such Association, the Commission, and the Stewards, or any of them, shall have the right to permit a person or persons authorised by any of them to enter into or upon the buildings, stables, rooms or other places within the grounds of such an Association and to examine the same and to inspect and examine the personal property and effects of any person, within such places; and every person who has been granted a licence by the Commission, by accepting his licence, does consent to such search and to the seizure of any such hypodermic syringes, hypodermic needles or other devices, and any drugs, stimulants or narcotics apparently intended to be or which could be used in connection therewith, so found. If the Stewards shall find that any person has violated this rule they shall impose a penalty not exceeding four hundred dollars.

5 cf 1987, s 2

**463.**(a) Anyone who has been ruled off or who has been suspended, whether temporarily for investigation or otherwise, and anyone penalized as above by the highest official regulatory racing body having jurisdiction where the offence occurred, shall be denied admission to all racetracks licensed by the Commission until duly reinstated, unless otherwise determined by the Commission.

(b) When a person whose licence has been revoked or has been suspended, whether temporarily for investigation or otherwise, and so long as his exclusion or suspension continues, he shall not be qualified, whether acting as agent or otherwise, to subscribe for or enter or to run any horse for any race; either in his own name or in that of any other person.

(c) All horses in the charge of a trainer whose licence has been revoked or has been suspended, whether temporarily for investigation or otherwise, shall be automatically suspended from racing during the period of the trainer's exclusion or suspension. Permission may be given by the Racing Commission and/or the Stewards for the transfer of such horses to another trainer during such period, and upon such approval such horses shall again be eligible to race.

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## ARTICLE XLIX

### *Penalties and Suspensions*

**464.** Any person or Association guilty of a breach of these Rules for which no specific penalty is hereinbefore provided shall be liable to suspension or to a penalty not exceeding four hundred dollars or to both suspension and penalty.

*5 cf 1987, s 2*

**465.** A fine or suspension may be imposed by either the Racing Commission, the Stewards or the Starter.

**466.** A racing official imposing a fine or suspension shall report it promptly to the Racing Commission and the Racing Secretary in writing.

**467.**(a) Every fine shall within two days of its imposition be paid to the Racing Commission by the horse owner, trainer, groom, jockey or other person upon whom such fine is levied.

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(b) If moneys are due by a licensee from any purse within the meaning of these Rules to a person upon whom the Commission has imposed a penalty, such licensee shall

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pay to the Commission, on demand, the amount of such penalty out of such moneys:

Provided that if such moneys are less than the amount of the penalty, the person upon whom the penalty has been imposed shall remain liable to the Commission for the payment of the difference between the amount of such moneys and the amount of the penalty.

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(c) Any horse owner, trainer, groom, jockey or other person on whom a penalty is imposed under rule 464 shall be barred from all racecourses within The Bahamas until such fine has been paid to the Racing Commission.

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**468.** Fines collected by the Racing Commission shall be put into the special fund to be called The Benevolent Fund.

**469.** An unpaid fine may not be rescinded except with the approval of the Racing Commission.