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Rules of Standardbred Harness Racing

(Revised July 2025)

Atlantic Provinces Harness Racing Commission

Address

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Jacinta Campbell – Prince Edward Island
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Director of Racing

Kyle Burton

Operations and Administrative Coordinator

Ferdinand Maramag

Atlantic Provinces Harness Racing Commission Act

Provinces of Prince Edward Island, Nova Scotia, New Brunswick and Newfoundland and Labrador Regulations made pursuant to the Atlantic Provinces Harness Racing Commission Act.

The Commission may:

- govern, regulate, and supervise harness racing in all its forms relevant and related to pari-mutuel betting.
- govern and regulate inter-track betting, separate-pool betting, foreign-race inter-track betting and foreign-race separate-pool betting in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada).
- govern and regulate the operation of betting theatres authorized by the Governor in Council in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada).
- govern, regulate, and supervise the operation of racetracks.
- recommend home-market areas to the Canadian Pari-Mutuel Agency for the purpose of telephone-account betting and theatre betting in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada).
- establish uniform rules for the conduct of harness racing.
- license track operators and impose such terms and conditions on a licence as the Commission considers appropriate.
- licence betting theatres in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada) and impose such terms and conditions on a licence as the Commission considers appropriate.
- licence owners, trainers, drivers, grooms and such other persons in or about racetracks and impose such terms and conditions on a licence as the Commission considers appropriate.
- on written application to the Commission by the person affected, revoke, suspend or vary a term or condition imposed on a licence by the Commission.
- fix and collect fees or other charges for licences and prescribe the form of licences and the conditions under which licences may be issued.
- refuse the granting of any licence.
- make, adopt, or incorporate by reference rules for the conduct of harness racing.
- fix, impose and collect fines, not exceeding five thousand dollars, and other penalties for the violation

- of any term or condition imposed by the Commission,
- of any rule made, adopted or incorporated by reference by the Commission, and
- of an order of the Commission, or of a harness-racing judge or Board to which the Commission has delegated powers pursuant to this Act.
- recruit, train, evaluate, license and employ harness-racing judges and such other officials and staff as the Commission considers appropriate to attend at harness-racing meets on behalf of the Commission.
- approve the appointment of race-track officials and employees whose duties relate to the actual running of harness races.
- require licensed track operators to keep books of account in a manner satisfactory to the Commission.
- inspect at any reasonable time books of account referred to in clause (m).
- investigate any action by a person licensed or required to be licensed by the Commission that allegedly constitutes conduct detrimental to harness racing and, for that purpose, engage the services of a licensed private investigator.
- hold hearings relating to the carrying out of the powers of the Commission.
- without limiting the generality of the power to hold hearings pursuant to clause (p), hold a hearing in respect of a person who is licensed or required to be licensed by the Commission or who participates in harness racing at any track when
 - a written and signed complaint is made to the Commission concerning any action of the person that may indicate conduct detrimental to harness racing, or
 - the Commission has reasonable and probable grounds to believe that the person has engaged in conduct detrimental to harness racing.
- at the conclusion of a hearing, suspend or revoke any licence.
- on written application to the Commission by the person affected, reinstate a licence that has been suspended or revoked and impose such terms and conditions on the reinstated licence as the Commission considers appropriate.
- when it delegates to a harness-racing judge or to the Board the power to hold a hearing, delegate to the judge or the Board any of its powers and duties in relation to hearings.
- intervene as a facilitator or mediator for the purpose of convening parties to attempt to bring resolution to matters in dispute where it deems it necessary for the governance, regulation and integrity of harness racing and delegate this power to any person.
- make by-laws for the conduct of the business of the Commission and for the control and direction of the work of the Commission, including for the conduct of hearings.

- Do such other things relating to harness racing or to the operation of racetracks as
- authorized or directed by the Governor in Council. 1994, c. 40, s. 3; 2002, c. 35, s. 3.

A complete copy of the Provincial Acts can be obtained at:

Province of Prince Edward Island

http://www.gov.pe.ca/law/statutes/pdf/m-01_3.pdf?

Province of New Brunswick

<http://www.gnb.ca/acts/acts/m-01-3.htm>

Province of Nova Scotia

www.gov.ns.ca/legi/legc/statutes/marprhar.htm

Amendment

www.gov.ns.ca/legi/legc/bills/58th_2nd/3rd_read/b083.htm

Province of Newfoundland and Labrador

<http://assembly.nl.ca/Legislation/sr/statutes/a19-1.htm>

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PART 1 MANDATE AND PRELIMINARY

Rule 1

The following rules have been enacted and declared to be the official Rules of the Atlantic Provinces Harness Racing Commission (to be referred to hereinafter as the Commission) and these rules shall apply to all standardbred track facilities and participants in New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland and Labrador.

Rule 2

Standardbred racing shall be conducted in accordance with the rules, directives, conditions of licences granted by the Commission, track rules approved by the Commission, and any other applicable laws and regulations.

Rule 3

Should any provisions of these rules or any Commission directive conflict with any track rules, the appropriate Commission rule or directive shall govern.

Rule 4

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

Rule 5

Directives of the Commission shall have all the force and effect of the rules.

Rule 6

Every person participating in and every patron of a meeting shall abide by these rules and accept the decisions of the judges, subject to rights of appeal.

Rule 7

No track facility shall conduct a race meet unless the Commission has granted formal approval of the meeting.

Rule 8

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 Judges or the Commission as the case may be, in such a manner as they think is in the best interests of racing.

Rule. 9

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

Rule 10

The records of fines, penalties, drivers' statistics and infraction records, race results, purse winnings for horses and participants, and past performance and other statistics compiled by the Commission and Standardbred Canada shall be deemed to be the official records and statistics

for use by the standardbred breeding and racing industry for the support of standardbred racing and breeding.

Rule 11

The Commission has authority, as it may deem proper, to make and, if necessary, to vary all arrangements for the conduct of a race meet.

Rule 12

In the articulation of these Rules, the Commission is stating its position on given subjects. Any reference in these Rules to the phrase "as may be determined by the appropriate jurisdictional reference via decision of the Commission" means that the Commission may refer to and utilize the most appropriate guiding principle utilized by Standardbred Canada.

Rule 13

If necessary, any matter not covered by the enabling statute creating the Commission, or by these rules, shall be referred to the Commission for disposition.

PART 2 DEFINITIONS

Rule 14

In these Rules:

- (1) "Act" means the Atlantic Provinces Harness Racing Commission Act.
- (2) "Added Money Event" means stakes, futurities, early closing events and late closing events.
- (3) "Age" of a horse shall be reckoned from the first day of January of the year of foaling.
- (4) "Alcohol" means the intoxicating agent in Beverage Alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl.
- (5) "Atlantic Bred" is the progeny of a registered stallion standing in NB, NS, PEI, or NL for the industry accepted breeding season and foaled from a mare, oblique/filly owned or leased and maintained in NB, NS, PEI or NL.
- (6) "Atlantic Foaled" means born in NB, NS, PEI, or NL.
- (7) "Authorized Agent" anyone who has been authorized by a member to accept responsibility and make decisions binding upon the member and has been designated as such in writing by the member.
- (8) "BAC" means Blood Alcohol Concentration. It is the grams of alcohol in 100 milliliters of blood when referenced as .02 to .039 BAC and the equivalent of 20 to 39 milligrams of alcohol in 100 milliliters of blood.
- (9) "Betting Theatre" means the physical premises, structure, and equipment used by an off-track betting location or off-track betting location licensee for the conduct of off-track betting. The betting theatre facility shall include, but not be limited to, the following: television display units, a display system for racing performance, odds, and payout prices; areas for viewing and seating, a food and beverage facility; and any other conveniences regularly provided at racetracks under the jurisdiction of the Commission.
- (10) "Beverage Alcohol" means beer, wine and distilled spirits.
- (11) "Breeder" means the registered owner or lessee, subject to the terms of a lease agreement, of the dam at the time she conceived.
- (12) "Calendar Year" - Year that runs from January 1 to December 31.
- (13) "Canadian Owned" is a horse 100% owned by a Canadian resident(s)
- (14) "Canadian Resident" means any person who maintains his/her permanent residence in Canada for at least 183 days in any given year.
- (15) "Chief Test Inspector" means the official approved pursuant to the Pari- Mutuel Betting Supervision Regulations of the Criminal Code and who is directly responsible to the

Canadian Pari-Mutuel Agency and to the judges for the taking of official samples from the horses and for the handling and shipping of such samples.

- (16) "Claiming Race" means a race in which any horse drawn therein may be claimed for a designated amount in conformance with the rules.
- (17) "Classified Race" means a race to which declarations are selected on the basis of ability or performance.
- (18) "Colt/Gelding/Ridgling" is a male horse under the age of four (4) years old.
- (19) "Conditioned Race" means an overnight event to which eligibility is determined according to specified qualifications.
- (20) "Commission" means the Atlantic Provinces Harness Racing Commission.
- (21) "Commission Veterinarian" means a graduate in veterinary medicine from a university of recognized standing, licensed to practice in New Brunswick, Nova Scotia, Prince Edward Island or Newfoundland and Labrador and whom the Commission appoints.
- (22) "Coupled Entry" means two or more entries in a contest (race) that are treated as a single betting interest for pari-mutuel betting purposes.
- (23) "Dash" means a race decided in a single trial.
- (24) "Day", in reference to a suspension, means 24 hours ending at midnight.
- (25) "Days and Days Clear": Days means where a number of days not expressed to be clear days is prescribed, they shall be reckoned exclusively of the first day and inclusively of the last day. Clear Days means where a number of days are expressed to be clear days, they shall be reckoned exclusively of the first day and exclusively of the last day.
- (26) "Dead Heat" is the finish of a race in which the noses of two or more horses reach the finish line at the same time.
- (27) "Declaration" means the naming of a particular horse to a particular race as a starter.
- (28) "Detention Barn" means a stabling area isolated and under direct supervision for a given period of time prior to racing.
- (29) "Director" means the Chief Administrative Officer of the Atlantic Provinces Harness Racing Commission.
- (30) "Distanced" in a race means finishing more than twenty-five (25) lengths behind the winning horse.
- (31) "Early Closing Event" means a race to which nominations close at least six weeks preceding the date of the race. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits.

- (32) "Elimination Heats" means heats of a race split according to the rules to qualify the horses for a final heat.
- (33) "Entry" means two or more horses in the same race, which are coupled as a common interest for racing of pari-mutuel betting purposes.
- (34) "Extended Meeting" means a race meeting of at least ten days in any consecutive 12-month period with pari-mutuel wagering.
- (35) "Feature Wagering" means wagering as approved by the Commission and as deemed pursuant to the Pari-Mutuel Betting Supervision Regulations of the Criminal Code.
- (36) "Filly" is a female horse younger than four (4) years old
- (37) "Futurity" means a stake event in which the competing horse was nominated when its dam was in foal or during its year of foaling.
- (38) "Gelding/Colt/Ridgling" is a male horse under the age of four (4) years old.
- (39) "Gelding/Horse" is a male horse four (4) years and older.
- (40) "Gelding/Stallion/Ridgling" is a male horse four (4) years and older.
- (41) "Handicap" means a race in which performance, claiming price, sex or distance allowance is made. The race secretary may assign post positions for a handicap.
- (42) "Heat" means a single trial of a race to be decided by a series of heats.
- (43) "Horse/Gelding" is a male horse four (4) years and older.
- (44) "Illegal Drug" means any drug or substance which is not legally obtainable and whose use, sale, possession, purchase, or transfer is restricted or prohibited by law.
- (45) "Impairing Prescription Medication" means a substance, other than Marijuana, that may be legally prescribed by a health care professional in Canada and that has the potential to impair the physical or cognitive abilities of the person using the substance, regardless of whether the substance is or is not used as prescribed.
- (46) "Inter-track Betting" means pari-mutuel betting at one or more satellite tracks or in one or more places in one or more foreign countries on a race that is held at a host track, where the money bet on each pool at each satellite track or place is combined with the money bet on the corresponding pool at the host track to form one pool from which the pay-out price is calculated and distributed.
- (47) "Judge" means a person licensed by the Commission to carry out all the duties and responsibilities specified by the rules and the Commission.
- (48) "Judges List" is a current list of horses that are refused declaration and includes the Veterinarians' List.

- (49) "Late Closing Event" means a race to which nominations close less than six weeks, and more than five days before the date on which the race is to be contested. All monies offered to the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments, once made, are forfeits.
- (50) "Length of Race and Number of Heats" means races or dashes shall be given at a stated distance in units not shorter than a sixteenth of a mile. The length of a race and the number of heats shall be stated in the conditions.
- (51) "Maiden" means a horse that has never won a heat or race at the gait at which it is entered to start, and for which a purse is offered. Races or purse money awarded to a horse after the "official sign" has been posted shall not be considered winning performance or affect the status of a maiden unless the horse is placed first as the result of a positive test or disqualification of the winner of the race. Should a Maiden finish first in a race for which a purse is offered and is subsequently disqualified it shall not lose its maiden classification.
- (52) "Mare" is a female horse four (4) years and older.
- (53) "Marijuana" means all parts of the Cannabis plant, its derivatives and compounds that contain the psychoactive cannabinoid chemical "delta-9-tetrahydro-cannabinol" (THC).
- (54) "Masculine, Feminine" means words in the masculine shall also include the feminine and words in the feminine shall also include the masculine.
- (55) "Match Race" means a race, which has been arranged, and the conditions thereof agreed upon between contestants.
- (56) "Matinee Race" means a race where a horse's performance shall not be considered an official start
- (57) "Nerved Horse" means a horse on which a posterior digital neurectomy has been performed.
- (58) "Nomination" means the naming of a horse (or in the event of a futurity the naming of a foal in utero), to a certain race or series of races, for a fee.
- (59) "Official Chemist" means a graduate in chemistry from a university of recognized standing approved pursuant to the Pari-Mutuel Betting Supervision Regulations of the Criminal Code.
- (60) "Official Sample" means a sample of blood, saliva, urine or other bodily substance that has, in accordance with the Pari-Mutuel Betting Supervision Regulations of the Criminal Code, been obtained from the horse, sealed and identified.
- (61) "Overnight Event" means a race for which declarations close not more than five clear days before the date on which it will be contested, excluding statutory holidays.

- (62) "Owner" means the full owner, part owner, lessor or lessee of a registered standardbred horse who is recorded as such in the Standardbred Canada or the United States Trotting Association registry.
- (63) "Participant" means any person, partnership, limited partnership, estate, registered farm and stable names, corporation or other legal entity participating directly in standardbred horse racing and who, under the rules, is required to be licensed by the Commission.
- (64) "Person(s)" include a corporation and their heirs, executors, administrators, or other legal representatives of a person, and for the purpose of these rules, shall also include a racing association.
- (65) "Post Position" means the position assigned or drawn for a horse for the start of a race.
- (66) "Post Time" means the time set for the arrival at the starting point of the horses in a race.
- (67) "Prohibited Substance" means any substance which the APHRC has declared prohibited and includes Marijuana.
- (68) "Qualifying Race" means a race in which a horse or driver must establish its or his/her ability to participate at a race meet consistent with the qualifying standards established for both. For conditions using a minimum number of starts, Qualifiers do not constitute a start.
- (69) "Race" means a contest of speed among registered standardbred horses racing at a trotting or pacing gait and conducted in accordance with these rules.
- (70) "Race Meet" is the specified period and dates during which a track facility is authorized to conduct race cards and pari-mutuel wagering approved by the Commission.
- (71) "Racing Card" means a number of races scheduled to be run consecutively during a specified period on any one day at a track facility.
- (72) "Racehorse" means a horse registered with Standardbred Canada and has attempted to qualify at least once and is within 60 days of participating to qualify or race or has participated within the last 60 days.
- (73) "Raceway" means a track facility located in the Atlantic Provinces conducting standardbred racing and classified and licensed annually by the Commission.
- (74) "Registration" means that all matters relating to the registration of standardbred horses, unless otherwise provided for herein, shall be governed by the constitution and by-laws and regulations of the Atlantic Provinces Harness Racing Commission and Standardbred Canada.
- (75) "Retention Area" means that area within the grounds of a raceway designated for the purpose of obtaining and securing official samples.

- (76) "Rules" means the Commission Rules or any incorporation by reference the Commission may choose to utilize, and any track rules adopted by the Commission.
- (77) "Safety Sensitive Position" means a position, as determined by the APHRC, in which a licensee has a direct role in racing such that Alcohol, Illegal Drug, Impairing Prescription Medication or Prohibited Substance use could result in:
- (a) An incident affecting the health or safety of employees, licensees, patrons, horses, or the public; or
 - (b) An inadequate response or failure to respond to an emergency or operational situation.

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

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

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

The following positions are Safety Sensitive Positions:

Race officials, driver, trainer, groom, starting gate personnel, horse identifier, commission and official veterinarian, outrider and blacksmith, test inspector, TCO2 technician and track maintenance personnel.

- (77) "Sex" means gender, which includes mare, filly, spayed mare or filly, colt, stallion, ridgling, or gelding.
- (78) "Singular, Plural" means words in the singular number include the plural, and plural numbers include the singular.
- (79) "Stable Area" includes, but is not limited to, those places within the property of a track facility wherein the stables, track kitchen, racing offices, training areas, paddock and winner's enclosure are located.
- (80) "Stable or Multiple Ownership Manager" means the operating executive of a racing stable or multiple ownership who is not otherwise licensed by the Commission as an owner, trainer or driver.
- (81) "Stake" means a race, which will be contested in a year subsequent to the closing of nominations.
- (82) "Stallion/Gelding/Ridgling" is a male horse four (4) years and older.

- (83) "Standardbred Horse" means a horse, mare, colt, filly, gelding or ridgling duly registered as a purebred standardbred (must have a minimum of seven eighths of their inheritance from the foundation stock or from animals previously registered in the Canadian Stud Book and does not make provisions for the registration of non-purebreds) racehorse with Standardbred Canada or the United States Trotting Association or other recognized global bodies.
- (84) "Start" means only those performances in a purse race. Each dash or heat shall be considered as a separate "start" for the purpose of condition races.
- (85) "Sulky" means a dual shaft and dual hitch racing vehicle (bike) having two shafts which must be parallel to, and securely hitched on each side of the horse with a safety hookup. No point of hitch or any part of a shaft shall be above a horizontal level equal to the lowest point of the horse's back.
- (86) "Sustaining Fees" means fees or payments made subsequent to the acceptance of nomination for an added money event.
- (87) "Theatre Betting" means pari-mutuel betting that is conducted in a betting theatre in accordance with Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada).
- (88) "Track Facility" means a facility at which racing of standardbred horses is conducted and including the person, association or corporation conducting the racing of standardbred horses.
- (89) "Track Rules" means rules posted by a track facility to govern the conduct of racing and participants at that track facility's raceway.
- (90) "Trainer" means a licensed person to whom responsibility accrues and lies, at all times, for the condition of all horses under his or her care whether such care be direct or indirect.
- (91) "Walk Over" occurs when only one entry starts in a Futurity or Stake race and travels the required distance. In a Stake or Futurity, a Walk Over is entitled to all the advertised money.

PART 3 COMMISSION ADMINISTRATION

Rule 15

For the purposes of the Rules of Standardbred Racing, the Commission Administration comprises the following:

- (1) The Director of Racing
- (2) Secretary and Accounting Clerk
- (3) Such other individuals as the Commission may designate from time to time.

Rule 16

Under the delegation of the Commission the Administration is responsible for the supervision of Standardbred Racing in the Provinces of Nova Scotia, Prince Edward Island, New Brunswick, and Newfoundland and Labrador and its duties shall include:

- (1) The issuing of orders in the name of the Appeal Board and the Commission.
- (2) The making of reports to the Commission as the Commission requires or as the Administration deems fit.
- (3) The conducting of investigations into the conduct of racing and of the participants in racing.
- (4) The delegation to judges or to other persons the right to conduct investigations, searches, seizures, and hearings.
- (5) The interrogation of any licensee with respect to any suspected crime or violation of the Rules. The Administration may require a licensee to make a statutory declaration or a statement in writing and to produce documents, evidence of any agreements or transactions, financial or otherwise, relating to any suspected crime or violation of the rules or to any matter which in the opinion of the Administration is not in the best interests of racing
- (6) If a commissioner in any role receives a positive test, they shall take an immediate leave of absence from the commission until their suspension is over or until the matter has been resolved. They shall not be involved in any commission business until the matter has been resolved.

Rule 17

The Commission shall create and maintain four committees, which shall include:

- (1) Finance Committee comprised of two (2) Commissioners)
- (2) Rules Committee (comprised of two (2) Commissioners)

- (3) Training and Education Committee (comprised of (2) two Commissioners)
- (4) Senior Judges Group is comprised of up to but not exceeding (8) eight senior judges licensed by the Commission and appointed to the Group by the Director of Racing.

Rule 18

The Director of Racing is responsible for the discharge of all Commission matters including the keeping of Journals, Minutes of Commission meetings and the keeping of Commission files. In addition, he/she shall be the Administrative Co-Ordinator, Recording Secretary for and advisor to all Appeal Boards and Commission in the conduct of hearings. The Director of Racing as may be referenced, specifically herein, may delegate these functions, and such other responsibilities.

Rule 19

In the name of the Commission, the Director of Racing may charge any licensee of the Commission or any person with a violation of the rules and impose or recommend a penalty or penalties for any violation of the Rules on any matter deemed not to be in the best interest of racing, subject to appeal in accordance with the rules.

Rule 20

No Owner, Trainer, Driver or Groom shall use offensive language, assault, or threaten to do bodily injury to an Official, Appointee, Designate, Representative, Employee of the Commission or member of the general public. No Commission Official, Designate, Representative, Employee of the Commission shall use offensive language, assault, or threaten to do bodily injury to an Owner, Trainer, Driver, Groom or member of the general public.

Rule 21

Any violation of Rules 19, 20, or Rule 82 is an offence punishable by a fine of not more than Five Hundred Dollars (\$500.00) and automatic suspension of licence privileges for a period of not less than ten (10) calendar days.

Rule 22

Any person who pays any amount or charge due the Commission which upon presentation is protested, payment refused, or otherwise dishonored, shall by order of the Director of Racing, be subject to a fine not exceeding the amount in default and shall be suspended until the original amount and fine are paid to the Commission.

Rule 23

A rule may be created, amended, or rescinded by the Commission at any time with appropriate and adequate notice.

PART 4 LICENCING

4.1 GENERAL

Rule 24

The Commission may grant annual licences, in accordance with the approved fee schedule for the following categories: track facility, officials, officials apprentice, commission veterinarians, horse owners, trainers, grooms, drivers, stable, inter-track betting and betting theatres.

Rule 25

Licences granted by the Commission shall be on forms prescribed and approved by the Commission.

Rule 26

The Commission reserves the right to establish, review and modify licence fees and categories of licensee's at any time.

4.2 TRACK FACILITY

4.2.1 Race Meet Licence

Rule 27

No owner or owners of any track facility shall hold or conduct a pari-mutuel meet without first obtaining a Race Meet Licence from the Commission.

Rule 28

All applications for licence shall be made to the Commission on the form prescribed by the Commission and provide such information as required under the guidelines set out by the Commission and shall indicate the number of proposed dates of racing to be held or conducted during the calendar year, and shall be accompanied by the required fee.

Rule 29

The Commission may set conditions for the issuance of any Race Meet Licence.

Rule 30

Immediately after the 1st day of October, annually, which shall be the last day for receiving application for Race Meet Licences, the Commission shall allocate racing dates among the various applicants for the next calendar year. Notices shall be forwarded to prospective licencees and may vary from those dates applied for.

Rule 31

The Commission may grant additional dates or postpone dates or declare off races due to unforeseen contingencies, or for any reason deemed sufficient by the Commission.

Rule 32

The Commission has authority to revoke, cancel or suspend the licence of any track owner or operator who conducts any race meet contrary to the conditions of the track facility licence granted or for any infraction of these Rules.

Rule 33

The licensing fee shall be One Hundred Dollars (\$100.00) for the first racing date and Five Dollars (\$5.00) for each additional racing date in the calendar year to a maximum of Five Hundred Dollars (\$500.00) per licence. No track facility may hold or race in any one racing card more than sixteen (16) dashes, including qualifiers without prior approval of the APHRC.

Rule 34

In order that performances thereon may be recognized and published as official, every track facility shall have filed with the Commission, the certificate of a duly licensed Civil Engineer or Land Surveyor that the track has been measured from wire to wire three feet out from the inside hub rail/pylons and certifying exactly the result of such measurements. Each track shall be measured and recertified in the event of any changes or relocation of the hub rail/pylons.

Rule 35

Where any licensed track is in arrears for money owing the Commission and the amount in arrears is not paid within 30 days of the date of invoice, the Director shall issue a notice of suspension of licence effective fourteen (14) days after the issuance of the notice. Such notice may be suspended if the owners or operators of the racetrack make arrangements satisfactory to the Director to pay the amount in arrears.

4.2.2 Filing Requirements

Rule 36

All applications for licence shall be made to the Commission on a prescribed form and shall indicate the number and requested proposed calendar dates of the race meet to be held or conducted during the calendar year.

Rule 37

Prior to the issuance of a licence by the Director the following documents shall be filed with the Commission by each track facility:

- (1) Race Meet Licence Fee
- (2) The annual audited financial statements of the track facility for the previous year which shall be filed on or before the expiration of six (6) months of the relevant track facility's financial year-end
- (3) Track Rules and Proposed Amendments
- (4) A current contract between a track facility and a Horsemen's Association that contain provisions that include the following:

- (a) The sharing with the horsemen's association of the total pari-mutuel handle of the respective track facility.
 - (b) A specific percentage of the pari-mutuel handle to be paid to a purse pool account on at least a monthly basis.
 - (c) A purse account separate and apart from the track facilities and the horse owners association's financial and accounting management;
 - (d) Provide to the parties of the agreement or contract and the Commission a monthly basis summaries showing total wagering, gross commission revenue, monies accruing to horsemen, total purses paid, the amount of any underpayment or overpayment of purses for the year to date.
 - (e) All purses earned shall be issued from the purse account within fifteen (15) calendar days after the race event.
 - (f) Monies from other sources deposited to the purse account and the accounting to show those deposited monies separate from the monies derived from the pari-mutuel handle.
 - (g) Monies deposited to the account shall not be used for any other purpose other than for payment of purses.
 - (h) Agreed upon number of Race Dates in a Race Meet.
- (5) The provisions of Subsection (4) are not applicable to licensee tracks racing fewer than 6 cards in a calendar year.

Rule 38

Any horsemen's association or organization contracting or purporting to contract with a licensed track facility must submit their Articles of Incorporation or Letters Patent, where applicable, a copy of the body's constitution, its voting procedures and membership provisions or amended articles of incorporation, letters patent, bodies constitution, voting procedures and membership provision, within thirty (30) calendar days of such formal changes. The Commission may require any horsemen's association or organization to file annual financial statements.

Rule 39

The Director of Racing may not issue a Race Meet Licence when

- (1) The applicant track facility has not completed the filing of all relevant documents in Rule 36 and Rule 37.
- (2) The applicant track facility cannot demonstrate to the satisfaction of the Commission that it has the financial stability to carry out the proposed race dates; or
- (3) The relevant horse owners' association fails to comply with Rule 38.

4.2.3 Procedure for Approval

Rule 40

For purposes of the consideration of applications and issuance of Race Meeting Licences including applications for amendment of issued licences the following shall constitute the procedure of the Commission:

- (1) Track facility submit to the Commission applications for Race Meet Licences that include requested race dates or amendments to licences.
- (2) The Director reviews all applications or amendments for variation in schedules from the year before, special requests and conflicts.
- (3) The Director identifies the applications/amendments in conflict and if necessary, invites the relevant track facility and other necessary parties to attempt to resolve any conflicts. Such identification may be based on submissions by tracks or relevant parties and the findings.
- (4) In the case of annual applications, all applications, supporting documentation and resolutions reached shall be distributed to all applicant tracks and relevant parties. In regard to amendments such documentation is distributed to relevant parties.
- (5) A Schedule of Race Dates is submitted to the Commission for consideration and Approval.
- (6) The Commission may require a hearing and the attendance of relevant track facility and affected parties in the following circumstances:
 - (a) Where the consultation or mediation process has been unable to resolve outstanding matters.
 - (b) Where applications result in a significant decrease or increase in live race dates.
 - (c) Where the Commission deems it necessary to hear representations from tracks and relevant parties.
- (7) The Director issues Race Meeting Licences, on or before December 31, annually.
- (8) Once final approval is given to the Schedule of Race Dates and Race Meeting Licences are issued, only minor amendments shall be permitted during the Race Meet. Such amendments shall be issued at the discretion of the Director who shall report all amendments to the Commission.

4.2.4 Track Rules

Rule 41

Track facility must apply to the Commission for approval of or amendments to their Track Rules. A copy of the proposed Track Rules must accompany the application and no Track Rules may be implemented unless and until approved by the Commission. The Commission shall receive

annual submission of Track Rules indicating amendments to such rules no later than October 1st of each year.

Rule 42

Track Rules cannot be contrary to the Rules of the Commission (unless approved by the Commission) nor at variance with the general principles or the enabling statutes that created the Commission and must be developed in consultation with the Horsemen's Association, Officials and Track Management at said licensed track facility. Track Rules may be adopted in whole or in part by the Commission.

Rule 43

Track facility licensed by the Commission, may be required, or directed by the Commission to have in attendance for each racing program a vehicle staffed with qualified personnel and equipment to render first aid and transport of any injured person or persons.

Rule 44

The Commission may prescribe guidelines for the provision of such rules. A track facility shall comply with the prescribed guidelines.

Rule 45

Every licensed track facility must post a copy of the relevant track rules at three (3) prominent locales within the premises of the track facility not later than March 1, annually.

4.2.5 Inter Track and Betting Theatres

Rule 46

Any betting theatre shall require a licence from the Commission to operate. The Commission on an annual basis may issue applications for licence renewal.

Rule 47

Applications are required for the following:

- (1) Establishment of a new betting theatre.
- (2) Modification to or relocation of a licensed betting theatre.
- (3) Annual renewal of an existing licence.

Rule 48

A renewal application must be submitted to the Commission by October 1st of the year preceding the renewal.

Rule 49

Each application for the establishment or relocation of an off-track betting licence filed with the Commission must contain such information and be accompanied by such documents of exhibits as specified by the Commission.

Rule 50

An application for a betting theatre licence shall contain written documentation that must include:

- (1) The anticipated revenue to be generated from the betting theatre.
- (2) The expenditures expected to be incurred by the theatre.
- (3) The level of attendance expected and the area from which that attendance is anticipated to be drawn to the betting theatre.
- (4) The level of anticipated theatre betting.
- (5) A demographic study or market survey of the applicant's home market area.
- (6) Details on how the facility will promote and enhance live racing in the region; and
- (7) A copy of the relevant horseman's association and track facility agreement (Refer to Rule 37(4)) in directing the revenue share between the association and the track facility.

Rule 51

Additional information deemed relevant, including, but not limited to:

- (1) The number of simulcast racing programs to be displayed.
- (2) The amount and source of revenue necessary to acquire and construct the off-track betting facility.
- (3) The accommodations available to the public.

Rule 52

The Commission shall consider every completed application for a licence to conduct off-track betting at an off-track betting facility at a hearing before the Commission. At the discretion of the Commission, such a hearing may be in the form of written or oral submissions. The Commission shall approve or deny the application.

Rule 53

Each licence shall specify the person to whom it is issued, the dates on which wagering is permitted, the tracks or location where the wagering is to be conducted, and confirmation that all wagering under the licence is subject to the *Pari-Mutuel Betting Supervision Regulations* of the Canadian Pari-Mutuel Agency, the rules of the Commission and any requirements imposed by the Commission as a condition for the exercise of the licence. The Commission may impose any

condition on a licence and the exercise of that licence which it determines to be in the interests of harness racing.

Rule 54

The Commission may hold a public hearing on any application for a new betting theatre licence, relocation of a betting theatre or modification to or renewal of any existing licence.

Rule 55

The Commission may impose penalties of up to \$1,000 for each violation of any rules related to betting theatres, any order of the Commission, any action, or failure to act, which the Commission finds and determines not in the interests of harness racing, or any requirement imposed as a condition of licensing.

Rule 56

The Commission shall set an application fee for new betting theatres, the relocation of existing theatres and each licence renewal.

Rule 57

For purposes of common or separate pool wagering, eligible licensed track facility shall request, annually, authorization from the Commission to simulcast races from other track facilities for the period January 1 to December 31 of the next ensuing year.

Rule 58

In order to comply with Rule 57, request forms shall be submitted to the Director of Racing on or before November 1 of the preceding year.

Rule 59

Request for authorization shall be submitted on forms as prescribed by the Commission.

4.3 OFFICIALS

4.3.1 Standards and Requirements

Rule 60

- (1) Racing officials are prohibited from racing horses they own wholly or in part at any track where they are officiating under the jurisdiction of the APHRC.
- (2) Racing officials are prohibited from wagering on races conducted under the jurisdiction of the APHRC.

Rule 61

A person having an interest in the result of a race by reason of personal or spousal ownership, in whole or in part, in a participating horse shall not act as a racing official during the race card.

4.3.2 Racing Officials & Duties

Rule 62

Officials at a race meeting must include the following:

- (1) JUDGES
- (2) RACE SECRETARY
- (3) OFFICIAL STARTER
- (4) PADDOCK JUDGE
- (5) OFFICIAL TIMER
- (6) PATROL JUDGE (Refer to Rule 74)
- (7) CHART MAKER
- (8) TEST INSPECTORS

Rule 63

Other than Test Inspectors, to qualify as a Racing Official the individual must be a licensed member of the Commission and accredited in that capacity by Standardbred Canada after a determination that he:

- (1) is of good character and reputation.
- (2) is experienced and knowledgeable of harness racing.
- (3) is familiar with the duties to which he is appointed and the Commission Rules.
- (4) possesses mental and physical capacity to perform.
- (5) is not under suspension or expulsion by any racing jurisdiction; and
- (6) submit to a written examination and achieve a passing grade.

Rule 64

Racing Officials shall not engage in any of the following activities while serving in an official capacity at a race meeting:

- (1) wagering on any horse at tracks where they are officiating for that race card.
- (2) Sell or solicit horse insurance on any horse racing at the meeting.
- (3) Be licensed in any other capacity without permission of the Commission; and
- (4) Refuse to take a breath and drug test when directed by the Judge or the Commission

Rule 65

Racing Officials shall report every violation of these rules to the Judges.

Rule 66

A person shall not be appointed to more than one racing official position on the same race card unless approved by the Director of Racing.

4.3.3 Judges

Rule 67

The Judges have the following duties and responsibilities:

- (1) The Judges shall be responsible to the Commission for the conduct of the racing meeting in accordance with the laws of its jurisdiction and these Rules.
- (2) Judges' authority includes supervision of all racing Officials, Licensed Personnel, and other persons responsible for the conduct of racing, and patrons, as necessary.
- (3) The Judges have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with these Rules.
- (4) Purses, Prizes and Awards shall be redistributed if the Judge's order a change in the official order of finish.
- (5) The Judges have the authority to interpret the Rules and to decide all questions of racing including a change in the official time of a race or fractions thereof if a majority of the Judges panel believe the Official Timer is in error in the official timing of a race or fractions thereof. (Also see Part 5, Section 5.12)
- (6) The Judges have authority to charge any licensee for a violation of these Rules, to conduct Hearings and to impose disciplinary action in accordance with the Commission Rules.
- (7) The Judges may compel the attendance of witnesses and the submission of documents or potential evidence related to any investigation or hearing.
- (8) The Judges may, where they deem necessary, inspect licence documents, registration papers, including lease and other documents related to horse racing.
- (9) The Judges have the power to administer Oaths and to examine, under Oath, all parties connected with a race as to any wrong or complaint. Any person required to appear before the Judges for a hearing or examination who shall fail to appear, without just cause or reasonable excuse, after due notice, written or oral, shall be subject to a fine of not less than One Hundred Dollars (\$100.00).
- (10) The Judges shall submit a written report of every inquiry and hearing to the Director of Racing.
- (11) The Judges may impose, but are not limited to, any of the following sanctions, or a combination thereof, upon a licensee for a violation of these Rules:
 - (a) Forfeiture or re-distribution of Purse or Award.
 - (b) Suspend licence or racing privileges (See Rule 350(4))

- (12) The Judges may make a formal recommendation to the Commission calling for the revocation of a Licensee's licence, or prohibit from entering upon grounds of a track facility under the jurisdiction of the Commission.
- (13) All fines levied for a violation of these Rules that have been imposed by the Judges shall be paid to Standardbred Canada Field Representative at the track facility.
- (14) The Judges may refer any matter to the Commission and may include recommendations for disposition. The absence of a Judge's referral does not preclude the Commission from acting upon the matter or matters.
- (15) The Judges shall investigate every protest, objection and complaint made to them in the proper manner. They shall maintain a record of all protests, objections, and complaints.
- (16) The Judges shall determine the official order of finish.
- (17) It shall be the duty of one of the judges to call out every break made and have them duly recorded in the judges' official race reports.
- (18) The decision of the Judges as to the order of finish, including disqualification of a horse or horses as a result of any event occurring during the race, shall be final for purposes of distribution of the pari-mutuel wagering pool.
- (19) The Senior Judge shall maintain a log of the Judges' official activities. The log shall be always available for inspection by Members of the Commission and the Director of Racing.
- (20) Not later than seven (7) days after a race card, the Senior Judge shall submit to the Commission a written report regarding the race card. The report shall contain the Judges' observations and comments regarding the conduct of the race card and any recommendations for improvement or action by the Commission.
- (21) The Judges may maintain a list of the racehorses, which are ineligible to be entered.
- (22) The Judges may place a horse on the Judges' List when there exists a question as to the exact identification, management, or ownership of said horse.
- (23) The Judges may place a horse on the Judges' List because of inconsistent performance or behavior.

4.3.4 Race Secretary

Rule 68

The Race Secretary has the following duties and responsibilities:

- (1) setting conditions for each race of the race meeting, regulating the nomination of entries, and determining the amounts of purses and to whom they are due.
- (2) familiarizing himself/herself with the age, class, sex and competitive ability of all horses racing at the meeting.

- (3) classifying horses in accordance with these rules and list horses in the categories in which they qualify.
- (4) examining all entry declarations to verify information set forth therein and provide the listing of the horses for the daily program.
- (5) examining nominations and declarations of early closing events, late closing events, and stakes events to verify the eligibility of all declarations and nominations and compile lists thereof for publication.
- (6) establishing conditions and eligibility for entering races and cause them to be published and communicated to Owners, Trainers and the Commission and such conditions are to be published and posted in the Race Secretary's office.
- (7) completing the draw each day, the Race Secretary shall post a list of entries in a conspicuous place at the track facility's grounds accessible during and after regular business hours.
- (8) for purposes of establishing conditions, winnings shall be considered to include all monies and prizes won up to the time of declaration for the race and winnings during the year shall be calculated from the preceding January 1st.

4.3.5 Starter

Rule 69

The Starter has the following duties and responsibilities:

- (1) Providing a fair start for each race and reporting violations of these rules occurring at the start of a race to the Judges and he shall have authority to assess fines and to suspend the licence of drivers for any violation of these rules from the formation of the post-parade until the word "Go" is given.
- (2) Controlling of the horses from the formation of the post parade until a start has been determined. For purposes of this rule, the determination of the start is when the horses have passed the starting point and have been released by the starter.
- (3) Bringing the horses to the starting gate as near one quarter of a mile before the start as the track will permit.
- (4) Causing the gate to move towards the starting point, gradually increasing the speed of the gate to maximum speed. The Starter should allow sufficient time so that the speed of the gate can be increased gradually. The following minimum speeds should be maintained:
 - (a) For the first 1/8 mile not less than eleven (11) miles per hour or 18 km per hour.
 - (b) For the next 1/16 of a mile not less than eighteen (18) miles per hour or 29 km per hour.

- (c) From that point to the starting point the speed shall be gradually increased to the optimum speed.
- (5) Practice of Emergency Procedures: Every licensed starter is required to check his/her starting gate for malfunctions before commencing any race card (including qualifiers), and to practice the procedure to be followed in the event of a malfunction. Both the starter and the driver of the gate must know and practice emergency procedures and the starter is responsible for the training in such procedures of drivers.

4.3.6 Paddock Judge

Rule 70

The Paddock Judge shall be under the direction and supervision of the Judges and shall have complete charge of all paddock activities.

Rule 71

The Paddock Judge shall be responsible for:

- (1) Having fields on the track for post parade in accordance with the schedule determined by the Judges.
- (2) Having an equipment inspector keeping a record of the equipment and harness worn by every horse racing at the meeting. The equipment and harness worn by every horse shall be checked in the paddock against such records before each race. All changes from the previous race shall be noted and the Judges notified if a written authorization or the prescribed form is not presented for any change of equipment.
- (3) Inspecting of horses for changes of equipment, broken or faulty equipment, and saddle pads.
- (4) Supervising of the paddock security personnel.
- (5) Checking horses in and out.
- (6) Ensuring the providing of a paddock blacksmith and directing his/her activities.
- (7) Immediately notifying the Judges of anything that could in any way change, delay or otherwise affect the race program.
- (8) Permitting only properly authorized persons to enter the paddock.
- (9) Identifying of horses in a race, including verification of lip tattoo or freeze brand numbers.
- (10) Having necessary extra equipment available in the paddock to avoid undue delays to the race program.
- (11) Notifying the Judges of horses returning to the paddock after having entered the track for the post parade and before the start of a race.

- (12) Notifying the Judges of drivers, trainers or grooms leaving the paddock in an emergency.
- (13) Maintaining cleanliness in the paddock.
- (14) Supervising the conduct of persons in the paddock and reporting any abuses or rule violations to the Judges.
- (15) Reporting to judges any observed acts of cruelty towards a racehorse.
- (16) Submitting paddock reports and attendance records to the Judges when requested and retaining such reports for at least twelve (12) months.
- (17) Ensuring that all entrances and exits to the racing surface are closed before the Starter calls the field to post.

4.3.7 Official Timer

Rule 72

In accordance with Section 5.12, the Official Timer is responsible for recording the time elapsed between the start and finish of each race and time shall be recorded from the instant that the first horse leaves the point from which the distance is measured until the first horse reaches the finish line.

Rule 73

An official timer must be fourteen (14) years of age or older and comply with Rule 63 (2) (3) and (4).

4.3.8 Patrol Judge

Rule 74

The Patrol Judge is responsible for observing the race and reporting information concerning the race to the Judges. If the Commission deems the track's video replay system adequate, the use of Patrol Judges is optional.

Rule 75

Under the supervision of the Judges the Patrol Judges shall:

- (1) Observe and report to the Judges on all activity in their areas of the track at all times during the races programmed, giving particular attention to violation of the rules of decorum, lameness and fitness of horses and any lack of proper equipment or faulty equipment.

- (2) Communicate constantly with the Judges during every race and advise them immediately of rule violations, improper acts or unusual occurrences which could affect the outcome of a race.
- (3) Prepare and submit any reports requested by the Judges; and,
- (4) Attend hearings or inquiries and testify thereat when requested by the Judges.

4.3.9 Chart Maker

Rule 76

The Chart Maker shall be responsible for properly and accurately completing the official chart of each race in accordance with the requirements under Section 5.13 - Charting the Race.

4.3.10 Commission Veterinarian

Rule 77

The Commission may deploy a Commission Veterinarian who shall:

- (1) Be a graduate Veterinarian and be licensed in the Commission's jurisdiction.
- (2) Recommend to the Judges any horse deemed unsafe to be raced or a horse that it would be inhumane to allow to race.
- (3) Place horses on the Veterinarian's List, if necessary.
- (4) Report to the Commission the names of all horses humanely destroyed, or which otherwise expire at the meeting and the reasons; therefore, and
- (5) Be available to the Racing Secretary and Judges prior to scratch time each racing day at a time designated by the Judges, to inspect any horses and report on their condition as may be requested by the Judges and make recommendations to the Commission.

4.3.11 Field Representative

Rule 78

A Standardbred Canada Field Representative shall:

- (1) represent Standardbred Canada during at least two consecutive hours, prior to post time to provide services to racing participants and
- (2) input and maintain accurately the Standardbred Canada database, including:
 - (a) adding U.S. horses to the database when racing for the first time at a track facility under the jurisdiction of the Commission.
 - (b) inputting changes of ownership to the database, necessitated by claims and transfers and recording whether a hard copy or electronic registration is required.

- (c) inputting electronic claiming authorization information to the system when provided, which includes minimum claiming price and signature acknowledgment for all owners or their authorized agents, or all prospective claimants or their agents.
- (d) inputting change of sex information for horses to the database.
- (e) inputting all race results and printing reports for all types of races to the database as soon as they become available and providing reports to the Judges to ensure that information input to the database is correct before completion of the race card.
- (f) collecting memberships for Standardbred Canada and the Commission and providing delinquent reports to the Judges when applicable.
- (g) inputting Coggins' Test information from laboratory certificates and removing horses from the Judges' List if required, immediately upon receipt of such test results.
- (h) collecting fines and upon receipt of a fine updating the list of fines.
- (i) updating and maintaining the Judges' List on the written instruction of a Judge.
- (j) ensuring eligibility of first-time starters by adding same to electronic eligibility system.
- (k) if applicable, maintaining a list of all horses enrolled in the Exercise Induced Pulmonary Hemorrhage Program (EIPH).
- (l) maintaining a daily remittance on the Standardbred Canada database indicating all fees collected

4.3.12 Additional Official Positions

Rule 79

The Commission may create additional Racing Official positions, as needed. Persons selected for these positions shall be considered Racing Officials and shall be subject to the general eligibility outlined in these Rules.

4.3.13 Paddock Blacksmith or Farrier

Rule 80

A licensed track facility must retain the services of an accredited blacksmith or farrier at the paddock during a race card.

4.3.14 Declaration of Racing Officials

Rule 81

Each licensed track facility is required, on or before the 1st day of May, to declare annually all persons employed or to be employed for a race meeting in the capacity of any racing official as described in Rule 62 excepting senior and associate judges and test inspectors. Declarations shall be made on forms prescribed by the Commission.

4.3.15 Officials' Fines & Suspensions

Rule 82

An official may be fined, suspended, or disciplined by the Director of Racing for cause. When such action is taken, the Director of Racing shall make a report to the Commission. (Refer to Rule 21 for sanction.)

4.4 OWNER

4.4.1 Licence

Rule 83

No owner, lessee or stable member shall have an interest whatsoever in any horse declared to qualify or race without first having obtained a licence for the current year.

Rule 84

The membership of every owner under 16 years of age is valid for racing purposes only when,

- (1) an authorized agent as defined in these Rules, has been appointed by such owner, and
- (2) the authorized agent has accepted in writing all the responsibilities and liabilities of the owner. (See Rule 14(4))

4.5 TRAINER

4.5.1 Licence

Rule 85

A person shall not train horses or be programmed as Trainer of Record at extended meetings, without first having obtained a trainer licence valid for the current year from the Commission. The holder of a driver's licence issued by the Commission is entitled to all privileges of a trainer and is subject to all rules respecting trainers.

Rule 86

A trainer's licence shall not be issued until the candidate has met application and testing requirements approved by the Atlantic Provinces Harness Racing Commission/ Standardbred Canada or its delegate.

Rule 87

Licensing of Trainers – There shall be the following categories of trainers' licences:

- (1) "A", a licence valid for operation of a public stable and training of horses at all race meetings; and
- (2) "F", a licence restricted to training only horses wholly owned by the holder or his/her immediate family at all race meetings. Immediate family shall include spouse including common law, son, daughter, son-in-law, daughter-in-law, father, mother, aunt, uncle, grandchild, grandparent, adopted son, adopted daughter, stepson, stepdaughter, sister, brother, or person to whom the affected licensee stands in loco parentis.
- (3) For all new trainer applications, the APHRC will be requiring each to go a rated mile as part of the application process. This must be completed prior to entering horses.

Rule 88

First Time Applicant "F" Trainer Licence – To be eligible for an "F" category trainer licence for the first time, the applicant must:

- (1) have attained 16 years of age.
- (2) be licensed as an owner by Standardbred Canada for one full year.
- (3) Rescinded
- (4) submit a completed application.
- (5) submit to a physical and eye examination, the cost of which is the responsibility of the applicant or show proof of one within the last year.
- (6) submit to a written examination and achieve a passing grade.
- (7) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.

Rule 89

First Time Applicant "A" Trainer Licence – To be eligible for an "A" category trainer licence for the first time, the applicant must:

- (1) have attained 16 years of age.
- (2) have completed two full years as an "F" trainer or two full years as a groom and "F" trainer combined.
- (3) submit a completed application.

- (4) have two favorable recommendations from licensed drivers, "A" trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada.
- (5) submit to a physical and eye examination, the cost of which is the responsibility of the applicant.
- (6) submit to a written examination and achieve a passing grade.
- (7) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.

Rule 90

Upgrading to "A" Trainer Licence To be eligible for an "A" category trainer licence, the applicant must:

- (1) have completed two full years as an "F" trainer or two full years as a groom and "F" trainer combined.
- (2) submit a completed application.
- (3) have two favorable recommendations from licensed drivers, "A" trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada; and
- (4) submit to a written examination and achieve a passing grade if a trainer exam has not already been written.
- (5) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.

Rule 91

Holders of USTA Trainer Licences – A person who is not a Canadian resident, holding a trainer licence granted by the United States Trotting Association shall be eligible for the equivalent category of licence upon application to the Commission provided that the applicant.

- (1) has attained 16 years of age.
- (2) has submitted a completed application.
- (3) submits evidence acceptable to the Commission of current trainer licence granted by the United States Trotting Association; and
- (4) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.

Rule 92

Licences of Foreign Jurisdictions Other Than USTA– The holder of a trainer licence granted by a foreign jurisdiction other than the United States Trotting Association applying to the Commission for a trainer licence must:

- (1) have attained 16 years of age.
- (2) submit a completed application.
- (3) submit evidence acceptable to the Commission of current trainer licence granted by his/her foreign jurisdiction.
- (4) fulfill other such requirements that may be specified by the Commission; and
- (5) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.

Rule 93

Renewal of Trainer Licences – Renewal of trainer licences will be granted in each category subject to the following provisions:

- (1) if the applicant has not renewed his/her trainer licence for any period of less than three years, a completed application must be submitted.
 - (a) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.
- (2) if the applicant has not renewed his/her trainer licence for a period of (3) three years or more, the applicant must.
 - (a) submit a completed application.
 - (b) have a minimum of two (2) favorable; recommendations from licensed drivers, “A” trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada.
 - (c) submit to a satisfactory physical and eye examination, the cost of which is the responsibility of the applicant.
 - (d) achieve a passing grade on a written examination; and
 - (e) the Commission may request such other information as may be reasonably necessary for it to consider whether approving the application is consistent with

the best interests of racing. And, if the Commission is not satisfied approving the application is in the best interests of racing, it may decline to grant the license.

Rule 94

Drivers and trainers must meet the requirements of Standardbred Canada regarding visual acuity. Those requiring corrective eyewear will be required to always wear properly prescribed glasses or lenses when driving or training.

Rule 95

In the event a driver or trainer is involved in an accident in a race or elsewhere, such person shall, upon demand of the Commission or Senior Judge, submit to a physical examination within thirty (30) days of such request or his/her licence may be suspended until the demand is complied with.

4.6 Groom 4.6.1 Licence

Rule 96

No person shall groom a registered horse(s) on the grounds of a track facility without being licensed by Standardbred Canada.

Rule 97

Applicants for groom licence shall have their status confirmed by the trainer actively utilizing their services.

Rule 98

A member ten (10) years of age or older will be eligible to be licensed as a groom upon submission of a completed application to Standardbred Canada.

4.7 Driver

4.7.1 General

Rule 99

Drivers must have a valid driver licence and be properly insured in accordance with Rule 120 to be eligible to drive at any extended pari-mutuel track. A person shall not drive a horse in any race or performance against time, other than an exhibition race, without having first obtained a driver licence valid for the current year by meeting the standards as laid down by Standardbred Canada or the United States Trotting Association and being licensed by the Commission. The licences shall be presented to the judges prior to participating for the first time at any race meeting.

Rule 100

A driver is required to be eighteen (18) years of age to drive in a pari-mutuel race held at a licensed track facility.

4.7.2 Licence and Driver Upgrade

Rule 101

There shall be the following categories of driver licences:

- (1) "A", a general licence valid for all meetings.
- (2) "B", a provisional licence valid for all meetings subject to satisfactory performance.
- (3) "C", a licence valid for fairs and for qualifying races subject to first having driven an agreed upon rated mile to the satisfaction of the Judges, and for overnight (except for Invitational or Free-For-All races and Added Money Events with a purse greater than \$2,500.) races at all pari-mutuel meetings, subject to the approval of the Judges subject to Rule 106.
- (4) "F", a licence valid for Fairs, and for non-extended pari-mutuel meetings, subject to the approval of the Judges.
- (5) "P", a probationary licence valid for all meetings in accordance with the terms of the probation. A probationary licence may be revoked should the holder thereof commit more than one violation or one major violation.

Rule 102

The Judges may review the performance of a driver at any time and may take the following actions:

- (1) amend the licence category,
- (2) revoke the licence,
- (3) apply conditions to the licence, or,
- (4) require the driver to re-qualify for his or her licence in accordance with Standardbred Canada regulations

Rule 103

The category of a driver licence shall be printed beside the driver's name on the program. The program shall include the definition of licence categories.

Rule 104

First Time Applicants "F" Driver Licence – To be eligible for an "F" category driver licence for the first time, the applicant must:

- (1) have attained 18 years of age.
- (2) have been licensed by the Commission as an "F" trainer for two full years.
- (3) submit a completed application.

- (4) have three favorable recommendations from licensed drivers, “A” trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada.
- (5) submit to a physical and eye examination, the cost of which shall be the responsibility of the applicant; and
- (6) submit to a written examination and achieve a passing grade.

Rule 105

First Time Applicants “C” Driver Licence – To be eligible for a “C” category driver licence for the first time, the applicant must:

- (1) have attained 18 years of age.
- (2) have been licensed by the Commission as an “A” trainer for one full year, or as an “F” trainer for three full years, or as an “F” driver for one full year and had a minimum of five drives.
- (3) submit a completed application.
- (4) have three favorable recommendations from licensed drivers, “A” trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada.
- (5) submit to a physical and eye examination, the cost of which shall be the responsibility of the applicant; and
- (6) submit to a written examination and achieve a passing grade.

Rule 106

Upgrading Category of Driver Licence – To be eligible to have a category of driver licence upgraded, the holder must fulfill the following requirements:

- (1) The holder of an “F” category of driver licence will be eligible to upgrade to a “C” licence:
 - (a) after having held an “F” driver licence for a minimum of one full year.
 - (b) after having completed an application for a “C” driver licence; and
 - (c) after having driven in at least five races.
- (2) The holder of a “C” category of driver licence will be eligible to be upgraded to a “B” category licence:
 - (a) after having driven a satisfactory rated mile.
 - (b) after having accumulated 50 points in Qualifying races.

- (c) after having accumulated 75 points in Overnight events in accordance with Rule 106(7); and
 - (d) is recommended, in writing, for a "B" driver licence by a Judge licensed for extended meetings.
- (3) The holder of a "B" category of driver licence will be eligible to be upgraded to an "A" category driver licence:
- (a) after having held a "B" licence for a minimum of one full year.
 - (b) after having driven satisfactorily in at least forty (40) purse races during the prior eighteen (18) months; and
 - (c) is recommended, in writing, for an "A" driver licence by a Judge licensed for extended meetings.
- (4) For purposes of obtaining a recommendation under Rule 106(3)(c) or formulating a recommendation in accordance with Rule 106(3)(c) the following factors, among others, shall be considered:
- (a) competitiveness and safety.
 - (b) tenure and experience driving in premier, or stake events shall be considered an asset.
 - (c) frequency of starts.
 - (d) overall demeanor with officials and judges.
 - (e) leadership qualities and overall competence.
 - (f) overall driving record that includes:
 - (i) Actions that may be detrimental to the sport of harness racing.
 - (ii) Incidence of positive tests as a trainer.
 - (iii) Careless driving infractions.
 - (g) overall record of infractions and the nature of those infractions.
- (5) The procedure shall be as follows:
- (a) The applicant driver is required to declare to a local judge his/her desire to upgrade his/her licence from "B" to "A".
 - (b) The applicant driver may be required to deliver to the local judge a written request accompanied by five (5) video replays of individual races that he/she thinks best demonstrate his/her qualifications and driving skills to warrant an "A" licence.

- (c) If prepared to do so, the local judge will make a recommendation through the Director of Racing to the Senior Judges' Group.
 - (d) The Director of Racing will submit to the Senior Judges' Group:
 - (i) the driver's record.
 - (ii) the recommendation of the local judge.
 - (iii) the five (5) official video race replays.
 - (e) The Senior Judges' Group will jointly consider:
 - (i) (i) the application and the driver's record.
 - (ii) the recommendation of the local judge and the video replays.
 - (f) (f) The Senior Judges' Group will reach a consensus on whether a recommendation is made to Standardbred Canada.
 - (g) If the recommendation is positive, the Director of Racing will forward the recommendation to Standardbred Canada.
 - (h) If it is negative, the consensus of the Senior Judges' Group will be conveyed to the applicant driver with reasons as to why the licence will not be upgraded. In addition, the applicant will be informed as to what he needs to focus on before re-applying.
- (6) In the determination of whether a driver is satisfactory, the Judges shall evaluate the driver's performance:
- (a) while coming to and while at the starting gate.
 - (b) while leaving the gate and positioning the horse.
 - (c) when confronted with situations during the race.
 - (d) while in the homestretch and during the finish of the race; and
 - (e) his/her overall performance and conduct during the race.
- (7) One point shall be credited for satisfactory performance in each of the five areas specified in the foregoing. The holder of a "C" category licence must attain 50 points, in qualifying races before being permitted to drive in overnight events, and 75 points in overnight events to be eligible to be upgraded to a "B" category licence. Points awarded for each category of area shall be duly recorded in electronically maintained official performance records.
- (8) With respect to Qualifying and "C" Drivers:

- (a) A rated mile must be successfully completed within three (3) attempts or the applicant will be required to wait a period of three (3) full months before attempting again. The time of the rated mile must be within five (5) seconds of the qualifying time at the track where the rated mile is attempted allowing for variant given by the Judges for the track conditions on that date.
 - (b) All qualifying drivers and “C” drivers qualified for overnight races must present themselves to the judges, before every qualifying race or overnight drive, thus affording not only the judges, but the driver the opportunity to discuss their previous drive or any other questions or problems that they may have, which in turn will afford a better working relationship between drivers and officials.
 - (c) All qualifying drivers and “C” drivers qualified for overnight races who are inactive for one (1) full year from their last recorded drive will lose all of their accumulated points and will be required to start at zero (0) points but may remain with the same category of driver licence.
 - (d) All qualifying drivers and “C” drivers qualified for overnight races who are inactive for two (2) full years or more from their last recorded drive must reapply and fulfill all requirements of a participant applying for a driver licence for the first time. (e.g., references, medical, exam).
 - (e) All qualifying drivers and “C” drivers qualified for overnight races must complete all requirements of the point system within (3) three years of their “first” recorded drive in an overnight race or will be required to start again in overnight races at zero (0) points.
- (9) Holders of USTA Driver Licences – A person who is not a Canadian resident, holding a driver licence granted by the United States Trotting Association and who maintain their residency in the United States shall be eligible for the equivalent category of licence upon application to Standardbred Canada provided that the applicant.
- (a) has attained 18 years of age.
 - (b) has submitted a completed application; and
 - (c) submits evidence acceptable to Standardbred Canada of a current driver licence granted by the United States Trotting Association.
- (10) Licences of Foreign Jurisdictions Other Than the United States Trotting Association – The holder of a driver licence granted by a foreign jurisdiction other than the United States Trotting Association applying to the Commission for a driver licence must:
- (a) have attained 18 years of age.
 - (b) submit a completed application.
 - (c) submit evidence acceptable to the Commission of current driver licence granted by the foreign jurisdiction; and

(d) submit to a written driver examination and achieve a passing grade. Upon satisfactorily fulfilling the foregoing requirements, the applicant will be granted a “C” category driver licence and must drive in one or more qualifying races at the discretion of a Judge licensed for extended meetings and be approved by said Judge to be eligible to drive in overnight events. The applicant must then fulfill the requirements of Rule 106(2) to be eligible to be upgraded to a “B” category driver licence.

(11) Renewal of Driver Licences Inactive Qualifying Drivers and “C” drivers (See Rule 106(8)(c)(d)) Renewal of “A” and “B” driver licences will be subject to the following provisions:

(a) Drivers who hold “A” and “B” licences and who have renewed their licences annually but have amassed less than ten (10) drives during a period of three (3) or more years, will be flagged by Standardbred Canada to this effect and will be required to fulfill all conditions of the Commission to retain such “A” or “B” Categories.

(b) If the applicant who holds an “A” or “B” license, has not renewed his/her driver’s licence for a period of less than 5 years, such applicant will be eligible to be licensed in the same category as granted previously when:

- (i) a completed application is submitted to Standardbred Canada; and
- (ii) a satisfactory physical and eye examination may be required.
- (iii) will be required to fulfill all conditions of the Commission to retain such “A” or “B” Categories.

(c) If the applicant, who holds an “A” or “B” licence, has not renewed his/her driver’s licence for a period of five or more consecutive years, such applicant will be eligible to be licensed as a “C” category driver when:

- (i) a completed application is submitted to Standardbred Canada; and
- (ii) a satisfactory physical and eye examination report is submitted to Standardbred Canada; and
- (iii) submit to a written examination and achieve a passing grade.

(d) Applicants for renewal of drivers’ licences must submit a satisfactory eye examination report every five years before renewal of the licence will be granted.

(e) Applicants for renewal of driver licences who have been hospitalized or under medical care during the prior year shall, upon demand of the Commission or Standardbred Canada, submit a satisfactory physical and eye examination report before renewal of licence will be granted.

- (f) In cases where physical or eye examinations are required as a condition for renewal of a driver licence, the cost of same is the responsibility of the applicant.

(12) Exhibition Races – Where non-betting promotional races such as celebrity races, junior driving championships, collegiate driving championships or other similar events are conducted by a track facility, such races shall be regarded as exhibitions and performances therein shall not be noted on the official performance records or otherwise officially credited to either horses or drivers. Any money awarded or paid on such races shall not be credited to the horses or drivers as official earnings and shall not affect the eligibility of participating horses to any subsequent event. Other than those currently licensed as drivers, trainers or grooms, participants in such races shall not be covered under the terms of the insurance coverage provided through the administration of Standardbred Canada.

4.8 Racing Farm, Corporate or Stable Name

Rule 107

Racing farm, corporate or stable names, hereinafter referred to as "stable names", may be used by owners or lessees provided the names are first registered with Standardbred Canada. A name that is the same as or similar to one registered with Standardbred Canada or the United States Trotting Association may not be used. Standardbred Canada may reject a name considered to be confusing, unbecoming to the sport or which exceeds twenty-five (25) letters or spaces.

Rule 108

Applications by stables for membership shall include the names and addresses of each member thereof. Each member of a registered stable, other than a corporation or limited partnership, must be a member in good standing of the Commission and Standardbred Canada. Where the stable is a corporation or a limited partnership, the following persons must be members of the Commission:

- (1) in the case of a corporation with less than ten (10) shareholders,
 - (a) every director, and
 - (b) every shareholder.
- (2) in the case of a corporation with ten (10) or more shareholders, but less than fifty (50),
 - (a) every director, and
 - (b) every shareholder holding or controlling a certain number of shares giving him or her five (5) percent or more of the voting rights in the corporation.

- (3) in the case of a corporation with fifty (50) or more shareholders or which is registered with a Canadian stock exchange,
- (a) every director or, where applicable, every member of the executive committee of the board of directors,
 - (b) every person acting as chairman, secretary or holding a similar office,
 - (c) the person responsible within the corporation for the activities for which the registration is required, and
 - (d) every shareholder holding or controlling a certain number of shares giving him or her five (5) percent or more of the voting rights in the corporation.
- (4) in the case of a limited partnership,
- (a) the limited partnership
 - (b) the general partner and where the general partner is a corporation or a general partnership, the persons covered by the foregoing provisions of this section, and
 - (c) the manager of the general partner or any person holding a similar office.

Rule 109

Each member of a stable must sign a document designating a corresponding officer or officers. Corresponding officers must be members of the Commission and Standardbred Canada and must be at least 18 years of age. Only the signature of the corresponding officer or officers will be recognized for transfers of ownership of horses or other documents pertaining to the registered stable. Documents bearing the signature of the corresponding officer or officers will be considered binding upon the members of the stable.

Rule 110

Standardbred Canada shall be notified forthwith if additional persons become members of a stable or when a member thereof becomes disassociated. Consent in writing must be given by any member being disassociated from a stable.

Rule 111

Any liability of a stable and any penalty imposed upon the stable shall apply to all of its members and horses owned wholly or in part by the stable. In the event one or more of the members of a stable is suspended, the suspension shall also include any horses owned wholly or in part by the stable.

4.9 Refusal & Revocation of Licence and General Sanctions Relate

Rule 112

Notice by the Commission or to the Commission, or by any other authority or Standardbred Canada that an application for a licence or membership is refused, or that a licence for

membership has been revoked shall be in writing and shall contain a concise statement of the reason or reasons for such refusal or revocation.

Rule 113

The determination to refuse or revoke a licence or membership shall lie with the Commission.

Rule 114

Upon notice of Appeal to the Commission by a person who has been refused a licence or membership or by a licensee or member whose licence or membership has been revoked, the Commission shall give notice of time and place for such an Appeal Hearing. The appropriate form prescribed by the Commission must be completed and filed with the Commission in a timely manner. A request for a hearing under this rule, in order to be timely, must be received by the Commission no later than 48 hours after receiving notice that the application for a licence or membership has been refused or a licensee has been suspended or has been revoked.

Rule 115

Licensed track facility shall ensure that the following individuals hold a Commission accredited Official Licence valid for the season in which their racing meets are conducted: Race Secretary, Chart Maker, Timer, Paddock Judge and Starter.

Rule 116

Where any licensed track facility permits without consent from the Commission, a person not a member or accredited to act in any official capacity listed in Rule 115, the Commission may impose a fine upon such track facility of not more than Five Hundred Dollars (\$500.00) for each violation.

Rule 117

After due notice and hearing, an official holding a Commission licence and/or membership in any of the following capacities:

- (1) Senior Judge
- (2) Timer
- (3) Associate Judge
- (4) Race Secretary
- (5) Starter
- (6) Patrol Judge
- (7) Paddock Judge
- (8) Veterinarian
- (9) Chart Maker may be fined a sum not to exceed Five Hundred Dollars (\$500.00), suspended or have such licence or membership revoked or denied by the Director of Racing for incompetence, failure to follow or enforce the Rules or any conduct detrimental to the sport. The Director shall report any suspension, revocation or denial to the Commission. (See Rule 82)

Rule 118

Suspension, refusal or revocation of a licence or suspension of a standardbred race horse by another standardbred racing authority may be recognized by the Commission.

Rule 119

Any licensee of the Commission found to be incapable of performing the duties associated with his/her licence by virtue of test results from tests conducted in accordance with Section 6.8.2 shall be forwarded to the Director of Racing.

4.10 Insurance Coverage

Rule 120

The Commission adopts the requirements of Standardbred Canada governing the insurance of members. All members shall be insured under a group insurance policy administered through Standardbred Canada subject to eligibility requirements being met or capable of being met.

PART 5 HARNESS RACES

5.1 Participants

5.1.1 Owners, Lessees and Stables

Rule 121

Owners or lessees having an interest in a horse shall be entitled to enter the paddock on days in which their horse is racing. Upon challenge to entry to the paddock, such owner(s) or lessee(s) must provide proof of proprietary interest in the horse to the Paddock Judge or his/her delegate.

5.1.2 Trainers and Grooms

Rule 122

- (1) A trainer shall be responsible at all times for the condition of all horses trained by him/her. The trainer must safeguard, from tampering, each horse trained by him/her and must exercise all reasonable precautions, in guarding or causing any horse trained by him/her to be guarded from the time of entry of that horse until the conclusion of the race.
- (2) No trainer shall start a horse or permit a horse in his/her custody to be started if he knows, or, if by the exercise of a reasonable degree of care having regard to his/her duty to safeguard his/her horse from tampering or have cause to believe that the horse is not in a fit condition to race or received any drug that could result in a positive drug test. Every trainer must guard, or cause to be guarded by the exercise of all reasonable standards of care and protection, each horse trained by him/her so as to prevent any person from obtaining access to the horse in such a manner as would permit any person not employed by or not connected with the owner or trainer from administering any drug or other substance resulting in a pre-race or post-race positive test. Every trainer must also take all reasonable precautions to protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of an official sample.

Rule 123

If a trainer is to be absent fifteen (15) consecutive days or more from the track where his/her horses are participating in races, he/she must obtain a licensed trainer to substitute for him/her during his/her absence. The Judges must approve such a substitute. The original trainer is responsible for the horses he has declared in to start. The substitute trainer will then become responsible for any additional horses he may declare in to start.

Rule 124

- (1) When the judges determine that someone other than the officially named trainer of record is in charge, has custody or care of a horse, the judges shall have the right to hold such person responsible instead of, or in addition to, the person named as trainer of record.
- (2) If deemed by Judges that someone other than the named official trainer is training the horse, then the horse will be placed on the Judge's list for papers not in order.

Rule 125

A person shall not represent himself/herself to be the trainer of a horse unless he is training that horse. In determining the identity of the actual trainer of a horse the Judges shall consider the following:

- (1) the identity of the person who is responsible for the business decisions of the training or racing stable including, but not limited to, business arrangements with and any payments to or from owners or other trainers, licensed or otherwise, veterinarians, feed companies, hiring and firing of employees
- (2) the identity of the person responsible for communicating with the racing secretary's office, the stall manager, the Racing Association, and the owners regarding racing schedules
- (3) the identity of the person responsible for the conditioning of a horse or horses
- (4) the identity of the person responsible for race day preparation including but not limited to accompanying the horses to the paddock, selection of equipment, authority to warm up horses before the public, and discussion of driving strategy
- (5) the total number of horses in the control of the trainer or race stable
- (6) the number of active licensed trainers on the payroll of the trainer stable
- (7) the number of different stabling locations; and
- (8) any other relevant matters.

Rule 126

If an owner changes his/her trainer the new trainer must immediately notify the Race Secretary. The Race Secretary shall cause a notation in the race program of the trainer change. If the program is printed, the judges shall announce the change.

Rule 127

The trainer of record of a horse shall be responsible to:

- (1) ensure that any person he permits to take the horse on the track for a warm-up before a race is capable and competent to do so; and
- (2) notify a catch driver he is to drive.
- (3) The trainer of record of a horse declared to race is responsible for the eligibility of the horse.
- (4) To assist with infectious disease control, the owner/trainer of record or the person having control of the horse must report to the APHRC the presence of any clinical signs of an infectious disease.

Rule 128

Whenever a trainer is suspended, any horses trained by him/her or under his/her care but not owned wholly or in part by him/her may, with the consent of the Judges at the meeting where the suspension was imposed, be released to the care of another licensed trainer and may race.

Rule 129

It shall be the responsibility of a trainer to determine that every assistant trainer or groom employed by him/her is licensed by Standardbred Canada and/or APHRC.

Rule 130

It shall be the responsibility of a trainer to refuse employment to any unlicensed person.

Rule 131

It shall be the responsibility of a trainer to have the horses under his or her care, and which are programmed to race, properly equipped and in the paddock at the time prescribed by the track facility. It is the responsibility of the trainer to maintain an up-to-date equipment card for all horses under his or her care.

Rule 132

A trainer shall not start a horse or permit a horse in his/her custody to be raced if he/she knows or if by the exercise of reasonable care, he has cause to believe that the horse is not physically fit to race.

Rule 133

It is the responsibility of the trainer that all horses racing in his/her custody have a negative Coggins Test Certificate, in accordance with Rule 149.

5.1.3 Drivers**Rule 134**

- (1) No person shall drive a horse in any race or performance against time, without having first obtained a driver licence valid for the current year.
- (2) A driver shall not drive for any other person in a race in which one of the horses he/she trains or owns has been declared into race, except where such horses are coupled as an entry. If they are not coupled as an entry, then he/she must drive the horse he/she trains as long as the one he/she trains is owned by said driver. If the one he/she trains is not owned by said driver, said driver must drive the one he/she owns.
- (3) No driver shall drive against a horse owned by his/her spouse.

Rule 135

Drivers must always have their licence available while participating in racing. Failure to do so is a violation in racing.

Rule 136

Drivers must report to the Paddock Judge not less than 30 minutes before post time of any race in which they are programmed to drive, unless excused by the Judges.

Rule 137

- (1) Drivers must wear distinguishing colors and shall not be permitted to drive in a race or other public performance unless, in the opinion of the Judges, they are properly dressed, their driving outfits are clean, they are well groomed, and they are fit and able. During inclement weather conditions, drivers must wear rain suits either of their colors or made of a transparent material through which their colors can be distinguished.
- (2) Training suits (in good condition) will be allowed for qualifying and schooling races.

Rule 138

A driver must register his/her driving colors with the Commission. A driver can only utilize those colors other than those registered with the Commission with the permission of the judges. Permission may only be granted for reasons of unforeseen circumstances beyond the control of the driver.

Rule 139

Company logos, trademarks or other advertising insignias may be displayed on a driver's colours provided the driver is properly authorized by the entity owning the logo and registered with the Commission. Each logo or trademark shall not exceed a total area of twenty-five square inches in size, or its equivalent in centimeters. All logos and trademarks must be in good taste.

Rule 140

Once a driver reports to the paddock, he/she shall not enter the public stands or the betting area until his/her driving duties for the day have been completed, unless he/she has the permission of the Judges. Upon completion of his/her driving duties, he/she shall not enter the public stands until he/she has replaced his/her driving outfit with ordinary clothing.

5.1.4 Pari-Mutuel Betting Prohibited**Rule 141**

- (1) An owner, trainer, driver, agent, employee or groom shall not have pari-mutuel tickets in his/her possession, or bet or cause any other person to bet on his/her behalf, on any other horse in any race in which a horse owned, trained, or driven, in which he/she in any way represents or handles as a starter; except in the case of feature wagering events where any owner, trainer, driver, agent, employee or groom may bet, or cause any other person to bet on his or her behalf only on combinations in which his or her horse or entry is selected in the "Win" position. A breach of this rule may result in suspension.
- (2) No association shall allow a person under 19 years of age to purchase or cash a ticket. For the purposes of this rule, a "ticket" is defined as a receipt or voucher that is issued by an association for one or more bets on a race or races. The association shall ensure that signs are clearly posted in all areas where tickets are purchased or cashed or on any Association wagering application forms, advising the public of the age restriction.

5.1.5 Physical Examination**Rule 142**

Notwithstanding the requirements of Standardbred Canada, in the event any participant is involved in an accident on or off the track, the judges may order such participant to submit to a physical examination if the judges feel it is in the best interest of harness racing.

5.2 Eligibility to Race**Rule 143**

A horse shall not be permitted to race unless:

- (1) It is duly registered with and approved by the registry office of Standardbred Canada or the United States Trotting Association (USTA) subject to the requirements in Rule 143(2).
- (2) Notwithstanding that a horse is registered with the USTA, any horse registered with the USTA that would not meet the registry requirements set out by Standardbred Canada shall not be eligible to race.
- (3) No horse shall race (purse or qualifier) more than once per day unless it is an elimination race.
- (4) its eligibility fees are outstanding.

Rule 144

Notwithstanding any other rules relevant to eligibility of a horse to race, no horse shall be permitted to race unless:

- (1) it has been properly identified with its assigned number by freeze branding or tattooing, or microchip.
- (2) Standardbred Canada is notified by the owner, trainer, or veterinarian that a mare has been spayed or a horse has been gelded.
- (3) All horses that have been nerved shall be so designated on both declaration and published programs. A horse is not eligible to be declared in if it has been nerved above the pastern. Standardbred Canada must be officially notified, in writing, by the owner or trainer when a horse is de-nerved.

Rule 145

Notwithstanding Section 6.1 Judges' List, a horse programmed to race and subsequently scratched by the trainer or owner shall be eligible to race provided five days have elapsed since the race in which the horse was scratched. If the horse is scratched by the trainer or owner from two consecutive races the horse is required to qualify before re-entering, unless Rule 297(10) was involved in one of these scratches or the horse was scratched sick on the first start off a qualifier.

Rule 146

If a horse participates in a race while having been declared into a subsequent race it shall be ruled ineligible except for overnight events to the subsequent race and scratched if its performance in the initial race or event makes it ineligible under the rules. If the race from which the horse is scratched is an added money event, any starting fee paid or payable shall be forfeited.

Rule 147

A horse shall not be entered in, or started in, any race if owned or controlled in whole or in part by a suspended, expelled, or unlicensed person. In the event a nomination or declaration is made by or for a suspended or expelled person or horse, the owner of the horse shall be held liable for any nomination, sustaining, or starting fees thus contracted but the horse shall not be eligible to compete.

Rule 148

Any Also Eligible horse shall not start if the Race Secretary or Judges does not declare the said horse in to race at least one (1) hour prior to post time of the first race of a Race Card or prior to opening of the pari-mutuel betting, except for added money events where an Also Eligible horse may be declared in to race as a non-betting entry up to 90 minutes prior to the PUBLISHED post time of the race. (See Rule 204(6))

Rule 149

Coggins Test Certificates are a prerequisite for eligibility.

- (1) It is the responsibility of the trainer that all horses racing in his/her custody have a negative Coggins Test Certificate. A laboratory approved by the Canadian Food Inspection Agency must issue the certificate, properly identifying the horse and certifying that within the prior 2 years the horse has been tested negative for equine infectious anemia (EA). For racing purposes, proof of a negative Coggins Test may be one of the copies of the stamped and signed serum test reports presented to the Race Secretary before the horse is declared in to start. A horse shall not be permitted to start in a Pari-Mutuel/Qualifier race with an expired Coggins Test Certificate. No horse without a coggins test is permitted on an APHRC licensed race track.
- (2) A horse shall be placed on a Judges' List if proof of a valid negative Coggins' Test is not provided to Standardbred Canada.
- (3) If a horse is claimed and tests positive for equine infectious anemia, the ownership of the claimed horse shall revert to the owner from whom the horse was claimed, and the claiming monies shall be returned to the person or persons who claimed the horse.

5.3 Qualifying Races

Rule 150

The Race secretary shall establish qualifying standards. The standards shall be filed with the judges and posted for inspection by participants at all times.

Rule 151

Qualifying standards shall apply only to the track facility where established.

Rule 152

- (1) Where a horse is required to qualify, either by virtue of the operation of these rules, by order of the judges, or for any other reason whatsoever, the Judges may establish standards relating to an individual horse's performance.
- (2) Notwithstanding Part (1) above, the judges may order any horse, in any qualifying race, to the retention area for the purpose of determining thereby the presence of any prohibited medication(s) as determined by a Canadian Pari-Mutuel accredited laboratory.

Rule 153

- (1) Any horse that chokes or bleeds while warming-up for a race or during a race or that is suspended in accordance with these rules, shall be placed on the Judges' List and required to go a qualifying race and perform to the satisfaction of the judges.
- (2) If the horse, after having qualified, bleeds within its next 3 starts, it will be placed on the judges list for 30 days before it may requalify. If no bleeding after 3 starts, it will be considered a first-time bleeder if it bleeds again.
- (3) A horse placed on the judges list under (1) and/or (2) must be cleared by a veterinarian before the horse may qualify or re-qualify.

Rule 154

Any horse that is qualified to race with or without hobbles will be permitted to be declared to a race with or without hobbles as an equipment change without having to qualify with the equipment change. ** Must be reported at time of entry.

Rule 155

A horse making a break in a qualifying race or in the first start on a fast track thereafter must qualify again unless the break was an equipment break or caused by interference.

Rule 156

Any race where a horse makes a break in stride on anything, but a fast track, will be considered a clean line. Any horse charted with 3 consecutive breaks must qualify regardless of track condition. Two breaks in a row on a fast track must qualify.

Rule 157

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

Rule 158

A horse that falls to the track surface during a race must qualify unless the fall was caused by interference from another horse(s) or driver, in which case, must present a veterinary certificate, prior to declaration (to race or to qualify), declaring the horse fit to race or it must qualify in order to race. The horse that caused the fall may be required to qualify. Horses that fall to the track during warm up, post parade or when going to the gate shall be scratched from their race and required to qualify unless the fall was caused by interference from another horse(s) in which case they may be permitted to race if the judges determine the horse fit by checking with some or all of the following individuals: trainer, driver, starter, paddock judge, veterinarian. The judges will require the horse to score down. Rule 302 (1) applies to overnight and added money events. For purposes of this rule the word "fall" does not include "faltering or stumbling". (Refer to Rule 297(8)).

Rule 159

If the judges scratch a horse at the request of the owner or trainer, in accordance with Rule 297 (12), or is scratched by an accredited veterinarian, from two (2) consecutive races, the horse is required to qualify before declaring in a pari-mutuel race.

Rule 160

The Judges shall use the interference break symbol when they determine the horse was interfered by a competing horse or the equipment of a competing horse.

Rule 161

Within forty-five (45) days of being declared into race, a horse that has not raced previously at the gait chosen (or show a clean line) must go a qualifying race under the supervision of a judge holding a Senior or Associate Judge's licence for pari-mutuel meetings and acquire at least one charted line by a licensed chart maker. However, for Added Money Events where the horse is declared in to race in an elimination race, within the 45 day rule, but said elimination race does not fill, the said horse can go directly to the final even if the final is not contested within the 45 day rule for said horse. Participants are encouraged to check added money events conditions concerning the number of days to be qualified.

Rule 162

- (1) The following provisions shall apply to the setting up and carrying out of any qualifying race(s): (1) All qualifying races shall be held according to the demand as determined by the Director of Racing.
- (2) For purposes of holding qualifying races, a schedule for qualifying races shall be submitted to the Director of Racing by the licensed track facility not less than four (4) weeks prior to the opening of a racing meet.
- (3) Such schedule shall contain information including the name of the track facility, dates and time the qualifying races will be held.

Rule 163

A track facility requesting to reschedule approved qualifying races or to revise an approved schedule shall request such change in writing to the Director of Racing not less than two (2) days prior to the relevant approved qualifying day.

Rule 164 In the case of cancellation of qualifying races, the relevant Race Office shall inform the Director of Racing at least one (1) day prior to the event.

Rule 165

Qualifying Races shall be presided over by licensed Commission officials and shall include:

- (1) A Senior or an Associate Judge
- (2) A Race Secretary
- (3) A Timer
- (4) A Chart Maker
- (5) A Paddock Judge/Identifier
- (6) A Starter

Rule 166

The Director of Racing shall assign a licensed judge to preside over only approved qualifying events.

Rule 167

It is the responsibility of the track facility to assign and remunerate all other officials.

Rule 168

Qualifying races require the services of the Standardbred Canada Field Representative.

Rule 169

Unless otherwise approved by the Director of Racing, all qualifiers during the racing year shall be held immediately prior to the commencement of a race card.

Rule 170

At racetracks that race once per week or less frequently, qualifying races may be permitted between race cards.

Rule 171

Race Secretaries shall maintain a declaration box and set a specific time to close the box to all entries for scheduled qualifying races.

Rule 172

- (1) All entries of horses to qualify must be entered in the declaration box and no late entries will be accepted.
- (2) A trainer or owner must give 3 hours notice to an official if they are withdrawing a horse or horses out of a qualifying race. Any trainer or owner withdrawing a horse or horses from a qualifying race less than three hours before, without a bonafide reason, will be subject to a \$100 fine or suspension.

Rule 173

Unless otherwise approved by the Director of Racing, the declaration box will be closed for entries 24 hours prior to the scheduled time of the qualifying races. In the case where a Race Office's normal hours of operation cannot accommodate a 24-hour box, the box will close the last day the office is open prior to the day of the scheduled qualifying event.

Rule 174

All horses shall qualify from a single designated paddock area located at the track facility where all horses and drivers in a qualifying field shall report and get on the track to go the qualifying mile.

Rule 175

In the paddock area, all horses shall be identified by the Identifier who will compare and confirm the tattoo, freeze brand number or microchip with the list of entries contained in a report supplied by Race Office Staff via the Standardbred Canada Computer.

Rule 176

Number of horses required:

- (1) Except for a qualifying event held immediately prior to pari-mutuel racing, each and every qualifying event shall have no less than a total of four (4) horses.

- (2) The Judge(s) may permit a horse to qualify by means of a timed workout consistent with the time of the races in which it will compete separate and apart from the others in the qualifying event.
- (3) There will be no trailing horses in a qualifying race.
- (4) Horses starting in (3) consecutive qualifying races failing to meet the prescribed standards may not be allowed to start in future qualifying races for a minimum of thirty (30) days at tracks under the jurisdiction of the APHRC. This does not apply to 2- and 3-year-olds that are to compete in Added Money Events. However, at the discretion of the Judges , a horse may be allowed to qualify prior to the expiration of thirty days but will be required to go two (2) successful qualifying races.

Rule 177

A track facility holding qualifying races is responsible for ensuring the communication of a qualifying schedule and any revisions including the specific time the declaration box shall close to both horsemen stabled at the track facility and those ship-ins that normally race at the track facility holding the qualifying races.

Rule 178

All Race Offices shall post this directive and approved schedule in an appropriate location(s) where all participants can be informed. Race Offices will make the appropriate number of announcements and advertisements.

Rule 179

Schedules shall be submitted on forms as prescribed by the Commission.

5.4 Conditions & Stake Conditions

Rule 180

At extended meetings, condition sheets must be available to participants at least 24 hours prior to closing declarations to any race program contained therein. At other meetings, conditions must be posted and available to participants at least 18 hours prior to closing declarations. This also applies to overnight and added money events. Conditions may be based only on:

- (1) horses' money winnings in a specified number of previous races or during a specified previous time.
- (2) horses' finishing positions in a specified number of previous races or during a specified period of time.
- (3) age.
- (4) sex.
- (5) number of starts during a specified period of time.
- (6) special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada.
- (7) the exclusion of schooling races; or
- (8) any one more combination of the qualifications herein listed.

Rule 181

Conditions shall not be written in such a way that a horse is deprived of an opportunity to race in a normal preference cycle. Where the word preference is used in a condition, it shall not supersede the date of preference as provided for in the rules.

Rule 182

- (1) Not more than three also eligible conditions shall be used in writing conditions of overnight events.
- (2) If a posted race condition has a number of declarations sufficient for (2) two or more divisions of such condition, the declarations must be electronically drawn for the classification as well as for post position of the declarations. (Also see Rule 200)

Rule 183

The Commission may, upon application from a Race Secretary, approve conditions other than those listed for overnight events.

Rule 184

In the event there are conflicting published conditions and neither one nor the other is withdrawn by the track facility, the one more favorable to the declarer shall apply.

Rule 185

Eligibility – Winning Dollars

- (1) For the purposes of eligibility, a racing season or racing year shall be the calendar year. All races based on winnings will be programmed “non-winners of \$.” or “winners over \$.”. Additional conditions may be added.
- (2) Gross winnings shall be used, and cents shall be disregarded when recording winnings.
- (3) Winnings in the United States of America are deemed at par with Canadian funds.
- (4) Winnings earned outside of North America will be calculated in Canadian Currency based on the conversion rate as of January 1st of the year the foreign earnings were amassed or recognized as recorded by Standardbred Canada whichever comes first.

Rule 186

Horses must be eligible when declarations close, notwithstanding that:

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

Rule 187

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

5.5 Declarations & Drawing of Post Positions

Rule 188

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

Rule 189

The track member shall specify the time for closing of declarations. The time must be published on condition sheets. If a declaration time has not been stated in the conditions of the stake race, then it will automatically be considered 10:00 am, three (3) days prior to the race excluding Sundays and the day of the race.

For example:

- (1) If the race is being held on Saturday, then declaration would be 10:00 am on Wednesday.
- (2) If the race is being held on Monday, then declaration would be 10:00 am on Thursday.

Rule 190

A declaration received after the specified time of closing shall not be accepted except those omitted due to error or negligence by an official or employee of the track facility, in accordance with Rule 207.

Rule 191

The track facility shall provide a locked box with an aperture through which declarations shall be deposited. Participants shall deposit their declarations in the declaration box, except as provided in Rule 193.

Rule 192

- (1) The submitting of a declaration for a horse that is ineligible to race because it has been placed on the Judges' List and is required to qualify is prohibited. Violation of this restriction will subject the person making the declaration to a fine not to exceed \$50.00.
- (2) The submitting of a declaration will be permitted for a horse that is on the Judges' or Veterinarians' List but is scheduled to be removed therefrom prior to the race.
- (3) The submitting of declarations for one horse to races scheduled for the same day at different tracks is prohibited. Violation of this restriction will subject the person making the declaration to a fine not to exceed \$50.00.

Rule 193

- (1) Declarations made by mail, electronic mail, facsimile, or telephone are acceptable. Such declarations shall be subject to the same terms and conditions as written declarations, provided evidence of same is deposited in the declaration box before the time specified

for declarations and, provided that adequate program information is provided, including current ownership, and if known, whether the declaration may cause any entry due to common ownership is furnished by the declarer. The Race Secretary or his/her licensed delegate is responsible for depositing such declarations. A mail, facsimile or telephone declaration must state the name of the horse, the event it is to be declared to and be signed by the person who received and deposited it.

- (2) A horse shall not be entered in a class without the permission of the owner, trainer, driver, or authorized agent of that horse. No person shall declare a horse using more than one (1) declaration form; however, the person may enter on the form a preferred condition and a second preference. Regardless of preference (Rule 200), the Race Secretary will only enter the horse in the class of second choice, if that class does not fill with horses which originally were declared into that class as the preferred class and the horse is competitive.

Rule 194

- (a) Race Secretaries and Race Office Staff who receive entry declarations by telephone shall be responsible for ensuring that the person declaring in the horse provides all information requirements of the entry declaration form. The Race Secretary shall verify all information provided.
- (b) Electronic entries must be taken by race offices starting April 1st, 2022 or the race office must record entries taken.

Rule 195

Responsibility for Declaration Box: Prior to the opening of the box for the draw, the Race Secretary or his/her licensed delegate shall be in charge of the declaration box. The box may be opened by him/her prior to the time of closing to provide an opportunity to process declarations. Information as to the names of horses declared shall not be given by any person or to any person until the time for closing of declarations has expired.

Rule 196

Although the trainer of record has the primary responsibility for the eligibility of each of his/her horses declared to race (see Rule 127(3)) the Race Secretary shall check the official performance of each horse declared and certify to the Judges the eligibility of each horse.

Rule 197

Notwithstanding Rule 154, any horse that has raced with hobbles and qualified to race without hobbles may race without hobbles in one pari-mutuel race and then go back to hobbles for its next start without qualifying. Any horse that has raced without hobbles and qualified to race with hobbles may race with hobbles in one pari-mutuel race and then go back to without hobbles for its next start without qualifying. However, the trainer of the horse must decide, before declaration into the second programmed pari-mutuel race after qualifying, whether the horse will race without hobbles or with hobbles in any subsequent races.

Rule 198

At the time specified, one of the Judges, or in the event of their inability to be present, the race secretaries, or licensed delegate shall unlock the declaration box. The race secretary will be responsible to see that at least one licensed participant is present to witness the draw. An owner or agent of a horse with a declaration in the declaration box shall not be denied the privilege of being present. Declarations shall be listed, the eligibility verified, preference ascertained, starters selected, and post positions drawn. In the event the class does not fill, and it becomes necessary to reopen any race, the owners and/or trainers of horses that fit the class may be contacted by the Race Secretary. (See Rule 200(5)).

Rule 199

A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race.

Rule 200

Starters and also eligible for overnight events shall be drawn electronically from the horses properly declared to start, except that preference shall be given according to a horse's last previous start in a purse race, other than races designated as "Schooling Races" at the gait for which it is declared. In addition, preference shall be governed by the following: (Also see Rule 182)

- (1) If more than the required number of horses is declared in with the same preference date, the previous eight (8) preferences shall apply. If there are more than eight (8) identical previous preference dates, the starter or also eligible will be determined by lot.
- (2) When a horse is racing for the first time at the gait declared, it shall have preference over other horses regardless of their preference dates.
- (3) If declaration is made for a horse that has already been drawn in to start in a race that has not yet been contested, the date of that uncontested race shall be its preference date.
- (4) The declarant shall be responsible for providing acceptable evidence of exact preference dates governed by eligible declaration or starts in uncontested races made at other track facilities.
- (5) When a race has been reopened for additional declarations, preference shall be given those horses eligible and declared at the time declarations closed originally.
- (6) If conditions so specify, preference can be given two-year-olds regardless of preference date.
- (7) If a horse is a judge's scratch because it is ineligible to the class or if there is conclusive evidence that there has been a race office error, it shall not be counted as a preference date. If a horse is scratched for any other reason, it shall be counted as a preference date. Refusal to start shall also be counted as a preference date.

Rule 201

All starting positions for any pari-mutuel race shall be drawn electronically using the electronic draw system provided by Standardbred Canada unless prior permission has been granted by the Director of Racing to permit an alternative draw method. Two (2) year old maidens shall draw the inside post positions in an overnight event.

Rule 202

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

Rule 203

In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier. Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy.

Rule 204

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

- (1) Notwithstanding Rule 200, also eligible shall be drawn from horses having the best preference except priority may be given to horses stabled on the grounds.
- (2) No horse shall be added to the race as an also eligible unless it was drawn as such at the time declarations closed or omitted in error by an official, provided that its inclusion does not exceed the maximum allowable number of also eligible.
- (3) No horse shall be drawn as an also eligible if the required program information cannot be published in the official program.
- (4) No horse may be barred from another race to which it is eligible and has preference due to the fact that it has been drawn as an also eligible.
- (5) Also, eligible horses moved into races shall be posted in the office of the Race Secretary and their owners or trainers shall be so notified at once.
- (6) All also eligible horses not moved into a race by 9:00 a.m. of the day of the race shall be released. (See Rule 148)
- (7) If an also eligible horse is moved into a race, it shall be scratched from any subsequent race it has been drawn into unless it's now new preference date still allows it in ahead of any also eligible in that subsequent race.
- (8) In the event one or more horses are excused by the judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the also eligible horse shall take the place of the horse that it replaces if the handicap is the same. In the event the handicap is different, the also eligible horse shall take the position on the outside of horses with a similar handicap, except when the horse that is scratched is a trailing horse, in which case the also eligible horse shall take the trailing position, regardless of handicap.

Rule 205

Horses may not be coupled as an entry for pari-mutuel purposes where:

- (1) a person is the owner or part owner of two or more horses in a race; or
- (2) the spouse, including common law, of a person who is the owner or part owner of one horse in a race is the owner or part owner of another horse in that race.
- (3) coupled entries are no longer required.

Rule 206

The following shall apply to the splitting of entries into divisions or eliminations and the assignment of postpositions:

- (1) For any added money event that is split into divisions or elimination heats, horses shall be seeded in separate divisions or elimination heats insofar as possible; first by owners, then by trainers, then by stables; but the divisions or elimination heats in which they are to compete, and their post positions shall be determined randomly by electronic draw.
- (2) Unless the conditions for an added money event provide otherwise, the judges shall draw by lot the post positions to determine which of the two elimination events, i.e., they shall draw positions to determine which of the two elimination heat winners shall have the pole, and which the second positions; which of the two horses that were second shall start in the third position, and which in the fourth, etc. The trailing position shall be determined as the 4th best post position provided there are no other trailers.

Rule 207

The drawing of postpositions shall be final, except:

- (1) When there is conclusive evidence that a horse was properly declared, but omitted due to error or negligence by an official or employee of the track facility; then:
 - (a) If the horse omitted by error was declared to an overnight event, it may be added to the race and given the last post position, providing its addition does not exceed the maximum number of starters allowed in a single field and provided the error is discovered prior to the printing of the program. Otherwise, such horse shall not be permitted to start.
 - (b) If the horse was omitted by an error in calculating preference date and the horse is carded as an also eligible, it may move in and the programmed horse with the most recent date shall be scratched. In the event that two or more horses programmed have identical dates more recent than the also eligible, the horse to be scratched shall be determined in accordance with Rule 200(1). The post position of the horse moving in shall be determined in accordance with Rule 204(8); or
 - (c) If the horse omitted by error was declared to a stake, futurity, early closing event or late closing event, the race shall be re-drawn provided the error is discovered prior to the printing of the program.

Rule 208

A horse properly declared and drawn to start, or as an also eligible, shall not be withdrawn or scratched from the race without the permission of the Judges. A fine not to exceed \$500.00, may be imposed when this requirement is violated. Where the person making the declaration

fails to honor it, and there is not opportunity for a hearing by the Judges, this penalty may be imposed by the Director of Racing.

Rule 209

If the ownership of a horse changes, such horse may start under the new ownership not more than once without reasonable evidence being given to the judges that the registration certificate has been forwarded to Standardbred Canada. Any participant skipping or omitting transfers of ownership of any horse shall be guilty of a violation.

- (1) All licensed members must have their current phone, address, and email on file with Standardbred Canada. Subject to \$25 fine.

Rule 210

After having been drawn to start in any race, or also eligible and not released, a horse shall not be sold prior to the racing of that particular race, unless the horse is sold at a public horse auction and the horse remains under the care, custody and responsibility of the trainer who entered the horse into the race.

Rule 211

Drivers shall be named not later than the time to permit this information to be published in the official race program. The deadline for naming of drivers will be set by the track facility, and no driver may be changed thereafter without permission of the Judges.

5.6 Types of Races Permitted

Rule 212

Presenting a program of racing the Race Secretary shall use exclusively the following types of racing.

- (1) Overnight events which include:
 - (a) Condition Races
 - (b) Claiming Races
 - (c) Preferred, Invitational, Handicap, Open or Free-For-All Races
 - (d) Schooling Races
 - (e) Matinee Races
- (2) Added money events which include:
 - (a) Stakes
 - (b) Futurities
 - (c) Early Closing Races
 - (d) Late Closing Races
- (3) Match Races

5.6.1 Overnight Events

Rule 213

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

Rule 214

The track facility must specify the number of declarations required and when this condition is fulfilled the event must be contested on the day it was offered unless it is postponed in accordance with Rule 293.

Rule 215

A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race. Claiming races may be carded to the proportion of each week's racing program based on the number of hard copy or electronic claiming authorizations on file with the Race Secretary or Standardbred Canada data base that bears to the total number of horses which are qualified and available for racing.

Rule 216

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

Rule 217

Regularly scheduled races or substitute races may be divided where necessary to fill a card of races or may be divided and carried over to subsequent cards, subject to the following:

- (1) No such division shall be used in the place of regularly scheduled races, which fill.
- (2) Where races are divided to fill a card, the Race Secretary may select the starters, after preference has been applied, for the divisions of one divided race provided eligibility to the said race is based solely upon lifetime earnings. Otherwise, starters for each division must be determined by lot after preference has been applied unless the conditions provide for divisions based upon age, performance, earnings, or sex.

Rule 218

No time records or bars shall be used as an element of eligibility.

Rule 219

Preferred, invitation, junior invitation, open and free-for-all races are those limited to the fastest horses competing at the meeting. Horses to be used in such races shall be posted in the office of the Race Secretary prior to closing declarations thereon. Horses so posted shall not be eligible to conditioned races unless the conditions specifically include horses posted to any or all such races. Removal of a horse from such lists must be made not later than the day following the start which caused it to be removed. Purses offered for such races shall be at least 15% higher than the highest purse offered for a conditioned race, on the same gait, programmed the same racing week. No two-year-old will be eligible to be placed on such lists to race against older horses until it has won seven races, unless requested by the owner or authorized agent. The owner or authorized agent may withdraw such request at his/her discretion.

Rule 220

In overnight and added money events, not more than two (2) trailers shall be permitted, regardless of the size of the track. A track facility may elect to go with less than the number of trailers specified above.

Rule 221

The Race Secretary may reject the declaration to an overnight event of any horse whose past performance indicates that it would be below the competitive level of other horses declared to that particular event.

5.6.2 Claiming Races

Rule 222

- (1) Unless a horse is currently on the electronic claiming authorization system, no horse shall race in a claiming race unless the owner or his/her authorized agent has provided written authorization to the Race Secretary prior to declaration to the race in which the horse is being entered. If the horse is owned by more than one party, all parties must sign the authorization. Any questions relating to the validity of such authorization shall be referred to the Judges who shall have the authority to disallow a declaration or scratch the horse if they deem the authorization to be improper.
- (2) Unless a horse is on the electronic registration system, the Canadian registration certificate in current ownership, duly endorsed by all registered owners, must be filed with Standardbred Canada for all horses claimed within forty-eight (48) hours after the race from which the horse was claimed. All horses that have been claimed out of a claiming race will automatically be put on electronic registration by Standardbred Canada. The requirement of a Canadian registration certificate will be waived in the case of horses claimed by members who are not Canadian residents from other members who are not Canadian residents.

Rule 223

The price allowances that govern claiming races are as follows.

(1)

	Colts, Stallions, Geldings and Spayed	Mares Fillies and Mares
2 year old	75%	100%
3 year old	50%	75%
4 year old	25%	50%
5 year old and over		20%

(2) All Atlantic Bred horses up to and including the age of six (6) must have an additional 20% added to their claiming price.

Rule 224

The claiming price, including any allowances for which a horse can be claimed shall be printed on the official program adjacent to the horse's program number and claims shall be for the amount designated. Claiming prices recorded in past performance lines in programs and in the official performance record shall not include allowances.

Rule 225

- (1) To be eligible to be claimed, a horse must start in the event in which it has been declared to race. For the purposes of this rule, a horse shall be considered to have started if it is behind the gate (even if the horse is deemed to have not received a fair start for any reason whatsoever) when the field is released at the starting point by the starter.
- (2) If a horse that has been drawn in to start in a claiming race at any race track licensed by the APHRC is scratched for reasons other than being ineligible to the race, the horse shall be subject to claim in its next start at any licensed APHRC race track, provided such start occurs within 60 days of the date of the scratch, regardless of type and conditions of the race, or ownership, at a claiming price not greater than the amount for which it could have been claimed in the race from which it was scratched.
- (3) Where a horse drawn in to start in a claiming race has been declared to start in a subsequent race, the successful claimant, if any, of the horse in the first race shall have the option of scratching the horse from the subsequent race and the 60-day provision of this section will not apply.

Rule 226

Any person, or authorized agent of such person who holds a current valid Commission licence may claim any horse. Proof of such licence must be included in the claiming forms if a claim is to be exercised. In addition, the signature of the prospective claimant, or his/her authorized agent, must be, personally witnessed, by the Race Secretary or his/her designate. (Refer to Rule 227)

Rule 227

Persons licensed in the following categories are eligible to claim horses:

- (1) Owners and lessees
- (2) Drivers
- (3) Trainers
- (4) A person desirous of becoming an owner can become an owner by effecting the claim of a horse, if application for membership has been submitted to the head office of Standardbred Canada and a "Licence" has been issued to such person. An authorized agent may claim on behalf of a person eligible to claim. Any member eligible to claim a horse, or his/her authorized agent, shall be allowed access to the grounds of the track facility to affect a claim at the designated place for making claims and to take possession of the horse claimed.

Rule 228

Prohibitions on Claims:

- (1) A person shall not claim directly or indirectly his/her own horse, or a horse trained by him/her or cause such horse to be claimed directly or indirectly for his/her own account.
- (2) A person shall not directly or indirectly offer, or directly or indirectly enter into an agreement, to claim or not to claim or directly or indirectly attempt to prevent another person from claiming any horse in a claiming race.

Rule 229

A person shall not tender more than one (1) claim on any one horse in any claiming race.

Rule 230

A person shall not directly or indirectly conspire to protect a horse from being claimed by arranging another person to lodge claims.

Rule 231

If a claimed horse is found to have a positive test or if such horse has incurred a positive test for which the positive test is not yet reported, in races immediately prior to that from which it was claimed, then such claim may be nullified and the claiming price, including all allowances, may be returned at the option of the claimant.

Rule 232

Claiming Procedure:

- (1) A person desirous of making a claim must remit the required amount by certified cheque, bank draft, or money order payable to the track facility, or by cash. The required amount shall include the claiming price plus the transfer of ownership fee plus applicable taxes. All claim forms, including unsuccessful ones, are to be retained by the track for a period of one (1) year from the date of claim.
- (2) The claimant shall provide all information required on the claim form provided by the Commission
- (3) The claim form shall be completed and signed by the claimant prior to placing it in an envelope provided for this purpose by the track facility. The claimant shall seal the envelope and identify on the outside the date, race number and track name only.
- (4) The envelope shall be delivered to the Race Secretary, or a person delegated by him/her for this purpose, at least (30) minutes before post time of the race from which the claim is being made. That person shall certify on the outside of the envelope the time it was received and whether credit in the required amount has been established.
- (5) It shall be the responsibility of the Race Secretary to ensure that all such envelopes are delivered unopened or otherwise undisturbed to the Judges prior to the race from which the claim is being made.
- (6) The Judges shall disallow any claim made on a form or in a manner, which fails to comply with all requirements of this rule.
- (7) Documentation supporting all claims for horses, whether successful or unsuccessful, shall include details of the methods of payment.

- (8) Should more than one claim be filed for the same horse, the successful claimant shall be determined by lot by the Judges.
- (9) A claim may not be withdrawn if the horse on which the claim has been submitted is not scratched and the deadline for the submission of claims has expired.

Rule 233

A tendered claim or claims shall be announced to the public prior to the commencement of the claiming race. The judges shall notify the paddock judge of the name of the horse or horses claimed, the name of the claimant or the claimants and the name of the person to whom the horse is to be delivered. The successful claims shall be announced to the public upon completion of the race.

Rule 234

Every horse entered in a claiming race shall race for the account of the owner who declared it in the event, but title to a claimed horse shall be vested to the successful claimant from the time the horse is deemed to have started, and the successful claimant shall become the owner of the horse, whether it be alive or dead, or sound or unsound, or injured during or after the race.

Rule 235

The original owner, his/her trainer or authorized representative shall deliver a claimed horse to the paddock to the successful claimant upon authorization of the Judges after an official sample has been collected from the horse as required in Rule 237. The horse's halter must accompany the horse. Altering or removing the horse's shoes will be considered a violation.

Rule 236

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

Rule 237

A post-race official sample shall be taken from any horse claimed out of a claiming race. The original owner, trainer or authorized representative of the horse shall be responsible for the claimed horse until the post-race official sample is collected and the horse is delivered to the successful claimant as required in Rule 235. The successful claimant shall have the right to void the claim should the analysis of the official sample be positive for any prohibited substance, provided the claimant notifies the Judges or the Commission within 48 hours of receiving notification of the positive test result.

Rule 238

If a sample for a post-race urinalysis or blood sample for post-race analysis is unable to be obtained the claimant shall decide immediately whether or not to void the claim. (Reference Rule 367(5)(a))

Rule 239

In the event that the sex of a claimed horse has been inaccurately described in the racing program, the claimant or his/her authorized representative must notify the Judges of the error

within 30 minutes from the time that the horse is physically retrieved by the claimant or his/her authorized representative, whether he wishes to retain the horse. If the claimant or his/her authorized representative fails to notify the Judges of the error within this prescribed time, the claimant shall be deemed to have accepted the horse so claimed.

Rule 240

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

Rule 241

- (1) A claimed horse, regardless of ownership, shall race only at a track facility or facilities licensed by the Commission for the next thirty (30) days unless the track facility where the horse was claimed is closing for more than thirty (30) days. In the case of a track facility closing for more than thirty (30) days, the horse is released from provisions of this rule. Any person who violates this rule shall be subject to a fine often (10) percent of the claiming price of the horse for each start of the horse, which violates this rule to a maximum of \$500.00 per start.
- (2) When a horse is claimed at a recognized meeting in a jurisdiction outside of the Atlantic Provinces under rules which differ from these rules, title to and entry restrictions on the claimed horse must be recognized in the Atlantic Provinces with the rules in the jurisdiction in which the claim was made.

Rule 242

Any mare which has been bred shall not be declared into a claiming race for at least thirty (30) days following the last breeding of the mare, and there after such a mare may not be declared into a claiming race after a veterinarian has pronounced the mare to be in foal. Any mare pronounced in foal shall not be declared into a claiming race. Where a mare is claimed out of a claiming race and subsequently proves to be in foal from a breeding which occurred prior to the race from which she was claimed, the claim may be voided by the Judges at the option of the claimant provided the mare is subjected to a pregnancy examination within eighteen (18) days of the date of the claim and is found to be pregnant because of that pregnancy examination. A claimant seeking to void the claim must file a petition to void the claim with the Judges within ten (10) days after this pregnancy examination and shall thereafter be heard by the Judges after due notice of the hearing to the parties concerned.

Rule 243

The appointment of an authorized agent must be made by a document executed in writing, specifying the authorities delegated to the agent and to be available for presentation when requested by an official. A copy shall be filed with Standardbred Canada and any changes to, or revocation of such appointment by the issuer must also be filed immediately with Standardbred Canada.

5.6.3 Added Money Events

Rule 244

For the purpose of this rule, added money events include stakes, futurities, early closing events and late closing events as defined in Part 2 – Definitions.

Rule 245

Conditions for Added Money Events are contained in Rules 179 and 180 as well as:

- (1) Sponsors or presenters of stakes, futurities or early closing events shall make available a list of nominations to each nominator or owner and to the track facility concerned within 60 days after the date on which nominations close, other than for nominations payable prior to January 1st of a horse's two-year-old year.
- (2) In the case of nominations for futurities payable during the foaling year, such lists must be forwarded out prior to October 15th of that year and, in the case of nominations payable in the yearling year, such lists must be forwarded out not later than September 1st of that year.
- (3) Sponsors or presenters of stakes, futurities or early closing events shall also provide a list of horses remaining eligible to each owner of an eligible horse within 45 days after the date on which sustaining payments are payable. All lists shall include a resume of the current financial status of the event.
- (4) The starting fee shall become due when a horse is properly declared to start and shall be payable in accordance with the conditions of the added money event. Once a horse has been properly declared to start, the starting fee shall be forfeited, whether the horse starts. Should payment not be made sixty (60) minutes before the post time of the event, the horse shall be scratched, and the payment shall become a liability of the owner who shall, together with the horse or horses, be suspended until payment is made in full, providing the track facility notifies the Commission within 30 days after the starting date.
- (5) Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.
- (6) The date and place where early and late closing events will be raced must be announced before nominations are taken. The date and place where stakes and futurities will be raced must be announced as soon as determined but, in any event, such announcement must be made no later than March 30th of the year in which the event is to be raced.
- (7) Deductions may not be made from nomination, sustaining, and starting payments or from the advertised purse for clerical or any other expenses.
- (8) All nominations to added money events must be made in accordance with the conditions.
- (9) If conditions for early or late closing events allow transfer for change of gait, such transfer shall be to the lowest class the horse is eligible to at the adopted gait, eligibility to be determined at the time of closing nominations. The race to which the transfer may be made must be the one nearest the date of the event originally nominated to. Two-year-olds, three-year-olds, or four-year-olds, nominated in classes for their age, may

- only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event they were originally nominated to, and entry fees to be adjusted.
- (10) Minimum declarations required to race:
- (a) Early or late closing events must be contested if five or more betting interests are declared to start. If fewer horses are declared to start than required, the race may be declared off, in which case the total of nominations, sustaining and starting payments received shall be divided equally to the horses declared to start. Such distribution shall not be credited as purse winnings.
 - (b) Stake or futurity finals must be contested if one or more horses are declared to start. In the event only one horse, or only horses in the same interest start, it constitutes a walk-over. In the event no declarations are made, the total of nomination and sustaining payments shall be divided equally to the horses remaining eligible after payment of the last sustaining payment, but such distribution shall not be credited as purse winnings.
- (11) A track facility shall provide acceptable stable space for each horse declared.
- (12) In the event more horses are declared to start than allowed in one field, the race will be conducted in divisions or eliminations, as specified in the conditions.
- (13) In added money events conducted in divisions:
- (a) the track facility shall contribute at least 75% of the track facility's advertised added money to the purse in each division. To this amount shall be added the contributions by sponsors other than the track facility and the total of nomination and sustaining fees, and the revised total purse shall be divided equally between or among the divisions. Each starting fee shall be added to the division in which the horse starts.
 - (b) Notwithstanding the provisions of Rule 245 (13)(a), where a track facility is adding \$10,000 or more to the added money event, and the event is conducted in divisions, the track facility may divide the purse equally between or among the divisions, provided however, that no division shall be contested for less than the track facility's added money.
- (14) In added money events conducted in eliminations, starters shall be divided by lot. Sixty (60) percent of the total purse will be divided equally among the elimination heats. The final heat will be contested for forty (40) percent of the total purse. Unless the conditions provide otherwise, all elimination heats and the final heat must be raced on the same day. If the conditions provide otherwise, elimination heats must be contested not more than seven (7) days prior to the date of the final heat. The winner of the final heat shall be the winner of the race. If the estimated value of the purse for the event is \$10,000 or more, the division of the purse between elimination heats and the final may be other than the formula above; however, the purse for an elimination heat shall not be less than \$1,000 and the distribution must be contained in the printed conditions of the event.
- (15) The number of horses allowed to qualify for the final heat of an event conducted in elimination heats shall not exceed the maximum number permitted to start in accordance with the rules.
- (16) The judges' decisions in arriving at the official order of finish of elimination heats on the same program shall be final.
- (17) Notwithstanding Rule 245(16) such decision is appealable.

- (18) In a two-in-three race, a horse must win two heats to win a race and there shall be 10 percent set aside for the race winner. The purse shall be divided and awarded according to the finish in each of the first two or three heats. If the number of advertised premiums exceeds the number of finishers, the excess premiums shall go to the winner of the heat. The fourth heat, when required, shall be raced for 10 percent of the purse set aside for the race winner. In the event there are three separate heat or dash winners and they alone come back to determine the race winner; they will take post positions according to the order of their finish in the previous heat. In a two-year-old race, if there are two heat winners and they have made a dead heat in the third heat, the race shall be declared finished and the one standing best in the summary shall be awarded the 10 percent. If the two heat winners make a dead heat and stand the same in the summary, the 10 percent shall be divided equally among them.

5.7 Warming UP Horses

Rule 246

If a horse is to warm up it must go its last warm-up mile on the same racing surface as it will compete on unless excused by the judges.

5.8 Reporting to Paddock

Rule 247

It shall be the responsibility of a trainer to have the horses under his or her care, and which are programmed to race, properly equipped and in the paddock not less than 30 minutes before the scheduled post time or by the time prescribed by the track.

5.9 Starting the Race

Rule 248

All races must be started with a mobile starting gate of approved design. No person shall be allowed to ride in the starting gate except the starter, the driver, and a patrol judge without the permission of the Judges. The starting gate must be equipped with two-way communications to the judges' stand and a mechanical loudspeaker to be used for the sole purpose of communicating instructions to drivers. Other use of the loudspeaker is a violation. Notwithstanding the foregoing the Judges may, in exceptional circumstances, (this does not mean weather) allow races to be started using a replacement vehicle approved by the judges. (Refer to Rule 294)

Rule 249

The starting point will be the point marked by a black and white Starting Pole on the inside limit of the racing strip and safety lane and shall protrude at least two (2) feet above the pylon markers at a distance of not less than 200 feet from the first turn. The starter shall release the horses at the starting point.

Rule 250

When a speed has been reached in the course of a start, there shall be no decrease, except in the case of a recall.

Rule 251

The horses shall be deemed to have started when released by the starter at the starting point, which will be the official start unless a recall has been sounded and all horses must go the course unless dismissed by the starter or, in the opinion of the Judges, it is impossible to do so.

Rule 252

If, in the opinion of the judges or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn. When this action is taken, the starter will notify the judges who shall scratch the horse. The horse shall be placed on the judges list and must re-qualify.

Rule 253

In case of a recall, a light visible to the drivers shall be flashed and a recall sounded. If possible, the starter shall leave the wings of the starting gate open and gradually slow the speed of the gate to assist in stopping and turning the field. Drivers shall take up their horses and return, without delay, to the point where fields are gathered for the start.

Rule 254

There shall be no recall after the starter has released the horses.

Rule 255

The starter shall endeavor to get all horses away in position and on the gate. The starter shall sound a recall when the starter notices any one of the following:

- (1) A horse scores ahead of the starting gate.
- (2) There is interference before the horses have reached the starting point.
- (3) A horse has broken equipment.
- (4) A horse falls before the starting point.
- (5) A horse coming to the starting gate in the wrong position.
- (6) A malfunction of the starting gate or in the interests of safety.

Rule 256

The starter may, before the horses are released at the starting point, order a recall and restart the race. In the event a second recall is sounded for interference or manners for the same horse in the same race, that horse shall be scratched. There shall be no recall for a breaking or refusing horse. The offending horse shall be placed on the judges list and must qualify.

Rule 257

Where the judges determine that, after the horses have been released at the starting point, a horse was prevented from having a fair chance to contest a race due to exceptional circumstances, and it is deemed in the public interest to do so, such horse shall be declared a non-contestant and the provisions of the Pari-Mutuel Betting Supervision Regulations of the Criminal Code pertaining to refunds shall apply.

Rule 258**Fair Start Pole**

- (1) All licensed track facilities shall erect and maintain a pole inside the inner limit of the racing surface and no less than 200 feet before the starting line. The Fair Start Pole shall be yellow in color and shall protrude at least 2 feet above the pylon marker.
- (2) If a horse has not reached the Fair Start Pole when the starter releases the horses at the starting point, the Judges shall cause the inquiry sign to be displayed immediately and shall request the horse be scratched from the mutuels.

Rule 259

A fine not to exceed \$500.00 may be applied by the starter or by the Judges for any of the following violations:

- (1) Delaying the start.
- (2) Failure to obey the starter's instructions.
- (3) Allowing a horse to pass the inside or the outside wing of the gate.
- (4) Coming to the starting gate in the wrong position.
- (5) Crossing over before reaching the starting point where the horses are released by the starter. The penalty for any offence against Rule 259(5), within the same race meet shall be assessed with the following penalty schedule:
 - (a) For the first offence assess a fine of \$50.00
 - (b) For the second offence within the race meet assess a fine of \$100.00
 - (c) For the third offence within the race meet assess a fine of \$200.00 and a two-day driving suspension.
 - (d) For the fourth offence within the race meet assess a fine of \$300.00 and a four-day driving suspension.
 - (e) For the fifth offence within the race meet assess a fine of \$400.00 and a six-day driving suspension.
- (6) Interference with another horse or driver during the start.
- (7) Failure to come into position or remain in position on the gate.

5.10 Race Finish**Rule 260**

The wire or finish line is a real line established with the aid of a surveyor's transit, or an imaginary line running from the center of the Judge's stand to a point immediately across and at right angles to the track.

Rule 261

The horse whose nose reaches the wire first is the winner. If there is a dead heat for first, both horses shall be considered winners. In races having more than one heat or dash, where two horses are tied in the summary, the winner of the faster dash or heat shall be entitled to the trophy. Where the dashes or heats are of the same time, both horses shall be considered winners and the entitlement of the trophy will be decided by lot.

5.11 No-Contest

Rule 262

If, in their opinion, the Judges are unable to properly judge the running or finish of a race they may declare the race to be "No Contest". When a race has been declared "No Contest" by the Judges, all monies wagered on that race will be distributed in accordance with the provisions of the Pari-Mutuel Betting Supervision Regulations of the Criminal Code. Purse distribution shall be divided equally to all unoffending horses deemed to have started. Such distribution shall not be credited as purse winnings. The line for the race will be charted by the charter to the best of his/her ability to indicate the performance of each horse in the race; however, such charted line shall not be used for the determination of preference dates. In the event that the race that is declared "No Contest" is a claiming race the provisions of Section 5.6.2 Claiming Races of these rules are applicable, and notwithstanding a determination that the race is "No Contest", to the horse shall be deemed to have passed to the claimant if the claimed horse is behind the gate when the field is released at the starting point by the starter.

Rule 263

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

5.12 Time, Timing the Race and Records

Rule 264

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

Rule 265

In every race, one Timer or an approved electrical timing device, in which case, there shall be one timer, shall accurately record the time of each heat.

Rule 266

The time of each heat or dash shall be accurately taken by one Timer or an approved electric timing device, and placed in the record in minutes, seconds, and fifths of seconds, and upon the

decision of each heat, the time thereof shall be publicly announced or admitted to the record. When the Timer fails to act, no time shall be announced or recorded.

Rule 267

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

Rule 268

The leading horse shall be timed, and its time only shall be announced. No horse shall obtain a win-race record by reason of disqualification of another horse unless a horse is declared the winner by reason of the disqualification of the breaking horse on which it was lapped, or, unless the time of the horse that is being placed first, as the result of a disqualification due to ineligibility or a positive test, can be determined by electronic timing from the official chart. If a horse takes a win-race record in a qualifying race, or schooling race, such record must be prefaced with the letter "Q", except in a case where the race was subject to a urine test or other official recognized test. The judges shall note on the official race reports for each qualifying race whether the race was subject to such a test.

Rule 269

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

Rule 270

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

Rule 271

No person shall intentionally misrepresent the time of a race or alter the record thereof. Any record recorded as a result of misrepresentation may be expunged.

Rule 272

Any person found guilty of fraudulent misrepresentation of time or the alteration of the record thereof, in any race, shall be suspended or expelled, and time declared not a record.

5.13 Charting the Race

Rule 273

Every race shall be accurately charted during the conduct of the race and such charts shall include the following:

- (1) The date, place and size of the track if other than one-half mile.
- (2) Symbol for free-legged pacers and hopped trotters.

- (3) Track condition, distance, and type of race. Under the supervision of the Judges, the Chart Maker shall record any time allowances granted for track or weather conditions and this shall be recorded in the official performance records for all races, including qualifying races. These allowances shall be increments of full seconds and shall appear beside the track condition.
- (4) Post positions and positions at the quarter, half-mile, three-quarters and at the head of the homestretch with lengths behind the leader.
- (5) Driver and Trainer changes.
- (6) Standard symbols for breaks and park outs and interference, where applicable.
- (7) Finishing positions as determined by the Judges, beaten lengths and individual times; and
- (8) Closing dollar odds.

5.14 Placing and Money Distribution

Rule 274

Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse's position in each separate dash or heat of the race. Purse money distribution in overnight events shall be limited to five monies.

Rule 275

In overnight events, if there are fewer than 5 starters, the premium for the positions for which there are no starters may be awarded to the race winner or may be retained by the track facility, but such premiums retained are not to be included in percentages of any agreement between the track facility and any recognized participants' association.

Rule 276

Licensed track facilities, in agreement with their local horsemen's association, may set the percentages for purse money distribution in overnight events subject to Commission approval. Purse distribution percentages for stake events shall be determined by stake organizations subject to Commission approval and included in the published stake conditions.

Rule 277

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

Rule 278

Every heat is a race, and the purse shall be distributed as in dash races with nothing being required to be set aside for the race winner, unless otherwise stated in the conditions of an added money event.

Rule 279

In elimination heats, the total purse shall be distributed in accordance with the provisions of Rule 245(14) and the purse for each heat shall be distributed in accordance with these rules.

Rule 280

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

Rule 281

If for any reason a horse is disqualified or declared ineligible, any purse monies or trophies received by the owner shall be returned within fifteen (15) days of notification to the track facility for redistribution.

Rule 282

- (1) When a winning horse is disqualified because of being ineligible, or as a result of a positive test, it shall lose any purse money, its finishing position and its time in the following manner:
 - (a) The horse will be disqualified and placed last.
 - (b) The horse will lose all purse money earned from the race.
 - (c) All remaining horses will move up in position, their summaries adjusted, and the money re-distributed accordingly. In the event the horse won the race, it shall lose the winning time and the actual time of the horse will read: TDIS (time disallowed). Further, the horse that finished second and placed first will be awarded with a win and, credited with a winning time as determined by electronic timing from the official chart.
- (2) In the event a horse is placed by the judges all remaining horses will move up in position, their summaries adjusted, and purse money redistributed accordingly. In the event the horse won the race, it shall lose the winning time and the actual time of the horse will read: TDIS (time disallowed). Further, the horse that finished second and placed first will be awarded with a win and, credited with a winning time as determined by timing from the official chart.

Rule 283

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

Rule 284

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

Rule 28

- (1) Any track facility that defaults in the payment of a premium that has been raced for shall stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse, nomination, sustaining or starting payments, except those deductions made from purse monies for overnight events and paid to recognized participants' organizations through agreements with the track facility.
- (2) Where an agreement exists between a recognized harness association and a participants' racing association, drivers', grooms' and trainers' fees may be deducted from the purses payable to owners and paid to the drivers, grooms and trainers within 30 days. A copy of such agreement must be filed with the Commission.

Rule 286

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

Rule 287

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

Rule 288

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

5.15 Access to Grounds, Paddock, and other Facilities

Rule 289

If determined by the Commission, a track facility may be required to limit access in the paddock to licencees and a record shall be maintained indicating the names and times of entry and departure of all persons admitted to the paddock. The persons entitled to admission to the paddock area are:

- (1) owners, lessees, trainers, drivers, or grooms of horses which have been summoned to the paddock.
- (2) officials whose duties require their presence in the paddock and (3) other persons authorized by the judges or the Commission.

Rule 290

Staff of the Commission and duly appointed officials of the Commission shall be permitted access to all grounds, barns, paddocks, trailers, and vehicles of and at licensed and member track facility's premises.

Rule 291

Owners, lessees, lessors, or stable members of horses competing on the date of the race shall be entitled to admission to the paddock subject to the Rules relating to the administration of the paddock and any specific instructions or restrictions conveyed by the Judge or the Paddock Judge.

Rule 292

Any other matter relating to paddock and grounds not specifically addressed in these rules shall be governed via Directive of the Commission. (Cross Reference Directives 052-2007 and 053-2007)

5.16 Cancellation of Race Cards

Rule 293

- (1) A scheduled race card can only be cancelled for bonafide cause and after consultation with the Director of the APHRC or designate. Such notice of cancellation shall be given no later than four (4) hours prior to the advertised post time. The track facility has the right to conduct the same card within 84 hours and if not conducted within 84 hours a new card shall be rescheduled within the race meet. Horses programmed in the postponed or cancelled card may not be withdrawn without reasonable cause and judges' consent.
- (2) The sole exception to Rule 293(1) is an act of God, for illustration purposes: flood, tornado, earthquake, hurricane, tropical storm, blizzard, etc.

Rule 294

Once a Race Card has been commenced and if track conditions are questionable for the warming up or racing of horses, the Judges shall convene a meeting with representatives of the track facility's management, horsemen's representatives, the starter, and paddock judge to determine whether racing shall continue. If, because of this meeting, it is determined to continue racing then trainers will be allowed to withdraw horses without penalty. If the starting vehicle is unable to be used because of unsafe track conditions, the race card will be cancelled. (Refer to Rule 248). If the racetrack has offered to compensate horse people due to cancellation of a racecard after the card has commenced, the Senior Judge shall be notified and shall provide a note in the judge's report for the Director of Racing.

Rule 295

Rules 293 and 294 do not preclude the track facility's management from canceling the races due to track or weather conditions without consultation with a Horsemen's Representative.

Rule 296

The Commission may decrease inter-track and simulcasting privileges when race dates are cancelled without rescheduling.

PART 6 RACING, CONDUCT AND PENALTIES

6.1 Judges' List

Rule 297

A horse shall be placed on the Judges' List if:

- (1) a horse is declared unfit to race by an accredited veterinarian because it is sick, lame or otherwise physically unfit to race. This will be known as the Short-Term Veterinarian's List and horses placed on the list shall come off the list after seven (7) clear days unless a veterinarian certificate is issued to the Judges that declares the horse fit to race.
- (2) a horse is placed on the Long-Term Veterinarian's List by an accredited veterinarian due to chronic physical or health problems. The horse may come off the list after seven (7) clear days from the date of being placed on the Long-Term List and upon receipt of a veterinarian certificate declaring the horse fit to race.
- (3) a horse is declared dangerous or unmanageable by the judges.
- (4) proof of negative Coggins test required in accordance with Rule 149 is not presented.
- (5) a valid eligibility certificate is not presented in accordance with Rule 143.
- (6) exact identification, management or ownership of the horse is not presented.
- (7) inconsistent behavior, performance, or time.
- (8) a horse that falls prior to a race or during a race shall be placed on the judge's list and in order to be removed, must present a veterinary certificate, prior to declaration, (to race or qualify), declaring the horse fit to race. Prior to shall include warm-up, post parade, and while on its way to/from the racetrack. (Refer to Rule 158). Horses that fall to the track during warm up, post parade or when going to the gate shall be scratched from their race unless the fall was caused by interference from another horse(s) in which case they may be permitted to race if the judges determine the horse fit by checking with some or all of the following individuals: trainer, driver, starter, paddock judge, veterinarian. The judges will also require the horse to score down. For purposes of this rule the word "fall" does not include "faltering or stumbling". (Refer to Rule 158).
- (9) a horse that refuses to start.
- (10) a horse scratched due to a transportation problem will not be eligible to race for (7) seven clear days from the date the horse was scratched. The scratched horse may be removed from the judges list when documentation for repairs has been presented to the satisfaction of the Judges.
- (11) a horse is scratched due to a violation of Rule 371; and
- (12) a veterinarian is not available, the judge's order scratched from a race any horse that is, in his/her opinion, or the opinion of the owner or trainer, sick, lame or otherwise physically unfit to race.

Rule 298

The Judges may scratch a horse at the request of the trainer or owner, but such horse shall not be eligible to race or qualify for five (5) clear days, where the first clear day shall be the day after from the date the horse was scratched. (See Rule 145)

Rule 299

When a horse is placed on the Judges' List, the owner or trainer shall be notified by written notice posted in the area of the race office accessible to participants. The reason for such action must be stated in the notice. Also, the Judges shall report that a horse is on the Judges' List with reasons on the Standardbred Canada Official Chart.

Rule 300

No horse that is on the Judges' List either by virtue of the operation of this Section, or any other rule shall be eligible to compete in any added money event or overnight event until it has been removed from the Judges' List. Only Judges at an extended meeting shall have the authority to remove a horse that is on the judges' list. Refer to Section 5.3 Qualifying Races for qualifying requirements of horses placed on the Judges' List.

6.2 Racing Rules

Rule 301

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

- (1) The time between separate heats of a single race shall be no less than 40 minutes.
- (2) Horses called for a race shall have the exclusive right of the course, and all other horses shall vacate the racing strip as soon as possible.
- (3) In the case of accidents, only so much time shall be allowed as the judges may deem necessary and proper.
- (4) All sulkies must be equipped with mud fenders and mud aprons at all extended meetings when deemed necessary by the judges. Only sulkies shall be permitted to be used in a race and every sulky used in a race must be equipped with uniform colored or colorless wheel discs on the inside and the outside of each wheel.
- (5) Horses are required to parade in programmed order. All horses must remain in proper order until the parade has passed in front of the grandstand. The judges may impose a penalty for a violation of this rule.
- (6) All horses must be exhibited at least once before the public. Horses may be held on the backstretch not to exceed five minutes awaiting post, except when delayed by the judges.
- (7) In the event there are two tiers of horses, the scratching of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier, except as provided for in handicap claiming races. Whenever a horse is scratched from any tier, horses on the outside move in to fill up the vacancy. When there is only one trailer, it may start from any position in the

second tier. When there is more than one trailer, the inside trailer shall follow either the horse in the #1 or #2 position, the next trailer shall follow either the horse in the #3 or #4 position.

Rule 302

- (1) A driver is unseated and appears to have been injured; the horse that was being driven by that driver may compete with a substitute driver of comparable ability, approved by the judges.
- (2) If for any other reason there must be a driver change after betting has begun on that race, the horse that was being driven by that driver may compete with a substitute driver of comparable ability, approved by the judges.
- (3) If a comparable driver cannot be found, the horse may compete but will be barred from betting.

Rule 303

A driver shall not commit any of the following acts, which are considered TYPE I offences against the driving rules:

- (1) Change course or position, or swerve in or out or bear in or out during any part of the race in such a manner as to compel a horse to shorten its stride or cause another driver to change course, take his or her horse back, or pull his or her horse out of its stride.
- (2) Strike or hook wheels with another sulky
- (3) Cross sharply in front of a horse or cross over in front of a field of horses.
- (4) Swerve in and out or pull up quickly.
- (5) Crowd a horse or driver by "putting a wheel under him".
- (6) Carry a horse out.
- (7) Take up or slow up in front of other horses to cause confusion or interference among the trailing horses
- (8) Allow another horse to pass needlessly on the inside or commit any other act that helps another horse to improve its position.
- (9) Impede the progress of another horse or cause it to break from its gait.
- (10) Change course after selecting a position in the home stretch or swerve in and out, or bear in or out, in such a manner as to interfere with another horse or cause him to change course or take back.
- (11) To drive in a careless or reckless manner.
- (12) Driving within the inside perimeter of the racecourse except, where so provided, the designated passing lane.
- (13) Fail to set or maintain a pace comparable to the class in which the driver is racing considering the horse's ability, track conditions, weather and circumstances confronted in the race. Maximum fine for a slow fraction regardless of purse is \$500. For a first-time offence in a race meet, the penalty is 5% of purse, for the 2nd offence in a race meet, the penalty is 10% of purse, and for a 3rd offence or additional offences, in a race meet, the penalty is 10% of the purse plus a DRIVING suspension THREE (3) racing days.

- (14) Laying off a normal pace and leaving a hole when it is well within the horse's capacity to keep the hole closed.
- (15) Take up or slow up in front of other horses and then subsequently come on when challenged
- (16) Converse with other drivers from the forming of the post parade until released by the starter, and then after the finish of a race.
- (17) Blatantly examining the tote board at any time from the commencement of the official post parade until the starter releases the horses to start the race.
- (18) Driving in a 1/2 in 1/2 out position or taking up two (2) driving lanes.

Rule 303 (a)

The penalty for any offense against Rule 303 that is deemed to be an interference violation by the judges within the same race meet shall be assessed in accordance with the following penalty schedule:

- (a) First offence- \$100 or a 1-day suspension
- (b) Second offense- \$200 and a 1-day driving suspension
- © Third offense- \$300 and a 2-day driving suspension
- (d) Fourth Offense- \$500 and a 5-day driving suspension. Must meet with the Director of Racing prior to reinstatement.
- (e) Fifth offense - \$1000 and a ten-day driving suspension from all drives inclusive of stakes and paid in events. Must meet with the Director of Racing prior to reinstatement.
- (f) All days are race days.
-)g) Stake dates or paid in events may be excluded.
- (h) An accident, where a driver is determined by the judges to be responsible for the accident through careless or reckless driving must include a minimum 15 day driving suspension inclusive of all stakes and paid in events and judges may impose a fine of up to \$5000.
- (i) There shall be a reset at the beginning of a new race meet.

Rule 304

Violations of the following rules shall make drivers liable to penalty as a Type 1 Offence:

- (1) failure to drive when programmed without having been excused by the judges.
- (2) failure to participate in or being late for a post parade without permission of the judges.

Rule 305

With approval of the Commission, a track may extend the width of its homestretch up to 10 feet inward in relation to the width of the rest of the racing surface.

Rule 306

In the event the home stretch is expanded pursuant to Rule 306, the following shall apply on 1/2 mile and 5/8-mile tracks:

- (1) The following criteria shall be used in considering disqualification of horses and penalties to drivers when races are conducted on a track with an open stretch.

- A. No horse shall be driven into the inner lane in an attempt to pass or force out a leading horse prior to the last one-eighth mile of the race.
- B. Horses driven on the outside shall yield sufficient room to the interior horses at the end of the inner lane to permit interior horses to stay on course.
- C. During the last one-eighth mile of the race:
 - (1) A horse may only be driven into the inner lane for the purpose of passing a leading horse; and
 - (2) No horse may be driven into the inner lane for the purpose of blocking a trailing horse. It shall be presumed that a horse which, in fact, blocks a trailing horse in the inner lane without making every attempt to advance on the leading horse, is being so driven for the purpose of blocking a trailing horse.
 - (3) horses using the open stretch must first have complete clearance of the pylons. If there is conclusive evidence that any horse or the inside wheel of the horse's sulky leaves the racecourse by going inside the pylons, when not forced to do so as a result of the actions of another driver and/or horse without being interfered with by another driver and/or horse to clear shall be subject to Section 6.5 – Pylons.

6.3 Devices and Urging Tool

Rule 307. Drivers' urging tool shall:

- (1) be no more than 48 inches in length, not including the snapper.
- (2) be made of a material other than rawhide.
- (3) include a snapper that is no less than 6 inches and no more than 12 inches in length;
and
- (4) not include a snapper that is altered from original manufacture or knotted.
- (5) shall be black

Rule 308

The possession or use of any goading device, chain, spur or mechanical devices or electrical device other than an urging tool as allowed in these rules, upon any horse, shall constitute a violation. The possession of any mechanical or electrical goading device on the grounds of a track facility shall constitute a violation. The Judges have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interest of racing.

Unauthorized, or indiscriminate use of an urging tool, flagrant use of the urging tool causing visible injury or striking a horse with the butt end of the urging tool shall be a TYPE II offence. The placing of both lines in one hand to urge the horse will be considered a Type II offence except as allowed under Rule 312(4)(a).

At any time while on the grounds of a licensed racetrack facility, it is a violation of the Rules for a driver, or the person in control of the horse, to engage in any of the following actions with

Rule 309

- (1) The possession of any mechanical or electrical goading device on the grounds of a track facility shall constitute a violation.
- (2) The Judges have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interest of racing.

Rule 310

- (1) Unauthorized, or indiscriminate use of an urging tool, flagrant use of the urging tool causing visible injury or striking a horse with the butt end of the urging tool shall be a TYPE II offence.
- (2) The placing of both lines in one hand to urge the horse will be considered a Type II offence except as allowed under Rule 312(4)(a).

Rule 311

- (1) At any time while on the grounds of a licensed racetrack facility, it is a violation of the Rules for a driver, or the person in control of the horse, to engage in any of the following actions with respect to their driving conduct. Urging tools Whip or Reins:
 - (a) Indiscriminate action, which is characterized by unrestrained or careless activity.
 - (b) Excessive action, which is characterized by unreasonable quantity or degree including using the urging tool continuously and/or without allowing the horse time to respond.
 - (c) Aggressive action, which is characterized by inhumane or severe activity.
- (2) The urging tool shall not be used on a horse in a race:
 - (a) Where the horse is not visibly responding; or
 - (b) Where the horse is not in contention for a meaningful position.
 - (c) Where the horse is not maintaining or improving its position.
 - (d) Where the horse is clearly winning.
 - (e) Where the horse has passed the winning post at the finish of the race.
- (3) At any time while on the grounds of a licensed racetrack facility the urging tool shall only be used for safety purposes and for very light encouragement. The only movement allowed to encourage a horse is a movement of the wrist. It is a violation of the Rules for a driver, or the person in control of the horse, to use the urging tool to hit or make contact with the horse as follows:
 - (a) At no time shall the handholds be raised above the drivers' head in an effort to further urge the horse. Handholds may only be raised above the drivers' head to adjust equipment. It shall be considered unsafe. First offence \$100, subsequent offences \$150.
 - (b) To use more than acceptable wrist action.
 - (c) To cause any portion of the urging tool to be outside the confines of the wheels of the race bike.

- (d) To strike the shaft of the race bike, or the horse below the level of the shaft of the race bike.
 - (e) To cut or severely welt a horse.
- (4) A driver, or the person in control of the horse, is required to:
- (a) Keep a line in each hand for the entire race, from the starter's call to the gate until the finish of the race, except for the purpose of adjusting equipment.
 - (b) Keep both hands in front of their body.
 - (c) Keep their hands below their head; and
 - (d) Have control of their horse at all times when on the racetrack.
 - (e) Only black urging tools shall be permitted.
 - (f) The urging tool must be visible at all times and must be above the shaft of the sulky.
 - (g) Have both hands in the holders for the entire race from start to finish.

Violation of any of the provisions in Rule 311 (1), (2), (3) or (4) may result in any of the following penalties:

- (a) Fine.
- (b) Suspension.
- (c) Any other penalty as ordered.

Indiscriminate action means unrestrained or careless activity without regard for safety or care. For the purposes of Rule 311(1) (a), the following are examples of indiscriminate action but do not constitute an exhaustive list:

- (a) use of the urging tool in any manner between the hind legs of the horse
- (b) loose lining or driving the horse to not have control of the horse
- (c) striking the horse with the butt end of the urging tool; or
- (d) punching the horse.

Excessive action means unreasonable quantity or degree. For the purposes of Rule 311 (1) (b), the following are examples of excessive action with respect to inappropriate urging of the horse but does not constitute an exhaustive list:

- (a) use of the urging tool when a horse is not in contention in a race.
- (b) use of the urging tool without giving the horse time to respond to a previous application of the use of the urging tool
- (c) use of the urging tool on the horse anywhere below the level of the shaft of the race bike.

Aggressive action means inhumane or severe or activity. For the purposes of Rule 311 (1) (c), the following are examples of aggressive action but do not constitute an exhaustive list:

- (a) use of the urging tool on the head or in the area surrounding the head of the horse
- (b) use of any object or stimulating device and/or application; or
- (c) leaving any cuts, abrasions or severe welts on the horse caused by the urging tool.

Loose lining means the indiscriminate action of carelessly adjusting the handholds while driving to allow the loopy shaking of the lines (i.e., butterfly action) or to permit the arm to swing past a 90-degree angle to allow a wide arch when using the urging tool or shaking the lines.

Meaningful Position Rule 311 (2)(b) means the horse has a reasonable opportunity to finish in an advantageous position. Examples of meaningful include, but are not limited to, maintaining qualifying times, receiving points towards future races or earning purse monies.

Confines of the wheels Rule 311 (3)(c) means that any part of the urging tool cannot move outside of a line which runs parallel to the horse from a point outlined by the outside of the race bike wheel.

Rule 312

The penalty for any offence against Rule 311, within the same race meet year shall be assessed in accordance with the following penalty schedule:

- (1) For the first offence assess a \$100 fine
- (2) For the second offence: \$150 fine & may be required to meet with Judges
- (3) 3rd offence: \$200 fine and one day driving suspension & shall be required to meet with Judges
- (4) 4th offence: \$300.00 fine and four day driving suspension & shall be required to meet with Judges
- (5) 5th offence: \$400.00 fine and six day driving suspension & shall be required to meet with Commission.
- (6) After each 300 drives within the same Atlantic Provinces Race Meet, the next offence shall be assessed as if it is the first in accordance with the penalty schedule outlined from (1)-(5) above.
- (7) After a driver commits more than five (5) offences in the same race meet the Commission shall review the matter and assess appropriate action or penalty.
- (8) For purses of \$7,500 or greater urging violations shall be double the monetary amount of the current penalty matrix and one additional day shall be added.

Rule 313

The use of an urging tool under the arch of the sulky, is a TYPE II offence, for which the penalty shall be no less than 10 days suspension.

6.4 Racing Violations

Rule 314

A complaint by a driver or trainer of any violation of the rules, or other misconduct during a race in which they are participating shall be made immediately after the race to which it relates, unless the driver or trainer is prevented from doing so by an accident or injury or other reasonable excuse. A driver or trainer entering an objection or other complaint of violation of the rules, shall make this known to the nearest patrol judge, starter and/or paddock judge and shall

proceed forthwith to the paddock telephone to communicate immediately with the judges. The judges shall not cause the official sign to be posted until the matter has been dealt with. (See Rule 315)

Rule 315

A driver shall have committed a violation for failure to report interference or any other infraction that occurred during a race, or for lodging an objection or complaint, which the Judges deem to be frivolous. Drivers shall notify the Starter of any objection or violation of the racing rules immediately upon completion of the race.

Rule 316

If a person commits a violation driving a horse coupled as an entry, the judges shall set both horses back if, in their opinion, the violation affected the finish of the race, otherwise penalties may be applied to each entry.

Rule 317

In the case of interference, collision, or violation of any rule, the offending horse may be placed back one or more positions in that heat or dash, and in the event of such collisions, interference or violation preventing any horse from finishing the heat or dash, the offending horse may be disqualified from receiving any winnings and the driver may be fined or suspended. If a horse is set back, it must be placed behind the horse with which it interfered. If an offending horse has interfered with a horse involved in a dead heat and the offending horse is set back, it must be placed behind the horses in the dead heat.

Rule 318

If the judges believe that a horse is or has been driven with design to prevent it winning a race or races, they shall consider it a violation by the driver. (Type II Offense)

Rule 319

If the judges believe that a horse has been driven in an inconsistent manner, they shall consider it a violation.

Rule 320

If the judges believe that a horse has been driven in an unsatisfactory manner due to lack of effort, they shall consider it a violation. (Type II Offense)

Rule 321

If the judges believe that a horse has been driven in an unsatisfactory manner, not otherwise specified in these rules, they shall consider it a violation and furnish particulars thereof to the driver, prior to the instituting of any action.

- (1) At no time shall a driver motion his or her head to make contact with the horse trailing behind them. If deemed that the driver has made this motion to make contact it will be considered a Type II offence resulting in a \$300 Monetary Fine and 3 Days Driving Suspension.

Rule 322

- (1) The Judges may remove a driver at any time if, in their opinion, his or her driving would not be in the best interests of harness racing. The judges shall remove a driver who may have suffered a concussion or other head trauma. The driver shall provide documentation of medical clearance to the Commission before being allowed to drive in a qualifying or pari-mutuel race.
- (2) A driver cannot decline to be substituted by the Judges. Any driver who refuses shall be suspended and may be subject to a monetary penalty.

Rule 323

A driver must be mounted in the sulky at the finish of the race, or the horse must be placed as not finishing.

- (1) A horse shall be placed as not finishing where the driver at any time during the running of the race was not mounted in the sulky but was mounted in the sulky at the finish of the race.
- (2) If a horse falls at any time during the race and was able to get back to its feet and finish the race it shall be placed as not finishing in such a manner that falls to the ground, the judges may direct the driver to report to the infirmary or to the emergency department of the nearest hospital for examination and receive written clearance to continue with driving assignments on that day of racing.

Rule 325

Profanity and other improper conduct in a race are forbidden.

Rule 326

- (1) Striking the wheel disk of a sulky while holding one line in each hand by the handholds is a Type I offence except that striking the wheel disk of a sulky while holding one line in each hand by the handholds will be allowed from the 5/8 pole finishing the race. Excessive wheel dinking is a Type 1 offence (Reference Rule 311(1) (b) for the definition of Excessive. For any offense against Rule 326 the following penalties apply:
 - (a) 1st offence: within the race meet assess a \$25.00 fine
 - (b) 2nd offence: within the race meet assess a \$50.00 fine.
 - (c) 3rd offence: within the race meet assess a \$100.00 fine
 - (d) 4th offence: within the race meet assess a \$100.00 fine and one day driving suspension
 - (e) 5th offence: within the race meet assess a \$100.00 fine and two-day driving suspension

(2) Drivers handholds should be at the knee level at all times during the race. If holders are back beyond the knee level \$100.00 fine will be imposed. For purposes of this section, after each 100 drives within the same race meet his/her next offence shall be assessed as if it is the first in accordance with the above penalty schedule. Upon the expiration of the race meet penalties shall be assessed starting with the first offence.

Rule 327

During a race:

- (1) Drivers shall keep both feet in the stirrups during the post parade, while in front of the grandstand, and from the time the horses are brought to the starting gate until the race has been completed. Drivers shall be permitted to remove a foot from the stirrups during the race solely for the purpose of pulling ear plugs and once these have been pulled, the foot must be placed back into the stirrup. If a driver's foot is in the stirrup, he or she shall not allow his/her foot to hit a horse in any manner.
- (1a) A driver shall not make an overt kicking motion towards the horse before, during or after a race.
- (2) In addition to kicking, which is a Type II offence, no driver shall hit a horse with his/her foot in any manner. If a driver's foot is in the stirrup, he or she shall not allow his/her foot to hit the horse in any manner.

The following penalties apply:

- (a) *1st offence within the race meet assesses a \$50 fine.*
- (b) *2nd offence within the race meet assesses a \$100 fine.*
- (c) *3rd offence within the race meet assesses a \$200 fine.*
- (d) *4th offence within the race meet assesses a \$200 fine and one day driving suspension.*
- (e) *5th offence within the race meet assesses a \$200 fine and two days driving suspension.*

For purposes of this section, after each 100 drives within the same race meet his/her next offence shall be assessed as if it is the first in accordance with the above penalty schedule. Upon the expiration of the race meet penalties shall be assessed starting with the first offence.

Rule 328

No horse will be permitted in a race wearing any type of equipment that covers, protrudes, or extends beyond its nose or that in any way could interfere with the true placing of the horse.

Rule 329

- (1) If a horse is not on its proper gait, in a race, for 25 consecutive strides or more (extended break) after the horse's nose has crossed the start line, that horse shall be placed last. The 25 strides do not start until the driver is safely able to get his off-stride horse out of the way of all other horses. This allows Safety to take priority over setting the horse. However, the Judges may, in their discretion, determine not to set the horse back if interference caused by another driver(s) or horse(s) has caused the horse to be on a break for 25 consecutive strides or more.
- (2) When a horse breaks from its gait in a race, the driver shall:
 - (a) Take the horse to the inside or outside of other horses where clearance exists.
 - (b) Properly attempt to pull the horse to its gait; and
 - (c) Continuously loses ground while on the break.

If there has been no violation of 329(2)(a), (b) or (c) above, the horse shall not be set back unless a contending horse on its gait is lapped on the hind quarter of the breaking horse at the

finish, however, notwithstanding the foregoing, if interference caused by another driver(s) or horse(s) has caused the horse to be on a break at the finish, the Judges may, in their discretion, determine not to set the horse back even if a contending horse on its gait is lapped on the hind quarter of the breaking horse at the finish. The Judges may set any horse back one or more places if, in their judgment, any of the above violations have been committed, and the driver may be subject to a monetary penalty or suspension or both.

Rule 330

If, in the opinion of the judges, a driver allows a horse to break for the purpose of losing a race, he shall be in violation of Rule 318.

Rule 331

If a horse is scratched in error and cannot be added back into the pari-mutuel system, the horse may race for purse only. The judges shall ensure that the race announcer informs the public that the horse will be racing without pari-mutuel wagering.

6.5 Pylons

Rule 332

If there is conclusive evidence that any horse or the inside wheel of the horse's sulky leaves the racecourse by going inside the pylons, when not forced to do so because of the actions of another driver or horse or without being interfered with by another driver or horse, shall be placed as follows:

- (1) if any horse or the inside wheel of the horse's sulky goes inside (2) two consecutive pylons, the offending horse shall be placed behind all horses that are lapped on to the offending horse at the wire.
- (2) if any horse or the inside wheel of the horse's sulky goes inside three (3) or more consecutive pylons, the offending horse shall be placed last.

Rule 333

Racetracks with pylons shall meet the following criteria regarding pylon location, design standards and angles:

- (1) sixty (60) feet apart on the straight away
- (2) forty (40) feet apart on the turns
- (3) pylons leading into the passing lanes to be 15 feet or less apart
- (4) thirty inches in length above ground
- (5) pylons shall be angled 22.5 degrees to 30 degrees inward to the racetrack surface and have the top three inches of the pylon painted bright orange.

Rule 334

All tracks must have the pylons in place for regular racing and qualifying.

Rule 335

Drivers who, in the opinion of the judges, leave the racing strip when not forced to do so because of the actions of another driver or horse may be fined or suspended by the judges.

Rule 336

Notwithstanding Rule 332 if in the opinion of the Judges a horse while on stride, or part of the horse's race bike (sulky), goes inside a pylon(s) and that action gave the horse an unfair advantage over other horses in the race or the action helped improve its position in the race, the horse may be placed at the discretion of the Judges.

6.6 Broken Equipment – Recall

Rule 337

If for any cause other than being interfered with, or broken equipment, a horse fails to finish after starting a race, that horse shall be ruled out. If it is alleged that a horse failed to finish a race because of broken equipment, this fact must be reported to the paddock judge who shall make an examination to verify the allegation and report the findings to the Judges.

6.7 Equipment

Rule 338

The Judges shall have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interest of harness racing.

Rule 339**Safety Helmets and Safety Vests**

- (1) A fastened safety helmet, meeting the Snell Foundation standards for protective helmets, shall be worn by any person involved in the driving, training, or exercising of a racehorse including the getting to and from the barn, the paddock area, the winner's circle and the racetrack surface at any licensed racetrack within the jurisdiction of the Commission.
- (2) Any licensed racetrack shall adopt the above rule provision in its track rules.
- (3) The track rule shall include a provision for enforcement of the safety helmet rule in the following manner:
 - (a) After due and proper notice issued by track management anyone violating this rule shall be subject to the following penalties:
 - (i) 1st offence – the Commission or its delegate, which may be track management, shall issue to the offender a \$25.00 fine.
 - (ii) 2nd offence – the Commission or its delegate, which may be track management, shall issue to the offender a \$50.00 fine.

- (iii) 3rd offence – the Commission or its delegate, which may be track management, shall expel the offender from driving, training or exercising of any racehorse at the relevant racetrack for a period of time determined by the Commission.
 - (iv) 4th offence – the matter be referred to the Commission and after a hearing it may issue a fine or suspension. Such suspension may be effective for only the racetrack where the offence occurred or all licensed racetracks within the jurisdiction of the Commission.
- (4) In the circumstance where the offender is not a licensed member of the Commission the Trainer of Record of the horse being driven, trained, or exercised at the time of the offence shall be responsible for the person's violation of the safety helmet rule and therefore be subject to fine or suspension.
- (5) All drivers must wear an approved safety vest (ASTM Standard). Failure to have an approved vest on when participating in the post parade will result in the driver being assessed a fine of \$50.00 and will not be allowed on the track until one is worn. No exemptions. All participants using the track on race days (Warming up, Post Parading Etc.) will be required to wear ASTM Standard approved vest. Effective (January 1, 2025)

Rule 340

The Saddle Pads in use at licensed track facilities during Race Meet shall be standardized with a format to be established by the Commission.

Rule 341

Sulky Standards

- (1) Every sulky used in a race shall have uniform colored or colorless wheel disks on the inside and outside of each wheel.
- (2) The sulky shall attach to both sides of the harness.
- (3) The sulky shall not create either by design or manufacture any interference or hazard to any driver or horse in a race.
- (4) All components of the sulky shall be attached to one another in such a way that they remain attached during normal use and testing.
- (5) The Judges may order an inspection of a sulky at any time and order that sulky replaced that does not meet normal standards.
- (6) Use of bent shaft sulkies in any race is prohibited. Only USTA approved conventional sulkies will be permitted to be used.

6.8 Conduct

6.8.1 General

Rule 342

Any attempt to violate any of the Rules of the Commission falling short of actual accomplishment shall constitute an offence.

Rule 343

If the Commission / Judges require a licensee or any person to appear before them and they are unable to notify the licensee or person, they may suspend such licensee or person if it is deemed in the best interest of the sport or having notified a participant and he fails to appear, the Commission/Judges may suspend or fine such licensee or person.

Rule 344

After proper notice and upon failure to make restitution, any licensee responsible for an unsatisfied court judgment or dishonored negotiable instrument related to harness horse racing shall be suspended until the satisfaction of the court judgment or bona fide payment is made.

Rule 345

If any person is approached with any offer or promise of a bribe fraudulent in nature, or is solicited to perform any improper, corrupt, or fraudulent act in relation to racing, that participant shall report the details thereof immediately to the Judges or the Director of Racing.

Rule 346

Any person shall be deemed to have violated Rule 318 for attempting to or succeeding to affect the outcome of any race, either individually or in concert with another.

Rule 347

No licensee shall:

- (1) commit assault or battery against any person.
- (2) threaten to do bodily injury to any participant.
- (3) use insulting, offensive, or improper language to any official or licensee. If a licensee so, does it shall constitute a violation of these rules.

Rule 348

A licensee or any person providing inaccurate information about a horse or attempting to have misleading information given in a program may be fined, suspended, or expelled.

Rule 349

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

Rule 350

The judges may impose any or all of the following penalties for conduct detrimental to the best interests of racing, or for violation of the rules:

- (1) refuse an offender admission to the grounds of a track facility.

- (2) expel an offender from the grounds of a track facility.
- (3) impose a fine or a suspension or both; or
- (4) impose conditions on a licence.

Rule 351

The following violation(s) shall make offenders liable to penalty as a **Type 1 Offence**:

- (1) use of offensive or profane language.
- (2) smoking on the track.
- (3) failure to wear racing colors when warming up a horse prior to racing or in a race. \$50 fine.
- (4) failure to have proper saddle cloth on a horse when warming up for a race; or
- (5) failure to have proper saddle cloth on a horse when racing.
- (6) A trainer/owner who scratches a horse for a medication in error is automatically fined \$50.00.
- (7) Any person removing or altering a horse's equipment without the permission of the Judges is in violation of the rules and fined a minimum of \$50.00 for making an unauthorized equipment change.
- (8) Failure to adhere to Track Rules may result in a fine and/or suspension.

Rule 352

The following violations shall make licencees liable to a **Type II Offense**:

- (1) blatant failure to obey a Judge's Order, depending on the nature of the order the Judges may determine that failure to obey such an order is a Type I Offense.
- (2) consume alcohol within eight (8) hours of post time of which the licencee is to carry out his/her duties or is programmed to drive.
- (3) appear in the paddock in an unfit condition to drive; (Depending on the circumstances the Judges may determine the violation is a Type I Offense.)
- (4) be involved in fighting or assaulting Commission licencees, officials, members of the Commission and members of the public.
- (5) disturb the peace.
- (6) refuse to adhere to the Alcohol Screening and Human Drug Testing Programs as set out by these regulations; and
- (7) commit an act of cruelty or neglect to a horse.

6.8.2 Alcohol Screening and Drug Control—Human

Rule 353

A licensee in a Safety Sensitive Position is prohibited from the following:

- (1) Using an Illegal Drug or a Prohibited Substance at a licensed facility.
- (2) Performing activities of the Safety Sensitive Position at a licensed facility while an Illegal Drug or a Prohibited Substance is present in his or her body.

- (3) Consuming Alcohol at a licensed facility while performing, or reasonably prior to performing activities, of a Safety Sensitive Position.
- (4) Performing activities of the Safety Sensitive Position at a licensed facility while having a BAC of .02 or higher.
- (5) Using, at a licensed facility, any Impairing Prescription Medication without a prescription for the licensee's use of that medication.
- (6) Performing activities of the Safety Sensitive Position at a licensed facility while an Impairing Prescription Medication for which the licensee does not have a prescription for use is present in his or her body.
- (7) Intentionally using, at a licensed facility, any Impairing Prescription Medication prescribed for the licensee's use in a manner not prescribed and which use has the potential to impair the licensee's abilities to perform the activities of his or her position safely.
- (8) Performing activities of the Safety Sensitive Position at a licensed facility while,
 - (a) An Impairing Prescription Medication intentionally used in a manner not prescribed to the licensee is present in his or her body, and
 - (b) He or she displays signs that his or her physical or cognitive abilities are impaired to the extent that there is a potential that the licensee cannot safely perform the activities of the Safety Sensitive Position.
- (9) Within the first eight hours of an event described in Rule 355(a) or until tested or advised by a Commission Representative under Rule 355(a) that a test is not required, using an Illegal Drug or a Prohibited Substance or consuming Alcohol or using any Impairing Prescription Medication without a prescription for the licensee's use or intentionally using any Impairing Prescription Medication prescribed for the licensee's use in a manner not prescribed.
- (10) A licensee in a Safety Sensitive Position called in unexpectedly to perform the activities of a Safety Sensitive Position in a manner that would violate Rule 303(b), (d), (f) or (h) shall decline the request.

Rule 354

A licensee or Designated Racing Official shall not be present at a licensed facility in the following circumstances:

- (1) Alcohol, an Illegal Drug, a Prohibited Substance, or an Impairing Prescription Medication is present in his or her body, and
- (2) He or she displays signs that his or her physical or cognitive abilities are impaired to the extent that there is a potential that the licensee or Designated Racing Official cannot safely perform his or her activities or duties related to the business of racing, he or she poses a safety risk to himself or herself, to other persons or to horses or, in a situation where the licensee or Designated Racing Official has been involved in an incident, accident or near miss, the licensee or Designated Racing Official displays signs of physical or cognitive impairment.

Rule 355

A licensee in a Safety Sensitive Position is subject to testing in the following situations:

(1) Post Incident/Accident

A Commission Representative investigating a significant accident, incident or near miss that occurs at a licensed facility may require a licensee in a Safety Sensitive Position to undergo testing for the presence of Illegal Drugs, Prohibited Substances, Impairing Prescription Medication or a combination of these substances in his or her body, if the Representative has a reasonable belief that the licensee's activities are or were relevant to the accident, incident or near miss being investigated.

(2) Required Alcohol Testing

At times or in circumstances set by the Commission or a Commission Representative or upon direction of a Commission Representative, a licensee in a Safety Sensitive position shall undergo testing for Alcohol in his or her body when they are performing, scheduled to perform or have completed performing the activities of the position.

(3) Unannounced Drug Testing

A licensee in a Safety Sensitive Position shall undergo testing for the presence of Illegal Drugs, Prohibited Substances, Impairing Prescription Medication or a combination of these substances in his or her body without notice to the licensee at any time during the racing season. The selection of the licensee for testing will be by an objective selection system managed by the Commission's Program Administrator or Representative.

(4) Return to Duty – Post Violation

Where a licensee seeks to return to a Safety Sensitive Position after a suspension for a violation of a prohibition in Rule 354, he or she will be required to undergo testing for the presence of Alcohol, Illegal Drugs, Prohibited Substances, Impairing Prescription Medication, or a combination of these substances in his or her body and the test or tests must show no presence of such substances in his or her body before the licensee may return to such a position. In addition, it shall be a condition of the licensee's licence as set out in a Post-Violation Agreement described in Rule 364 that the licensee will be required to undergo testing for the presence of Illegal Drugs, Prohibited Substances, Impairing Prescription Medication, or a combination of these substances in his or her body without notice to the licensee at any time.

(5) Return to Duty – Post Treatment

Where a licensee is returning to a Safety Sensitive Position after receiving treatment for abuse of or addiction to Alcohol, Illegal Drugs, Impairing Prescription Medication or a combination of these substances, the licensee may be subject to testing for such substances in his or her body as a monitoring tool on a case-by-case basis to support the licensee's recovery.

(6) Additional Testing

Where a laboratory conducting a test for the presence of an Illegal Drug, a Prohibited Substance, or an Impairing Prescription Medication report that the testing of the sample cannot provide an accurate determination of the presence or the amount of the substance in the licensee's body for whatever reason, including that the sample is a dilute sample, the licensee shall submit to an additional test, if directed by a Commission Representative.

Reasonable Cause Testing Any licensee and any Designated Racing Official engaged in the business of racing at a licensed facility, whether or not he or she is in a Safety Sensitive Position, shall submit to the testing for the presence in his or her body of Alcohol, Illegal Drugs, Prohibited Substances, or Impairing Prescription Medications on the request of a Commission Representative where,

- (1) That Representative has reasonable grounds to believe that the licensee's or Designated Racing Official's physical and cognitive abilities are impaired to the extent that there is a potential that the licensee or Designated Racing Official cannot safely perform their activities or duties related to the business of racing, poses a safety risk to other persons or horses, or
- (2) The licensee or Designated Racing Official has been involved in an incident, accident or near miss and a Commission Representative has reasonable grounds to believe that that the licensee's or Designated Racing Official's physical and cognitive abilities are impaired or were impaired at the time of the incident, accident or near miss.

Rule 357

(1) Testing Protocol – Alcohol

A person required to undergo testing for the presence of Alcohol in his or her body shall provide a breath sample to a Commission Representative for analysis at a time and place and in a manner directed by the representative.

(2) Testing Protocol – Illegal Drugs, Prohibited Substances, and Impairing Prescription Medications

A person required to undergo testing for the presence in his or her body of Illegal Drugs, Prohibited Substances or Impairing Prescription Medications, or a combination of these substances, shall provide a sample of bodily fluid to a Commission Representative at a time and place and in a manner directed by the Representative.

Rule 358

Immediate Suspension – Illegal Drugs, Prohibited Substances in a Licensee in a Safety Sensitive Position

Should an Illegal Drug or a Prohibited Substance be found to be present in the body of a licensee in a Safety Sensitive Position at the time of testing, the licensee is suspended from his or her duties until a Medical Review Officer has reviewed the result and provided a report to the Commission or a Commission Representative. Upon reviewing the report, the Commission Representative will make a recommendation to the APHRC concerning the future status of the licensee.

Rule 359

Immediate Suspension – Impairing Prescription Medication without a Valid Prescription in a Safety Sensitive Position

Should an Impairing Prescription Medication be found to be present in the body of a licensee in a Safety Sensitive Position at the time of testing and the licensee cannot show that he or she

has a valid prescription for the medication, the licensee is suspended from his or her duties until a Medical Review Officer has reviewed the result and provided a report to the Commission or a Commission Representative. Upon reviewing the report, the Commission Representative will make a recommendation to the APHRC concerning the future status of the licensee.

Rule 360

Immediate Suspension – Impairing Prescription Medication with a Valid Prescription in a Safety Sensitive Position

Should an Impairing Prescription Medication be found to be present in the body of a licensee in a Safety Sensitive Position at the time of testing and, notwithstanding that the medication has been validly prescribed to the licensee, a Commission Representative has reasonable grounds to believe that the licensee displays signs that the licensee's physical or cognitive abilities are impaired extent that there is a potential that the licensee cannot safely perform the activities of the Safety Sensitive Position, the licensee is suspended from his or her duties until a Medical Review Officer has reviewed the result and provided a report to the Commission or a Commission Representative. Upon reviewing the report, the Commission Representative will make a recommendation to the APHRC concerning the future status of the licensee.

Rule 361

Immediate Suspension – Reasonable Cause Testing for Illegal Drugs, Prohibited Substances, or Impairing Prescription Medication

A licensee or Designated Racing Official is suspended from his or her duties until a Medical Review Officer notifies the licensee or Designated Racing Official that he or she may return to his or her duties, if, after a test under 36.05, Alcohol, an Illegal Drug, Prohibited Substance, or Impairing Prescription Medication is present in the body of a licensee or Designated Racing Official at the time of testing and,

- (1) A Commission Representative has reasonable grounds to believe licensee's or Designated Racing Official's physical and cognitive abilities are impaired to the extent that there is a potential that the licensee or Designated Racing Official cannot safely perform their activities or duties related to the business of racing or poses a safety risk to other persons or horses, or
- (2) a situation where the licensee or Designated Racing Official has been involved in an incident, accident or near miss, the Commission Representative has reasonable grounds to believe that that the licensee's or Designated Racing Official's physical and cognitive abilities are impaired or were impaired at the time of the incident, accident or near miss.

Rule 362

Penalties for Violations of Rule 354. – Safety Sensitive Positions

- (1) The penalties for a violation of 353 (d) are the following:
 - (a) Where the breath sample provided results in a test result of .02 to .039 BAC,
 - (i) For a first violation, a suspension from performing the duty or duties for which he or she is licenced for that day, a \$100 monetary penalty, a

- reminder of the policy requirements and a suggested referral for assistance.
- (ii) For a second violation, a suspension from performing the duty or duties for which he or she is licenced for that day, a \$300 monetary penalty, a suspension for a further 5 days if the second violation occurs within 12 months of the first violation, and a referral, at the discretion of a Commission Representative, to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program, and
 - (iii) Any subsequent violation within 12 months of the second or subsequent violation shall result in the suspension from the duty or duties for which they are licences, and the licensee shall be referred to the APHRC who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.
- (b) Where the breath sample provided results in a test result of .04 to .079 BAC,
- (i) For a first violation, suspension from performing the duty or duties for which he/she is licensed for that day, a \$300 monetary penalty, a suspension of five (5) days, a reminder of the policy requirements and a suggested referral for assistance,
 - (ii) For a second violation, suspension from performing the duty or duties for which he/she is licensed for that day, a monetary penalty of \$500 and a suspension of fifteen (15) days if committed within 12 months of the first violation, referral to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if they choose to return to duties with the Commission, and compliance with return to work conditions set out in an agreement with the individual, and must provide a negative return to duty drug and alcohol test,
 - (iii) Any subsequent violation within 12 months of the second or subsequent violation shall result in suspension from performing the duty or duties for which they are licenced and they shall be referred to the APHRC who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.
- (c) Where the breath sample provided results in a test result of .08 BAC or higher.
- (i) For a first violation, suspension from performing the duty or duties for which he/she is licensed for that day, a \$500 monetary penalty, a suspension of fifteen (15) days, referral to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if they choose to return to their duties as a licensee, and compliance with return to work conditions set out in an agreement with the individual, and must provide a negative return to duty drug and alcohol test,
 - (ii) Any subsequent violation within 12 months of the first violation shall result in suspension from performing the duty or duties for which they are licenced and they shall be referred to the APHRC who may impose a

monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.

- (d) In the event of a positive test result relating to a controlled substance, as outlined in the Criminal Code of Canada or Federal legislation or regulations respecting the administration of Horse Racing, for which an APHRC licensee does not have a valid medical prescription for such use and administration, said licensee shall be, mandatorily, subject to the following penalties:
- (i) If the positive test report is an initial positive test report for any controlled substance, the licensee shall be suspended for a minimum of fifteen (15) days and assessed a \$100.00 fine and such violating licensee shall be suspended, immediately, from all licensed activities, duties, and responsibilities. The APHRC will provide the services of a Substance Abuse Professional (SAP), if desired, by the offending licensee. The suspension shall remain in effect after the fifteen (15) day period until such time as the licensee provides a urine sample, for testing purposes at his/her own and total expense, and such test result indicates an absolute absence of any controlled substance from the licensee's metabolism.
 - (ii) If a controlled substance positive result is a second or further violation of the Human Drug Testing Rule within a twelve (12) month period of initial positive test finding, said licensee shall be suspended, immediately for a minimum of twenty-one (21) days and assessed a \$300.00 fine. The violating licensee shall be suspended, immediately, from all licensed activities, duties and responsibilities. The offending licensee shall be referred by the Commission to a Substance Abuse Professional (SAP) for evaluation to determine the need for a structured assistance program if the offending licensee chooses to return to racing duties within the territorial and regulatory jurisdiction of the APHRC. Failure to accept the automatic referral to a Substance Abuse Professional shall result in an indefinite suspension of the licensee by the APHRC who shall make such formal determination at a special Hearing of the Commission solely for such purpose. The suspension shall remain in effect after the twenty-one (21) days until such time as the offending licensee provides a urine sample, for testing purposes at his/her own and total expense, and such test result indicates an absolute absence of any controlled substance from his/her metabolism. Further offences shall be referred to a special Hearing before the APHRC and said Hearing shall be for the sole purpose of determining the future status of the licensee which may include a lifetime ban from the sport and industry of harness racing.
 - (iii) Any licensee who refuses to provide a saliva or urine sample as provided for in these Rules, when requested to do so, shall be deemed to have contravened the Rules as a strict liability offence in the deemed to have contravened the Rules as a strict liability offence in the same manner and effect as a finding of a positive test result. Said licensee shall, forthwith, have their Commission license suspended indefinitely. Such suspension shall remain in effect until the licensee complies with the request for urine

testing in the manner prescribed, supra, of this Rule and a negative laboratory report is in the possession of the Director of Racing. Penalty or penalties shall be governed by Rule 364.

- (iv) At any Hearing conducted under this Section, the offending licensee shall be entitled to have Counsel or his/her representative in attendance to represent his/her interests.

Rule 363

Post Violation Agreements

A licensee or Designated Racing Official who has violated any of Rules 353, 354 or 355 maybe directed by the APHRC to enter into a Post Violation Agreement which will, at a minimum, include the following:

- (1) Full cooperation with the Substance Abuse Professional (SAP) assessment process,
- (2) Adherence to any recommended treatment, monitoring, and aftercare program,
- (3) Maintenance of sobriety on return to duty,
- (4) Successful completion of a return to duty alcohol and drug test,
- (5) Ongoing unannounced testing for a period set out in the agreement, and
- (6) No further violations of the policy.

Although the APHRC will refer licensees and Designated Racing Officials who test positive to qualified services, the cost of these services to persons not employed by the Commission is not covered by the Commission. All costs associated with assessment, treatment and aftercare will be at his or her own expense.

Rule 364

Immediate Suspension and Referral – Refusal to Test, Adulterating or Tampering with Sample

Where a licensee refuses to undergo testing as required by this Rule 353 or adulterates or tampers with, or attempts to adulterate or tamper with, a sample provided under this Rule 353, he or she shall be suspended from performing the duties for which they are licenced and the matter shall be referred to the APHRC who may impose a monetary penalty, a suspension, make directions, impose conditions, or a combination of all of these.

Rule 365

Nothing in this section 6.8.2 of APHRC rules restricts a Judge’s authority to impose a penalty under Rule 8 for conduct prejudicial to the best interests of racing including, but not limited to, penalties for the following:

- (1) Possession, distribution, manufacture, offering for sale of Illegal Drugs, Illegal Drug paraphernalia, Prohibited Substances or Prohibited Substances paraphernalia.
- (2) Manufacture, distribution or offering for sale of drugs for which a prescription is required in Canada; or
- (3) Possession of Impairing Prescription Medications that are not legally prescribed to the person possessing them.

- (4) Nothing in this section 6.8.2 of APHRC restricts a Judge's authority to impose a penalty under Rule 8 in circumstances where the Judge has reasonable grounds to believe that a licensee or Designated Racing Official is not capable of performing his or her activities or duties relating to the business of horse racing, whether due to impairment or any other reason.
- (5) Additional Penalties: No Raceway, Association, or licensed body shall impose a penalty upon a licensee who has violated this rule, unless that licensee is directly employed by that Raceway, Association, or licensed body.
- (6) Any licensee or Designated Racing Official who fails to report a participant whom he or she might reasonably determine to have been consuming Alcohol, Illegal Drugs or Prohibited Substances, to the Judges violates these rules and shall be subject to a monetary penalty or suspension, or both.

6.8.3 Equine Medication Control

Rule 366.

- (1) Unauthorized administration of any drug or foreign substance, or the administration of non-therapeutic medications to racehorses is absolutely prohibited.
 - (a) A non-therapeutic medication is one that will include any drug, substance or medication that has been determined to be in the metabolism and system of a racehorse that has no therapeutic value to the racehorse.
 - (b) For the purposes of all APHRC Rules where this subject becomes a factor or subject to medication control, the presence of non-therapeutic drugs will be considered a Class 1 offense. (Cross Reference Table 1 of Rule 367(2)(a))
 - (c) "Unauthorized administration by the Trainer of Record shall be presumed in the case of a positive test under Rule 367. The Trainer of Record may rebut the presumption of unauthorized administration by demonstrating on a balance of probabilities (s)he made every reasonable effort to comply with the obligations of Rule 122 and protect the racehorse from unauthorized administration"
 - (d) Ban on Race Day Medication. No administration of medications, drugs and substances to any horse entered to race starting 24 hours prior to the post time of the first race of the day they are scheduled to race. This includes Qualifying Races. The only permissible substance shall be furosemide when properly enrolled in the E.I.P.H. Program.
- (2) On the date of a racing event, after an entry has entered the paddock, parenteral or oral medication of that horse is prohibited whether or not the medication is on the prohibited list.

Rule 367

Where any test taken under the Pari-Mutuel Betting Supervision Regulations reveals a positive presence of a restricted drug as described in such regulations, the APHRC shall refer to the uniform classification guidelines for foreign substances concerning the drug class.

- (1) Rule On Drug Classifications—Upon finding of a violation of these medication and prohibited substances rules, the senior judge shall consider the classification level of the violation as currently established by the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International Inc., and impose penalties and disciplinary measures consistent with the prescribed APHRC penalty table (Rule 367 (2)(a)).
 - (a) Prior to deciding on the imposition of penalties and disciplinary measures, the judge(s) shall consider the presence of any mitigating and/or aggravating circumstances.
 - (b) In the event the judge or a majority of them, find mitigating circumstances to be present, discretion may be exercised to impose a lesser penalty than the minimum penalty indicated in the APHRC penalty table Rule 367 (2) (a)
 - (c) In the event the judge, or a majority of them, find aggravating circumstances to be present, discretion may be exercised to impose the penalty indicated in the APHRC penalty table Rule 367 (2) (a) and refer the matter to the Commission with specific recommendations for further action.
 - (d) In the absence of mitigating or specific recommendations for further action pursuant to 367 (1) (c) the penalties contained in the penalty table Rule 367 (2) (a) shall apply.
 - (e) For the purpose of this rule Furosemide shall be considered a Class V positive. If the presence of the drug erythropoietin or any of its synthetic derivatives are detected in the blood sample, the Trainer of record shall be subject to a fine of \$5,000 and a 10-year suspension.
- (2) Penalty in the absence of mitigating circumstances, the penalties contained in Table 1 shall apply.

(a)

2 (a) TABLE 1	1 st Offense	2 nd Offense	3 rd Offense	Loss of Purse	Horse Suspension
CLASS #	Suspension - Fine	Suspension - Fine	Suspension - Fine		
1	1-2 years \$1,000-\$2,000	3-4 years \$3,000-\$4,000	5 years \$5,000	YES	30 Days
2	6-8 months \$1,500	9-10 months \$1,500	11-12 months \$1,500	YES	30 Days
3	60-100 Days \$500	100-140 Days \$500	140-180 Days \$500	YES	15 Days
4	15-30 Days \$200	31-45 Days \$200	45-59 Days \$200	YES	15 Days
5	15 Days \$100	15 Days \$100	15 Days \$100	YES	15 Days

**Class 4 and 5 for 1st offense within 3 years the offender shall be given the option of taking the prescribed penalty as noted above or pay a monetary fine of \$750 for a Class 5 violation or \$1,500 for a Class 4 violation. Horse Suspension will still be applied.

(b) For purposes of clarification, if a licensee regulated and under the jurisdiction of these rules incurs a 2nd offense and that offense is for a drug/medication classification different than his/her 1st offense, the Class of the 2nd offense shall determine the sanction range and the financial penalty. (i.e., If a 1st offense is proven a Class 1 violation for which a licensee is sanctioned an eighteen (18) month suspension and a \$1200 fine and the 2nd offense is a Class 4 proven violation the sanction for the 2nd offense shall be a suspension of between 31 and 45 days and a \$200 fine.) *For Class 4 and Class 5 medications if the date of conviction or ruling for the previous Class 4 and Class 5 offence(s) occurred more than three (3) years prior to the race in which the trainers' horse tested positive, then this would be considered as a first-time offence.*

(c) For positive tests and a track is closing, a minimum of 75% of the penalty must be served when a racetrack meet is operating.

(3) The person or persons so responsible for such racehorses are suspended from participation in harness racing at Commission licensed and member racetracks until the imposed penalty days are discharged.

(4) All other horses under the care and control of the person responsible for the horse having tested positive under Rule 367(1) and Rule 377 shall not be eligible for declaration or entry purposes for a period of seven (7) calendar days. Further, when so permitted under this Rule, the horse having tested positive must re-qualify to a time within three (3) seconds of the horse's recorded time in the race in which the horse tested positive. However, if in such race the horse did not have a clean line then the horse would have to qualify within three (3) seconds of its recorded time for its last clean line prior to the race in which it tested positive. Class 4 and 5 violations are exempt from

this provision.

For a third offence, the person responsible shall be suspended indefinitely and the matter referred to the Commission.

For a fourth and subsequent offence, the person responsible shall be suspended indefinitely and the matter referred to the Commission. (Refer to Rule 372)

(5)

- (a) Where a racehorse has failed to provide a satisfactory urine sample, the owner, trainer, or other authorized person in charge of the racehorse shall submit the racehorse to a blood test to determine the presence of drugs, stimulants, depressants, or sedatives. The provisions of the Pari-Mutuel Betting Supervision Regulations shall apply, except that such sample may be taken by a Veterinarian or a qualified Technician. The sample may also be drawn by the owner, trainer, or their designate under the supervision of the CPMA Test Inspector using a syringe and vial provided by the CPMA Test Inspector.
- (b) In all cases where blood is required to be drawn pursuant to subsection (a), it shall be the responsibility of the Trainer of Record to ensure compliance.

Rule 368

A licensee holding an owner-trainer-driver Commission licence found culpable under Rule 367 is not permitted to participate at any Commission licensed and member raceway.

Rule 369

Where a licensee refuses to submit a racehorse to pre- or post-race test or tests as required under this rule or by direction of the Judges' panel, the following shall apply:

- (1) The racehorse shall not be permitted to race in a qualifying or pari-mutuel race for a minimum period of thirty (30) days; and
- (2) Upon due notice of a charge of failure to submit a racehorse to a pre- or post-race test and after an opportunity to respond to the charge before a judges panel, the owner, trainer, or other authorized person(s) in charge of the horse found guilty of the charge shall be assessed an automatic six (6) month suspension and a \$1,000 fine for each and every horse so refusing to submit to testing; and
- (3) For purposes of this rule, the filing of a bona fide appeal shall not affect a stay on any penalty or penalties assessed by the Judges for refusal to submit to testing.

Rule 370

The provisions of Section 6.8.3 do not preclude the Commission from revoking the licence of the person responsible for the horse if there is a repeat positive test finding in a race meet.

Rule 371

- (1) Any horse having or alleged to have tested positive for a prohibited substance shall not race during the investigation, appeal or the suspension period of the horse and Class 1,2,3 and TCO2 positives must re-qualify for eligibility to participate in a pari-mutuel race. The horse may be tested after the qualifying race. Class 4,5 positives do not have to re-qualify.

Rule 372

- (1) Whenever a Trainer is suspended under Section 6.8.3, and 6.8.4 any horse trained by him/her or under his/her care, but not owned wholly or in part by him or her, with the consent of the Commission or it designates, may be released to the care of another licensed trainer, and may race. (Refer to Rule 367 (4))
- (2) Any horse that receives a Positive test for Class 1 to 5 or for TCO2 shall be placed on the judges list until the horse penalty is complete (if applicable) and the purse monies have been returned.

6.8.4 Blood Gas Analysis (TCO2)

Rule 373

The Atlantic Provinces Harness Racing Commission shall have a standard method of checking total carbon dioxide (TCO2) in racehorses scheduled to race in the Atlantic Provinces.

Rule 374

Following proper identification, a veterinarian, or qualified technician shall take a blood sample from the horse(s) selected for blood gas analysis anytime upon arrival to the racetrack and up to 90 minutes after their race. In the event the horse is scratched, and the trainer has been notified to present the horse for testing and fails to do so within the prescribed time, it shall be considered a refusal to submit a horse for testing purposes. (Refer to Rule 369)

Rule 375

Each sample shall be centrifuged and forwarded to a CPMA approved laboratory and analyzed according to CPMA established guidelines.

Rule 376

If the total carbon dioxide (TCO2) is equal to 36 mmol/litre or higher, said horse will be considered to have a positive test. 38.0 mmol/litre or higher if said horse is competing on furosemide (Lasix) at a racetrack which EIPH is offered shall be considered a positive test.

Rule 377

In the event a horse has a positive test, the judges shall impose a penalty on the horse's trainer of not less than (6) six months suspension from racing and a fine of not less than \$1,000. A 1-year probation shall also be included as part of the ruling. All purses paid shall be returned and re-distributed. Prior to re-instatement, the trainer shall be required to appear before the Commission to deliberate the conditions of re-instatement. The horse showing the positive test shall be excluded from racing for a period of not less than 15 days and for Class 1,2,3 and TCO2 positives must re-qualify, Class 4,5 positives do not have to re-qualify. Any trainer receiving a second positive test within twelve months from receiving the first shall be subject to a suspension of not less than 12 months with a Commission review before possible re-instatement.

Rule 378

In the event a horse registers a second excessive TCO2 concentration, the horse shall be scratched from the racing program. In addition, for any such offence, the judges may fine the horse's trainer the maximum amount permitted by these rules and suspend him/her for the maximum amount of time permitted by these rules and refer the case to the Commission for violation of Atlantic Provinces Harness Racing Commission Rules and Regulations.

Rule 379

The Commission shall be responsible for the expense of each blood gas analysis device, as well as all maintenance costs associated with its use.

Rule 380

An excess level of total carbon dioxide (TCO2) in a racehorse is deemed to be averse to the best interests of harness racing, and adverse to the best interests of the horse in that such condition alters its normal physiological state. Accordingly, a person designated by an approved TCO2 laboratory may obtain venous blood samples from the jugular vein of a horse for the purpose of the testing of said samples by that laboratory for TCO2 levels.

Rule 381

Should an owner or trainer wish to contest a blood gas analysis test which results in a positive test, he must, at their expense, arrange to have the horse in question quarantined at the Atlantic Veterinary College in Charlottetown, Prince Edward Island, for the purpose of being re-tested under a controlled environment. The horse shall be quarantined for a period not to exceed ten (10) days, during which time blood samples from the horse shall be tested at least one (1) time each day until a staff veterinarian determines that the (TCO2) total carbon dioxide concentration in the horse has returned to its proper level.

6.8.5 Commission Review

Rule 382

The Commission will review all decisions made by the judges pertaining to positive tests and may, at its discretion, reopen any case to rehear and rule on the evidence.

6.8.6 Needles, Syringes and Searches

Rule 383

No person except physicians, Commission Veterinarians or Official Veterinarians or veterinarians licensed by the Commission, shall have in their possession while on the grounds of a track facility:

- (1) any hypodermic needle or any other device which could be used for the injection or infusion into a horse of any substance or any injectable, which might be administered by a hypodermic needle, or device, without first securing written permission from the judges or Director of Racing.
- (2) Used needles and syringes within locked sharps containers will not be considered a violation of this rule.

Rule 384

The Director of Racing or persons authorized by him shall have the right to enter in or upon the buildings, stables, rooms, vehicles, or other places within the grounds of any track facility for the purpose of examining, searching, inspecting and seizing the personal property and effects of any person in or upon such place.

Rule 385

Participants acting in any capacity at a race meet approved by the Commission by so participating, consent to the examination, search and inspection referred to in the rules, and to the seizure of any hypodermic syringe, hypodermic needle or any other device described in the rules, and all medications and prohibited substances of any kind which might be in his or her possession. The Commission may forward any drugs, medicaments or other material or devices obtained to the official chemist for analysis.

Rule 386

Search and Seizure. Reference must also be made to Rule 385.

- a) First violation shall be a minimum of \$100 to a maximum of \$1000 and 0-30 day full suspension pending the search and seizure findings by APHRC Investigator(s). After the report is completed by APHRC Investigator(s) judges will examine the evidence to determine the penalty.
- b) Second violation within a 2year period the penalty shall be \$1,000 and a full 30day suspension
- c) On the day of the search and seizure is conducted, horses trained by the individual shall be scratched.

6.9 PENALTIES

6.9.1 Type I Offence

Rule 387

Minor infractions of these rules, enabling legislation or, where applicable, the Rules and Regulations of the Commission by Licencees are considered as **Type I Offences** for which a fine of not less than \$25.00 or more than \$200.00 and/or suspension from Commission licensed activity for a period not to exceed five (5) calendar days unless otherwise specified under the rule.

6.9.2 Type II Offence

Rule 388

Major infractions of these rules, enabling legislation or, where applicable, the Rules and Regulations of the Commission are considered **TYPE II Offences** for which a fine of not less than \$200.00 or more than \$5000.00 and/or suspension for a period not to exceed 240 days, revocation of Commission licence and/or expulsion for life unless otherwise specified under the relevant rule.

6.9.3 Fines and Suspensions

Rule 389

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

Rule 390

Where the penalty is for a driving violation and does not exceed in time a period of five days, the driver shall complete the engagements of all horses declared in before the penalty becomes effective. However, a driver may drive in stakes, futurities, early closing, or late closing races during a suspension of five days or less, but the suspension will be extended one day for each date on which he drives in such a race. If the suspension is for more than five (5) days, the driver shall be prohibited from any participation. A sanction of a day is a 24-hour period ending at midnight and which is a race day.

Rule 391

- (1) If suspended, expelled, or unlicensed, a person is prohibited from transferring his/her interest to his/her immediate family. Immediate family shall include spouse (including common law), son, daughter, son-in-law, daughter-in-law, father, mother, grandchild,

grandparent, adopted son, adopted daughter, stepson, stepdaughter, sister, brother, or person to whom the affected licensee stands in loco parentis.

- (2) If a suspended, expelled, or unlicensed person purports to transfer his/her interest in a horse while suspended, expelled or unlicensed, the judges may inquire into any such transfer to determine whether the racing of a horse is under the control or influence of the transferor. If it is concluded that the horse is under the control or influence of the transferor, the Judges may declare the horse ineligible.

Rule 392

During an inquiry conducted pursuant to Rule 391, the Judges may inquire into, and require the submission of documentary evidence to establish that the transfer is a bona fide transaction. Such documentary evidence may consist of, but not limited to, a statutory declaration relating to the following:

- (1) whether the transferee and transferor maintain separate books and records relating to the racing of horses.
- (2) whether the transferee maintains separate books and records relating to the racing of horses.
- (3) whether money earned from racing or used for the payment of debts relating to racing is either deposited to, or paid from, an account held jointly with the transferor.
- (4) whether the transferee is responsible for his/her own obligations and liabilities relating to racing and pays such obligations from his/her own separate and independent account.
- (5) whether the transferee contracts independently of the transferor with any trades people, entity, or track facility.
- (6) whether the transferee maintains a wholly independent business relating to the racing of standardbred horses and is not influenced by the transferor in any matter relating thereto.

Rule 393

Any participant having been fined, suspended, or expelled shall be advised verbally by the judges, which shall constitute proper notice. In any event, written or printed notice thereof shall be delivered to the person penalized. Notice shall be posted immediately at the office of the track facility and notice shall be forwarded immediately to the Commission and Standardbred Canada.

Rule 394

Whenever the penalty of suspension is prescribed in these rules it shall be effective from the time that notice is given. It shall mean exclusion and disqualification from any participation,

direct or indirect, in the privileges and uses of any track facility, unless otherwise specifically limited, and from participating in any racing of standardbred horses.

Rule 395

A three (3) day driving suspension means the driver is suspended from driving for three (3) days including qualifying and pari-mutuel races that occur on those race days.

Rule 396

Notwithstanding Rule 369 or a positive test as a consequence of blood, blood gas analysis, urine or saliva, fines imposed in accordance with these rules are payable forthwith upon their imposition and before the participant races again unless an appeal has been filed.

A licensee who fails to pay such fine may be suspended until the fine is paid, and such suspension will result in a penalty of not less than \$25.00.

Rule 397

All fines imposed and collected shall be in accordance with an agreement between the Commission and Standardbred Canada.

- (1) If participant receives a 5th violation for the same infarction within the Atlantic Provinces Race Meet the matter shall be referred to the Commission for review.

Rule 398

- (1) The timely filing of any appeal shall suspend the payment of any fines or the serving of any calendar days in a Judges' ruling, unless it is deemed by the Commission to not be in the best interest of racing to stay the penalties.
- (2) The timely filing of a Notice of Intent to Appeal or a formal appeal shall not suspend the payment of any fines or the serving of any calendar days or any other sanction in a Judges' ruling for a positive test result in any testing of APHRC licensees for alcohol or illegal drugs or controlled substances outlined in the Criminal Code of Canada where such testing is by way of analysis of a urine or saliva sample of said licensee(s) when such sample was taken by a person so authorized to take such samples by the Commission.

PART 7 PROTESTS, JUDGES' HEARINGS, APPEALS, COMPLAINTS, AND INVESTIGATIONS

7.1 Protests

Rule 399

A protest is an objection charging that a horse is ineligible to a race, alleging improper nomination or declaration of a horse, or citing any act of an owner, trainer, driver or official prohibited by the rules and which, if true, would exclude the horse or driver from the race.

Rule 400

Protests must be made no later than 15 days following the race in question and must contain at least one specific charge, which if true, would prevent the horse from competing in the race or from winning purse money. The judges may require that protests be reduced to writing and sworn to. If more than 15 days have passed since the race was run, no adjustments shall be made to purses or placing or records in the races contested after that time other than for positive tests. Notwithstanding the above, the Commission may review any allegation, at any time, that a horse was ineligible and take what action they deem appropriate against the owner, trainer, driver, or race secretary who declared the horse or allowed the horse to be declared and to race.

Rule 401

Every protest shall be considered and decided by the judges. Should the protest not be determined prior to the race, the horse shall be allowed to race under protest. Any purse money that may be affected by the outcome of the protest shall be held by the track facility pending the judges' decision.

Rule 402

When a protest has been duly made it shall not be withdrawn or surrendered without approval of the judges.

Rule 403

Any person found guilty of making a protest falsely or without cause shall be liable to a fine, or suspension, or expulsion.

Rule 404

If the placings of a race are altered as a result of a protest, purse money for the race shall be distributed according to the decision made on the protest. The eligibility of horses involved in protests that may participate in subsequent races pending determination of the protest is not affected.

Rule 405

Rulings on protests, which affect purse money or order of finish after the race was declared official, shall have no effect on the distribution of pari-mutuel pools.

7.2 Judges' Hearings

Rule 406

Any participant charged with a violation of these rules shall be notified by an official of the alleged rule violation and the place and time of a hearing to be held by the Judges. In the event the violation occurs during a race meet, no hearing shall take place without the consent of the person charged, until at least twenty-four (24) hours have elapsed to give the person charged time to prepare a defense, summon witnesses, and arrange to be represented by legal counsel or any other person of his/her choice.

Rule 407

Notwithstanding the foregoing, any person charged with a violation of these rules may waive the right to a hearing by signing a Waiver of Hearing form. The signing of the waiver shall constitute a plea of guilty to the alleged violation. (Cross Reference Rule 412)

Rule 408

If the Judges are unable to promptly give notice of a hearing to a participant, the participant may be suspended pending a hearing if it is deemed to be in the best interests of racing. The Judges may impose penalties on a participant who fails to appear for a hearing after being duly notified to do so.

- (1) If a participant fails to show for a scheduled hearing to review a violation. The penalty will be processed and no further hearing will be available.

Rule 409

Before the Judges impose a penalty on any driver in a race, they shall view the official race video replay, when available, of the race and shall interview such drivers they deem necessary and shall consider any information concerning the race that can be ascertained. Then, and then only, may a hearing be convened.

Rule 410

Any driver charged with a violation of the rules shall be given an opportunity of appearing before the Judges and hearing all witnesses against him/her, and of seeing the videotape, when available, of the race before the judges impose any penalty.

Rule 411

Judges shall conduct hearings in a summary manner giving effect to principles of natural justice. Judges may consider any oral testimony and any document or other thing, whether or not given or proven under oath or affirmation, relevant to the subject matter of the hearing. During the hearing, the Judges shall keep written notes identifying the persons who give testimony along with a summary of the evidence, which is presented.

7.3 Appeals

Rule 412

- (1) Following a hearing with the judges', any person who is allegedly aggrieved by a decision or ruling of the judges' or delegated official in respect to placings, penalties, interpretation of the rules or conduct of a race, may appeal to the Commission by filing a notice of Intent to Appeal with the Director of Racing within 24 hours of the judges' hearing. Failure to file such a Notice of Intent to Appeal will preclude a licensee's right to appear before the Commission. Such licensee must attend the judges' hearing to sustain the licensee's right of Appeal to the Commission.
- (2) A hearing with the Judges must be requested within 24 hours of the race in question, otherwise, the Judge's decision is final.
- (3) A licensee who fails to show for a Judge hearing, may be subject to a \$50 fine, if not cancelled 24 hours prior to the hearing.

Rule 413

An Appeal form must be received in the Head Office of the Commission by the close of business (4:00 pm) on the 8th calendar day following the Notice of Intent to Appeal. The person aggrieved shall file a Notice of Appeal with the Director of Racing on a form prescribed by the Commission setting out the particulars of the decision or ruling being appealed, the parties to the appeal and the grounds for the appeal.

Rule 414

The relevant track facility shall hold purse money affected by the appeal pending disposition of the appeal by the Commission.

Rule 415

Subject to adherence to the rules of natural justice and as may be prescribed by law, the Commission shall determine its own procedure.

Rule 416

A ruling of the Commission, which affects the distribution of purse money or order of finish of a race after the race has been declared official, shall have no bearing on the distribution of pari-mutuel pools.

Rule 417

The official performance records shall reflect the Judges' decision in all cases until all appeal procedures and remedies are exhausted. The eligibility of horses to the conditions of races will be in accordance with the Judges' decision as shown in the official performance records and will not be subsequently affected by the outcome of the appeal

process. Whatever the outcome of the appeal, the horse cannot be retroactively declared ineligible to races already contested prior to the appeal decision.

Rule 418

The Commission may uphold, rescind, or modify decisions or rulings being appealed and increase or decrease the penalty imposed by the judges or delegated officials.

Rule 419

There shall be no appeal from the decision of the Commission.

Rule 420

In the conduct of an Atlantic Provinces Harness Racing Commission Appeal, as contemplated by these Rules, the following protocols are mandatory:

- (1) The Appeal Hearing shall be conducted adhering to the principles of natural justice and the Commission shall have power to subpoena and summons witnesses and order the production and submission of necessary documents. The Commission shall not be bound by the strict rules of evidence, but every attempt will be made to eliminate hearsay testimony and observations from the record.
- (2) The following persons will, where required, or may, with consent of the Appeal Panel of the Commission, be present at the Appeal Hearing.
 - (a) The Appellant, his/her Counsel and any witness he/she might wish to subpoena.
 - (b) The members of the Atlantic Provinces Harness Racing Commission other than those that comprise the Appeal Panel, the Executive Director of Racing for the Commission, the Administrative Assistant for the Commission, the Respondent, and any licensed Atlantic Provinces Harness Racing Commission Officials directly or indirectly involved in said Appeal as well as any potential witnesses the Commission may wish to summon to the Appeal Hearing.
 - (c) No person, other than the aforementioned, will be permitted to attend an appeal hearing. However, if a licensee feels he or she is an interested party or intervener, such licensee shall, in writing, submit their argument to the Director of Racing as to why such licensee, or licensees, should merit interested party or intervener status and standing. The Director of Racing will evaluate the argument of the licensee, or licensees, and make a final and binding decision thereon. The party(ies) making such written request shall receive the decision of the Director of Racing as soon as possible after such request is submitted.
 - (d) Any written submission from a APHRC licensee for "Interested Party" or "Intervener" status and standing to appear at a scheduled Appeal Hearing must be submitted, in writing, to the Director of Racing at least ten (10) clear days prior to the scheduled Appeal Hearing date.

- (3) The Appellant shall provide the Director of Racing with a list of witnesses he/she plan on utilizing at the Appeal and the sequential order in which they are to be called. This list must be provided no later than 5 days prior to the appeal hearing.
- (4) The Senior Judge or Commission licensed official associated with the decision appealed from shall provide the Director of Racing with a list of witnesses he/she/they plan on utilizing at the Appeal and the sequential order in which they are to be called.
- (5) Prior to the commencement of the Appeal Hearing, the Director of Racing shall provide all persons properly involved with the Appeal with the full list of Witnesses and the order in which they will give testimony before the Appeal Board.
- (6) All witnesses so listed shall be excluded from the venue in which the appeal proceedings take place until such time as they are required to testify at said Appeal Hearing.
- (7) At the commencement of an Appeal Hearing the persons properly present are the Atlantic Provinces Harness Racing Commission Appeal Panel, other APHR Commission Members, the Director of Racing, the Administrative Assistant to the Atlantic Provinces Harness Racing Commission, the Appellant and his/her Counsel, if required and the Respondent(s) and his/her/their Counsel, if required, only.
- (8) The Commission can assign an appeal panel per their regulatory authority. The appeal panel shall consist of a minimum of 3 Commissioners.

Rule 421

The party requesting such subpoena shall pay all costs relating to the subpoena of witnesses.

Rule 422

The Commission shall be bound, to every extent possible, by prior decisions or rulings of the Commission.

Rule 423

The Appeal Process including the issuance of a decision by the Commission shall not exceed one hundred and twenty (120) days except by ruling of the Commission.

Rule 424

- (1) If after holding the hearing the Commission is of the opinion that the appeal was frivolous or vexatious, it may order a penalty against the person filing the Appeal in an amount not to exceed \$1,000 in addition to any other penalty for which the person may be liable.
- (2) An appellant or summoned witness who fails to show for an Appeal Hearing without receiving the Commissions' prior approval will be subject to a fine up to \$500.00

depending on circumstances of failing to show. If an Appellant fails to show for his/her appeal, the appeal will be dismissed.

7.4 Complaints

Rule 425

Any person having a formal complaint may file such complaint with the Director of Racing. All complaints must be specific and filed on the appropriate form prescribed by the Commission. All complaints must be legible and signed by the Complainant.

Rule 426

The Commission shall determine whether a formal complaint warrants examination and investigation. All formal complaints will be acknowledged by the Commission, in writing, together with a brief outline of the proposed action, if any.

7.5 Investigations

Rule 427

- (1) The judges, the Commission, or its authorized agent, may question any licensee or member and may require him/her to make statutory declarations or statements in writing and provide documentary evidence of any agreements or transactions, financial or otherwise, respecting to any suspected violation of these rules, or any matter which, in the opinion of the Commission or the judges, is not in the best interest of racing.
- (2) Any licensee ordered to appear before a Commission Hearing of any kind by way of summons, subpoena, written directive or written instruction, or by way of verbal demand of the Commission Chair, shall comply with such summons, subpoena, written directive or written instruction, or verbal demand. Failure to do so, without written permission of the Commission Chair to be relieved from so appearing, may result in such license being suspended, forthwith, from all licensee activities for a period of up to two (2) years and a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both for such violation of this Type II Offense.

Rule 428

Whenever reasonable grounds exist for a belief that any participant can give material evidence that would aid in the detection or exposure of any fraud or wrongdoing concerning racing, such participant shall, on the order of the judges or other authorized official, be compelled to testify.

PART 8 SUNDRY & MISCELLANEOUS

8.1 Out of Competition Testing

Rule 429

Effective April 1, 2008, any owner and/or trainer licensed as a APHRC owner or trainer of record with respect to any standardbred horse racing in the provinces of NB, NS, PEI or NL, shall be required at any time or place within the three provinces aforesaid and without prior notice to make his or her horse or horses available to have a biological sample taken.

Biological samples include, but are not limited to, blood, urine and hair. The sample shall be taken by an official veterinarian or other delegated authority of the APHRC which shall be under the jurisdiction of the Director of the APHRC. Failure to make the horse or horses available to have the biological sample taken on demand shall result in any or all of the following as determined by the APHRC:

- (1) the horse or horses and trainer are suspended immediately
- (2) the trainer is refused the right to enter the horse or horses in future races at racetracks in NB, NS, PEI, or NL for an indefinite period
- (3) the owner is refused the right to enter horses in future races at licensed racetracks in NB, NS, PEI, or NL for an indefinite period
- (4) notwithstanding the sanctions outlined in (1), (2), and (3), the trainer and/or owner must make such horse or horses available for said testing prior to return to racing
- (5) three refusals within a 12-month period will result in a full suspension of license privileges for a minimum of 2 years and not more than 5 years.

8.2 EPO Testing

Rule 430

Horses may be tested for the presence of the drug or antibodies to the drug of erythropoietin or any of its synthetic derivatives if they meet any of the following criteria:

- (1) once entered to race,
- (2) when claimed,
- (3) when a horse has died and the trainer or owner is required to report the death of the horse,
- (4) any horse that was entered or raced within the previous 60 days.

Rule 431

The entry of a horse to race shall constitute permission for a person designated by the Director of Racing to collect or otherwise obtain a blood sample from or of that horse for purposes of testing. Where a blood sample has been collected for purposes of TCO₂ testing, that sample may be used for testing for the presence of the drug or antibodies to the drug of erythropoietin or any of its synthetic derivatives, and the entry of the horse to race shall constitute permission for a person designated by the Director of Racing to obtain that blood sample for purposes of testing for such presence of the drug erythropoietin or any of its synthetic derivatives.

Rule 432

If the presence of the drug erythropoietin or any of its synthetic derivatives are detected in the blood sample, the horse from which the blood sample was collected or obtained shall be placed on the Veterinarians List (long term). The horse shall not be removed from the Veterinarians List until the Director of Racing is satisfied that there is no indication of the administration of erythropoietin or any of its synthetic derivatives in the biological sample of the horse. The present registered owner is financially responsible for the complete cost of the blood sample and testing thereof.

Rule 433

The Judges shall declare a claim invalid if there is the presence of the drug erythropoietin or any of its synthetic derivatives detected in the blood sample of a horse that was claimed in a race (and the Judges are so notified by the Director of Racing) and the claimant of the horse or horses requests that the claim be declared invalid. A request must be made within 48 hours after notification that the test result was positive. Once the claim is declared invalid, the horse shall be returned to the previous owner, that owner's trainer or that owner's authorized agent and the amount of the claiming price shall be repaid to the claimant. The claimant shall be responsible for reasonable costs incurred for care or training of the horse while it was in the possession of the claimant or his or her trainer.

Rule 434

For purposes of testing for the presence of the drug erythropoietin or any of its synthetic derivatives, the Director of Racing shall establish, by Directive, the threshold limit beyond which a rule violation exists.

8.3 Equine Postmortem

Rule 435

- (1) If a horse dies within 14 days of it being entered or qualified to race, the trainer of record at the time of the death of the horse that the horse shall:
 - (a) Inform the APHRC in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died.
 - (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death.
 - (c) When directed to do so by the APHRC, transport the horse at the trainer's or owners' expense immediately, or as soon as transportation can be arranged but, in any event, no later than 2 days of the death of the horse, to a facility approved by the APHRC for a post-mortem and such testing as the APHRC may deem is appropriate and.
 - (d) Instruct the person conducting the post-mortem and the testing and any reports prepared with respect to the post-mortem and testing to the APHRC within 5 days of their completion.
- (2) Where there is no trainer of record at the time of the death of the horse, the owner shall:
 - (a) Inform the APHRC in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died.
 - (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death.
 - (c) When directed to do so by the APHRC, transport the horse at the trainer's or owners' expense immediately, or as soon as transportation can be arranged but, in any event, no later than 2 days of the death of the horse, to a facility approved by the APHRC for a post-mortem and such testing as the APHRC may deem is appropriate and,
 - (d) Instruct the person conducting the post-mortem and the testing and any reports prepared with respect to the post-mortem and testing to the APHRC within 5 days of their completion.
- (3) If a horse dies after 14 days but within 60 days of it being entered or qualified to race, the trainer of record at the time of the death of the horse that the horse shall:
 - (a) Inform the APHRC in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died.

- (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death or who determined the cause or apparent cause of death and of any post-mortem or other tests conducted on the horse to determine the cause of death.
- (4) If a horse dies after 14 days but within 60 days of it being entered or qualified to race, and there is no trainer of record at the time of the death of the horse the owner of the horse shall.
 - (a) Inform the APHRC in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died.
 - (b) Provide copies of any reports prepared by the veterinarian(s) who treated the horse prior to its death or who determined the cause or apparent cause of death and of any post-mortem or other tests conducted on the horse to determine the cause of death.
- (5) If a horse dies after 14 days but within 60 days of it being entered or qualified to race; the APHRC may order the trainer of record at the time of death or the owner of the horse if there was no trainer of record at the time of death of the horse, to transport the horse at the trainer's or owners expense immediately, or as soon as transportation can be arranged but in any event no later than 2 days of the death of the horse, to a facility approved by the APHRC for a post-mortem and such testing as the APHRC may deem is appropriate and; Instruct the person conducting the post-mortem and the testing and any reports prepared with respect to the post-mortem and testing to the APHRC within 5 days of their completion.
- (6) If a horse being treated by a veterinarian dies within 60 days of being entered or qualified to race, the attending veterinarian shall inform the APHRC in writing within 2 days of the death of the horse that the horse has died, and the location and premises where the horse died and the cause or apparent cause of death.
- (7) The APHRC may find:
 - (a) that an owner, trainer, or veterinarian failed to report a horse death pursuant to the Rules; and
 - (b) that an owner, trainer or veterinarian failed to conduct a post-mortem.
 - (c) Upon notice, APHRC may impose a monetary penalty, suspension of license or other such penalty as is appropriate in the circumstances on that trainer, owner, veterinarian or impose conditions on the license of the trainer, an owner or veterinarian.

- (d) All other horses under the care and control of the person responsible for the deceased horse, shall not be eligible for declaration or entry purposes for a period of seven (7) calendar days and requires APHRC approved trainer change.

Penalty for failure to report death of a horse Minimum of \$1,000- and 90-day suspension.

Penalty for failure to conduct a post-mortem Minimum of \$1,000- and 90-day suspension>

8.4 Licensing of Veterinarians

Rule 436

- (1) A veterinarian shall maintain and keep the records required pursuant to the Rules for not less than two clear years and shall make such records of horses treated at APHRC tracks available to the Director, Judges, or their delegates upon request.
- (2) Only veterinarians licensed by the APHRC may be permitted to treat horses at APHRC licensed racetracks.
- (5) The records maintained and kept by a veterinarian shall include the name of the horse, the names of the owner and trainer, the date of the administration or prescription of the drug, substance or medication, and its nature.
- (6) Except in emergency situations, veterinarians shall not parenterally or orally treat or medicate a horse in the paddock and/or ship in barns prior to post time and/or racing. When a horse has been treated parenterally or orally or medicated, the administering veterinarian shall report it to the Judges who shall then scratch the horse.
- (7) A veterinarian shall:
- (a) determine from the trainer or owner what drugs, substances or medications are being administered to the horse before prescribing or administering any drug, substance or medication and shall maintain that information in his or her records,
 - (b) determine from the trainer or owner prior to prescribing or administering any drug, substance or medication to a horse if the horse is or will be entered to race during the period of time in which any drug, substance or medication may affect the performance of the horse or could result in the issuance of a certificate of positive analysis, if an official sample were tested for that drug, substance or medication, or metabolite or derivative of that drug, substance or medication,
 - (c) advise the trainer or owner in writing:
 - (i) of the detection limit for any drug, substance or medication identified in the Schedule of Drugs, as amended from time to time, published by the

Canadian Pari-Mutuel Agency and the circumstances which would or could alter that detection limit set out in the Schedule of Drugs, including those related to condition of the horse, dosage, method of administration, format in which the medication is administered, or other circumstances,

- (ii) if no detection limit is provided for in the Schedule of Drugs, an estimate of the detection limit based upon the veterinarian's professional opinion, after carrying out such research as is required for him or her to form a professional opinion, and shall maintain a copy of that written advice in his or her records,
 - (d) advise the trainer or owner of the potential or anticipated results of the administration of the drug, substance or medication on the horse and note this on his or her treatment records, and
 - (e) advise the trainer or owner of any potential or anticipated side effects of the administration of the drug, substance or medication, including any that may result from interaction with any other drug, substance or medication that the veterinarian knows, ought to know or has reason to believe is being administered to the horse, and note this on his or her treatment records.
- (8) A veterinarian may comply with the requirements with 5(c), (d) and if he or she provides the advice to the trainer in writing at least once every race meet and there is no reason to provide the advice in writing again during that race meet. The veterinarian, in deciding that there is no reason to provide the advice in writing again, shall consider the health and safety of the horse, the integrity of racing, his or her knowledge of the practices and procedures of the trainer and the trainer's employees, his or her knowledge and experience with the drug, substance or medication, and such other factors that the veterinarian, acting reasonably, considers relevant.
- (9) A veterinarian may comply with 5(a) and (b) if he or she obtains the required information from a bona fide representative of the trainer or owner who has been designated by the trainer or owner to act on his or her behalf and the veterinarian has no reason to believe otherwise. A veterinarian may comply with 5(c), (d) and (e) if he or she provides the written advice to a bona fide representative of the trainer or owner who has been designated by the trainer or owner to act on his or her behalf and the veterinarian has no reason to believe otherwise.
- (10) A veterinarian shall only examine or treat a horse, or prescribe or administer a drug, substance, or medication if he or she is following the requirements of the College of Veterinarians of the Province in which he or she practices, including, but not limited to, the Minimum Standards for Veterinary Facilities in the Province in which he or she practices, as amended from time to time.
- (11) A veterinarian may be held wholly or partially responsible if any drug, substance, or medication administered or prescribed by him/her results in:

- (a) the issuance of a certificate of positive analysis under the Pari-Mutuel Betting Supervision Regulations,
- (b) an excess level of total carbon dioxide for purposes of the Rules, or
- (c) confirmation of the administration of erythropoietin or any of its synthetic derivatives for purposes of the Rules and, if held wholly or partially responsible, may be fined and/or suspended by the Judges.

(12)

(a) A veterinarian who dispenses a drug or medication shall label the container (according to their provincial veterinary association by-laws) in which the drug or medication is dispensed. The following information must be provided in writing to the trainer and/or owner if it is not included on the label.

- (i) name and strength of the drug or medication,
- (ii) date and quantity prescribed,
- (iii) name and address of the dispensing veterinarian
- (iv) name of the horse for which it is prescribed,
- (v) name of the trainer/or owner of the horse,
- (vi) the directions for use, and
- (vii) detection limit determined in accordance with Rule 5 in the event that a drug or medication is to be dispensed to multiple horses from a single container, such container shall be marked "BARN USE", and will be exempt from items (ii) and (iv) above and replaced by a written log, to include the following information:
 - (i) name of the horses for which it is prescribed, and
 - (ii) date and quantity prescribed.

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

(11) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted on any racehorse unless the following conditions are met:

- (a) the treatment took place a minimum of 4 days (96 hours) prior to competing in a race.
 - (b) the treatment using the Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine was conducted by a veterinarian (or veterinary technician under the supervision of a licensed veterinarian) licensed by the Commission as a veterinarian.
 - (c) any treatment received while on the grounds of the Association was through the use of an Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine owned and operated by a veterinarian (or veterinary technician under the supervision of a licensed veterinarian) licensed by the Commission; and
 - (d) a record of the treatment, including the date and time, is maintained as part of the record of the horse.
 - (e) treatment using the Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine conducted by anyone other than a veterinarian (or veterinary technician under the supervision of a licensed veterinarian) licensed by the Commission as a veterinarian may result in the seizure of the machine.
- (12) No person shall administer, attempt to administer, or cause to be administered, any medication or substance by a nasogastric tube to a horse on race day prior to its race, except for emergency treatment, which treatment will result in the horse being scratched from the race.
- (13) Should any veterinarian licensed by the Commission be found guilty of any offence contrary to the rules or be found guilty of any actions that would be considered a breach of ethics by the veterinary profession, that veterinarian may be fined, and/or suspended by the Judges, or may be referred to the Commission for disciplinary action under the rules.

8.5 STANDARDBRED EXERCISE INDUCED PULMONARY HEMORRHAGE (EIPH) PROGRAM

Rule 437

- (1) All licensees owning or training a horse or horses participating in the EIPH Program shall complete, in full, the EIPH Certification Forms 1 or 2 as applicable. Form 1 is that form to be used for horses ordinarily competing in the Atlantic Provinces and Form 2 is that form for horses shipping in to compete in the Atlantic Provinces. Each form shall contain certification by way of an endoscopy performed by a veterinarian licensed by the Commission and eligible to practice in the Atlantic Provinces, or as provided in Form 2, from any other jurisdiction recognized by the Commission to the effect that the subject Standardbred horse has displayed symptoms of EIPH and is qualified for the EIPH Program within the past 365 days in their opinion to justify the use of Furosemide in pari-mutuel racing in accordance with the program accepted by the Commission. The certification form and any other applicable form(s) must be filed with and accepted by the Judges prior to the time of entry (subject to any time extension permitted by Rule 436(8)).
- (2) Any person providing false or misleading information on Form 1 or Form 2 may be subject to a suspension and/or monetary penalty being levied by the Judges or by the Commission.
- (3) A veterinarian who is duly licensed by the College of Veterinarians in any of the Atlantic Provinces and the Commission who certifies by way of endoscopy that a horse displays symptoms of Exercise Induced Pulmonary Hemorrhage (EIPH) shall, upon request, issue Form 1 to the trainer of the horse.
- (4) Any owner or trainer who intends to race a horse within the EIPH Program that is properly certified as per Rule 436 (3) is required to submit the Form 1 certificate to a Standardbred Canada representative. The Standardbred Canada representative shall cause the Form 1 to be entered into the Standardbred Canada computer data indicating that the subject horse has been certified to receive Furosemide. Such information shall be entered into the computer by the Standardbred Canada representative at or before the time of the entry of the horse into the race following the date upon which it was certified.
- (5) The Form 1 certificate shall, once authorized by a licensed veterinarian, be valid for 45 days. If the horse identified on said certificate does not have a pari-mutuel start within 45 days, the Form 1 certificate is rescinded.
- (6) Where a horse has bled in another jurisdiction the Commission veterinarian shall certify that horse as being eligible to contest races when using Furosemide upon presentation by the owner or trainer of the subject horse of a duly completed Form 2 containing certification from a veterinarian licensed in another jurisdiction recognized by the Commission that the horse displays symptoms of EIPH.

- (7) After a horse is certified as a bleeder, the said horse may not race for 14 clear days from the date it was certified.
- (8) If a horse to which Form 2 applies and with respect to which enrolment is sought in the EIPH Program has not been enrolled prior to the time of entry of the subject race, such enrolment may be extended to immediately prior to the time it is required to receive Furosemide on the date of the first occasion in which it races in the Atlantic Provinces and seeks certification. Such extension of time is solely within the discretion of the Judges and may be granted by them if evidence is presented to the Commission veterinarian or official veterinarian by the owner or trainer or the authorized representative of the owner or trainer of the subject horse that the horse has raced on Furosemide in such other jurisdictions where the use of Furosemide is authorized.
- (9) The status of all horses enrolled in the EIPH Program must be declared on the entry form at the time of entry.
- (10) If a horse has been enrolled in the EIPH Program, it shall remain on the Exercise Induced Pulmonary Hemorrhage (EIPH) List for 100 days from the date of its first or most recent certification and be administered Furosemide prior to any of its races regardless of any change of owner or trainer. After being on the program for at least 100 days, if upon certification by way of an endoscopy by a duly qualified veterinarian licensed by the Commission, (provided that the horse has not been treated with Furosemide prior to certification, shows no evidence of Exercise Induced Pulmonary Hemorrhage) and the results of that examination are endorsed by the Commission veterinarian or official veterinarian, such horse may be removed from the EIPH Program and after this examination date shall be eligible to be entered to race without being treated with Furosemide prior to racing. For greater certainty, a horse may only be put on the EIPH program or removed from the program by a licensed veterinarian. Horses may only be removed from the program after 100 days by a licensed veterinarian. At a later date, if such horse bleeds it may be readmitted to the EIPH Program upon certification by way of endoscopy the Commission veterinarian or official veterinarian in accordance with Rule 436(7).
- (11) Any horse that is declared eligible (referred to in these Rules as a “certified horse”) to receive Furosemide must have, in fact, been accepted to the EIPH Program at the time of such declaration. Any licensee who falsely declares that the horse has been enrolled in the EIPH Program when such horse is not a certified horse shall be deemed to have violated these rules by such false declaration and shall be subject to discipline by the Judges in accordance with the provisions of Rule 349.
- (12) Any certified horse must be presented by the owner or trainer, or his or her duly licensed representative at a retention facility at the track where the horse is racing on that occasion at least four hours and fifteen minutes prior to the post time as published on the overnight sheet of the race in question and shall remain there until medicated with the correct dosage of Furosemide. Any certified horse that does not receive Furosemide

no earlier than four hours and fifteen minutes and no later than three hours and forty-five minutes before the published post time for the race in which it is entered to compete shall be automatically scratched.

- (13) All racing associations shall provide a secure retention facility for the administration of the EIPH program.
- (14) The certified horse must be medicated with the correct dosage of Furosemide intravenously by the designated veterinarian or technician acting under the supervision of the designated veterinarian, or by a veterinarian licensed by the Commission who shall use only Furosemide, syringes and needles supplied by the designated veterinarian or technician.
- (15) The veterinarian or his or her designate shall intravenously administer to the horse a dosage of Furosemide which is no less than 150 mg. and no more than 250 mg.
- (16) The trainer, or his or her authorized representative with a valid licence, shall remain with the certified horse from the time of its arrival in the retention facility until it is removed there from after having been medicated or scratched. During the time that the horse is in the retention facility the trainer or a duly licensed representative, is responsible to give such assistance as is required by the veterinarian or his designate or such other person involved in the EIPH Program in identifying the horse and guarding the horse from the administration of any other substance. Any horse left unattended for any time during the period when it is in the retention barn shall be automatically scratched and the trainer thereof shall be deemed to have violated this rule and may be subject to discipline by the Judges in accordance with Rule 349.
- (17) In the event that the trainer, or his or her authorized representative with a valid license, has failed to assure that the certified horse was medicated, the trainer and/or his duly authorized licensed representative shall be in violation of these rules and may be subject to discipline by the Judges in accordance with Rule 349.
- (18) Any trainer of a horse that has been certified to receive Furosemide in accordance with the provisions of the EIPH Program, who fails or refuses, without reasonable justification, to bring the certified horse, or to have the certified horse brought to the retention facility within the time prescribed by the provisions of the Pari-Mutuel Betting Supervision Regulations under the Criminal Code (Canada) and these Rules for any race in which that horse is programmed to start shall be deemed to have violated these rules and shall be subject to a monetary penalty and/or suspension being imposed by the Judges in accordance with Rule 349. Also refer to APHRC Rule 366(5)(b)
- (19) Once a horse has reported for Lasix, the horse shall remain on the grounds of the licensed facility. If horse leaves the grounds after receiving Lasix and returns, the horse shall be scratched, and the trainer shall receive a fine of \$100.

8.6 SUSPENSION OF RACING DUE TO CRITICAL INCIDENTS

Rule 438

- (1) The Director of Racing, or their designate, shall have the authority to suspend or cancel the remainder of a race program at any licensed racetrack in the event of a critical incident involving serious injury, fatality, or other traumatic occurrence affecting a human or equine participant, track official, staff member, or spectator.
- (2) This authority may be exercised in the interest of:
 - (i) compassion and respect for those affected by the incident,
 - (ii) the mental health and emotional well-being of participants and officials,
 - (iii) the operational disruption caused by emergency response or investigations, and
 - (iv) any other humanitarian considerations that may render continuation of the race card inappropriate.
- (3) This rule is distinct from and supplementary to any rules governing the suspension of racing due to unsafe track conditions or weather. It shall apply regardless of track surface condition when the cause is unrelated to physical safety but warrants a compassionate response.
- (4) A written report documenting the rationale for invoking this rule must be submitted to the Commission within 48 hours by the Director of Racing or their designate.

Rule 437

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MISSION STATEMENT

To regulate all facets of the harness racing industry and in so doing promote integrity, honesty, and fairness at the highest level while at the same time protecting the public's interest. Furthermore, to protect and improve the health and safety of both horses and licensees.