

**RULES OF
STANDBRED RACING**

2000

**MANITOBA HORSE RACING
COMMISSION**

**MANITOBA HORSE RACING
COMMISSION**

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DEFINITIONS

1 In this regulation:

- (1) Added Money Event includes stakes, futurities, early closing races, and late closing races as further defined in these rules.
- (2) Advertised Purse is that amount offered for an event by the track member, sponsor, or presenter but does not include nomination, sustaining, or starting fees.
- (3) Age of a horse shall be reckoned from the first day of January of the year of foaling.
- (4) Also Eligible pertains to a horse, properly declared, which was not drawn for inclusion in a race, but which became eligible according to preference or lot if an entry is scratched prior to the release time.
- (5) Appeal is a request for the Commission or its designee to review a decision or ruling of the judges.
- (6) Arrears includes all sums due for nomination, sustaining and declaration fees, stakes, forfeits, fines, fees, purchase money in races with claiming conditions, or any default related to the rules.
- (7) Association means a person, association, society or body corporate, licensed by the racing commission, conducting a race meeting.
- (8) Association Grounds is all real property utilized by the association in the conduct of its race meeting, including the racetrack, grandstand, concession stands, offices, barns, stable area, employee housing facilities and parking lots and any other areas under the jurisdiction of the Commission.
- (9) Authorized Agent is a person licensed by the Commission and appointed by a written instrument, signed and acknowledged before a notary public, Commission for Oaths, or authorized person, by the owner on whose behalf the agent will act.
- (10) Authorized person means the person designated pursuant to Part XXI.
- (11) Betting Interest is one or more horses in a pari-mutuel contest which are identified by a separate program number for wagering purposes.
- (12) Bleeder is a horse which has demonstrated external evidence of exercise induced pulmonary hemorrhage (epistaxis, or bleeding from one or both nostrils) and/or

- the existence of hemorrhage into the trachea post exercise as observed upon endoscopic examination.
- (13) Bleeder List is a tabulation of all bleeders to be maintained by the Commission.
 - (14) Breeder means the owner or lessee, subject to the terms of a lease agreement, of the dam at the time she served.
 - (15) Break is the racing of a horse at other than the gait designated by the conditions of and the declaration to a race.
 - (16) Chief Test Inspector means the official appointed by the Canadian Pari-mutuel Agency and approved pursuant to Part V of the Pari-mutuel Betting Supervision Regulations and who is directly responsible to the Canadian Pari-mutuel Agency and to the judges for the taking of official samples from horses by himself and the Test Inspectors under his supervision.
 - (17) Claiming race means a race in which every horse racing therein may be claimed, for a designated amount, in conformity with the regulations.
 - (18) Classified Race is a race in which declarations are selected by the racing secretary on the basis of ability and/or past performance.
 - (19) Commission means The Horse Racing Commission of the Province of Manitoba.
 - (20) Conditioned Race is an overnight race to which eligibility is determined according to specified conditions which include age, sex, earnings, number of starts, and position of finishes.
 - (21) Conditions are qualifications which determine a horse's eligibility to be declared in a race.
 - (22) Coupled Entry is two or more contestants in a contest that are treated as a single betting interest for pari-mutuel wagering purposes (also see "Entry").
 - (23) Dash means a race decided in a single trial.
 - (24) Day means 24 hours ending at midnight.
 - (25) 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.
 - (26) Declaration is the naming of a particular horse as a starter in a particular race.
 - (27) Director of Security means the person appointed to that position from time to time by the Commission.

- (28) Distanced means that a horse finishes more than 30 lengths behind the winning horse.
- (29) Draw is the process of assigning post positions and the process of selecting contestants in a manner to ensure compliance with the conditions of the rules of racing.
- (30) Driver is a person who is licensed by the Commission to drive in a race.
- (31) Drug means a drug as defined in the Canadian Pari-mutuel Agency (C.P.M.A.) Regulations and includes any substance that prevents or interferes with the detection or identification of any drug in an official sample.
- (32) Early Closing Race means a race to which nominations close at least six weeks preceding the date of the race.
- (33) Elimination Heats are the individual heats of a race in which the contestants must qualify for a final heat.
- (34) Entry includes:
 - a) a horse eligible for and declared in a race; or
 - b) two or more horses, declared in the same race, which have common ties of ownership, lease, training, or driving (see Coupled Entry).
- (35) Exhibition Race is a race on which no wagering is permitted.
- (36) Extended Meeting means a meeting of 10 days or more.
- (37) Fair Meeting means a meeting of less than 10 days.
- (38) Finish Line is a line established with aid of a surveyor's transit which marks the end of the race.
- (39) Foreign Substance is any substance, except those which exist naturally in the untreated horse at normal physiological concentration, and shall include all narcotics, stimulants, depressants or other drugs or medications of any type.
- (40) Forfeit is money paid into a race which is non-refundable.
- (41) Futurity means a stake race in which the foal dam of the competing animal, or the animal itself, is nominated during the year of the foaling.
- (42) Handicap means a race in which performance, claiming price, sex, age, or distance allowance is made. Post positions for a handicap may be assigned by the Racing Secretary. Post positions in handicap claiming races shall be determined by claiming price prior to application of allowances.
- (43) Horse is any equine (including and designated as a mare,

filly, stallion, colt, spayed mare, ridgling or gelding) registered for racing; specifically, an entire male 5 years of age or older.

- (44) Immediate Family shall include son, daughter, sister, brother, son-in-law, daughter-in-law, father, mother, grandchild, grandparent, adopted son, adopted daughter, stepson, stepdaughter, or person to whom the affected licensee stands in loco parentis.
- (45) In Harness when a race is made to go “in harness” it shall be construed to mean that the performance while hooked to a sulky as described in these definitions.
- (46) Injectable means a drug kept in a container designed to permit the drug to be administered by hypodermic syringe, hypodermic needle or other form of parenteral administration; and includes an injectable device whether or not the drug or substance in the device is defined in the Canadian Pari-mutuel Agency (C.P.M.A.) Regulations and whether or not the drug or substance is prohibited from being in the possession of a person on the grounds of the association.
- (47) Inquiry is an investigation by the judges in a contest prior to declaring the result of the contest official.
- (48) Judge is a duly appointed racing official with powers and duties specified by the Act and the rules.
- (49) Judges List means a list of horses that are refused declaration until removed.
- (50) Late Closing Race - A race to which nominations close less than six weeks and more than five days before the date on which it is to be contested.
- (51) Length is equal to one-fifth second as determined by the photo-finish.
- (52) Maiden means a horse that:
 - a) has never won a heat or race at the gait at which it is entered to start, and for which a purse is offered,
 - (b) although having finished first in a race for which a purse was or is offered was or is subsequently disqualified.
- (53) Manitoba Bred means a foal which was foaled in Manitoba.
- (54) Manitoba Resident means:
 - (a) with respect to a person, a person who actually and physically maintains his permanent residence within the Province of Manitoba for a minimum of 183 days

- out of the immediate preceding 365 days and does not maintain a permanent residence in any other jurisdiction during the time period in which he is claiming to be a Manitoba resident,
- (b) with respect to a registered partnership, a registered partnership in which all of the partners are Manitoba residents as defined in clause (a),
 - (c) with respect to a limited company, a limited company in which all registered and beneficial shareholders are Manitoba residents as defined in clause (a),
 - (d) In determining whether a person is a Manitoba resident, the Commission shall take into account, but shall not be limited to, the following considerations:
 - (i) the province and country to which the person pays his income tax;
 - (ii) the province and country which has issued the person his motor vehicle operators permit;
 - (iii) the province and country with which the person has registered his motor vehicles and trailers;
 - (iv) the province and country in which the person is registered under any public or private medical health insurance plan or program;
 - (v) the ordinary residence of the spouse and infant children of the person, and the location of any school which the children attend;
 - (vi) the province and country in which the person has his business or in which he is employed;
 - (vii) whether any residence situated outside the Province is in the nature of a vacation or “winter” home rather than a permanent residence, and;
 - (viii) such other evidence as any party to any proceedings or hearing (including any party adverse in interest to the person seeking to be considered a Manitoba resident hereunder) wishes to tender, and which the Commission deems pertinent and advisable to accept.
- (55) Manitoba Sired means a foal sired by a stallion that is owned or leased by a Manitoba resident. To be eligible to the MSSBA program a stallion must be paid up and registered with the MSSBA for the current breeding year and stand its entire breeding season in Manitoba for that particular year.

- (56) Meeting means the period of time during which races are run consecutively at one race track, approved by the Commission.
- (57) MGWHRC means the Manitoba Great Western Harness Racing Circuit.
- (58) Nerving means to use drugs, surgery, alcohol, cryogenic techniques, laser therapy, or any other means to affect a temporary or permanent blocking of the nerve(s).
- (59) No Contest is a race voided for any reason by the judges.
- (60) Nomination is the naming of a horse to a certain race or series of races generally accompanied by payment of a prescribed fee.
- (61) Nominator is the person or entity in whose name a horse is nominated for a race or series of races.
- (62) Objection is a verbal claim of foul in a race lodged by the horse's driver, trainer, owner, or the owner's authorized agent before the race is declared official.
- (63) Off Time is the moment at which, on the signal of the official starter, the horses are officially dispatched in each contest.
- (64) Official Chemist means an official chemist appointed pursuant to the Canadian Pari-mutuel Agency (C.P.M.A.) Regulations.
- (65) Official Order of Finish is the order of finish of the horses in a contest as declared official by the judges.
- (66) Official Performance Record is the past performance statistics as compiled by Standardbred Canada and/or the USTA.
- (67) Official Sample is any body substance including but not limited to blood or urine taken from a horse under the supervision of the regulatory body(ies) for the purpose of analysis.
- (68) Official Starter is the official responsible for dispatching the horses for a race.
- (69) Official Time is the elapsed time from the moment the first horse crosses the starting point until the first horse crosses the finish line.
- (70) Official Veterinarian means a graduate in veterinary medicine from a university of recognized standing who is employed by the Commission.

- (71) Overnight Race is a contest for which declarations close not more than five days before the date on which it will be contested.
- (72) Owner means a person who holds any title, right, or interest, whole or partial in a horse, including the lessee and lessor of a horse, but does not include a person whose only interest in a horse is in its earnings and is otherwise licensed.
- (73) Paddock is an enclosure in which horses scheduled to compete in a contest are confined prior to racing.
- (74) Pari-Mutuel Wagering is a form of wagering on the outcome of an event in which all wagers are pooled and held by an association for distribution of the total amount, less the deductions authorized by law, to holders of tickets on the winning horses.
- (75) Persons includes a corporation and the heirs, executors, administrators or other legal representatives of a person, and for the purpose of these rules, shall also include a racing association.
- (76) Positive Analysis has the same meaning as in the Canadian Pari-mutuel Agency (C.P.M.A.)Supervision Regulations.
- (77) Post Position means the position assigned to a horse for the start of the race.
- (78) Post Time means the time set for the arrival at the starting point of the horses in a race.
- (79) Protest means a formal complaint to the judges.
- (80) Publication means a Commission directive, ruling and any other written document so designated by the Commission.
- (81) Purse is the total dollar amount for which a race is contested.
- (82) Qualifying List means a list of horses that are required to go a qualifying race.
- (83) Qualifying Race means a race in which a horse must establish its ability to participate at a race meeting consistent with the qualifying standards established for that class of horse.
- (84) Race is a contest between horses at a licensed race meeting.
- (85) Race Meeting is the specified period and dates each year during which an association is authorized to conduct racing and/or pari-mutuel wagering by approval of the Commission.

- (86) Racing Authority means any agency of the Government of Canada or any Province, or the United States of America or any state, or any private association in Canada or the United States of America which has as one of its objectives the regulation or supervision of horse racing.
- (87) Racing Season means the period during which races are conducted in Manitoba in any calendar year and includes any meeting commencing in one calendar year and concluding in the next ensuing calendar year.
- (88) Racing Strip means that part of a race track surface lying between an inner and outer marker or hub rails installed by the association, and where either or both markers or rails have not been installed, means that part of the race track surface determined to be the racing strip by the Board of Judges.
- (89) Record is the fastest time by a horse in a heat or dash which it won.
- (90) Rules means the rules of racing herein prescribed and any amendments and directives thereto and relate only to horse racing at all Manitoba race tracks under the jurisdiction of the Commission.
- (91) Satisfactory Charted Line is one that meets the qualifying standards at the track at which a horse participates.
- (92) Scoring is the preliminary practice given to horses after the post parade and prior to being called to line up for the start of a race by the official starter.
- (93) Scratch is the act of withdrawing a declared horse from a contest after the closing of declarations.
- (94) Spouse, for the purpose of these rules means:
- (a) A married person, excepting persons living separate and apart from his or her husband or wife pursuant to a bona fide written legal separation agreement or a court order, in which case neither shall be considered the “spouse” of the other for so long as such separation agreement or court order shall remain in force,
 - (b) A person who cohabits in a conjugal relationship with a person of the opposite sex throughout a 12 month period.
- (95) Stable Name is a name used other than the actual legal name of an owner or lessee and shall be registered with the United States Trotting Association (USTA), or Standardbred Canada (SC), and the Commission.

- (96) Stake means a race open to all horses complying with its conditions and in which the nominators of the horses entered contribute to the purse.
- (97) Standardbred Canada (SC) is Canada's national racing body incorporated under the Animal Pedigree Act of Canada responsible to the Federal Ministry of Agriculture Canada. It is the official breed registry for Standardbreds which governs registration and identification. As well, Standardbred Canada is the official Canadian central regulatory body for maintaining racing, driver, and training statistics. Licensing of owners, trainers, drivers, grooms, and officials is part of its standard setting mandate.
- (98) Starter means:
- (a) the person who dispatches a field of horses in a race, or,
 - (b) a horse that has passed the fair start pole when the starter dispatches the field and provided that the said horse also reaches and passes the starting point, unless otherwise decided by the judges.
- (99) Sulky means a conventional 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. 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.
- (100) Sweepstakes means a stakes race.
- (101) Trainer is a person who is licensed by the Commission to train horses.
- (102) Two in Three Race is a race in which a horse must win two heats to be entitled to first place money.
- (103) United States Trotting Association (USTA) is the recognized breed registry in the United States of Standardbred Horses.
- (104) Walkover means when only horses in the same interest start.
- (105) Winner is the horse whose nose reaches the finish line first or is placed first through disqualification by the judges.

PART II - PRELIMINARY

- 2 (1) The Commission hereby delegates its powers to the members of the Commission, the persons employed by the Commission or the persons employed by the Commission as set forth in these Rules.

- 2 (2) The laws of the Province of Manitoba and the rules shall supersede the conditions of a race and the regulations of an association.
- 2 (3) All rulings of recognized racing boards and commissions shall be honoured by the Commission as taking effect in Manitoba and all associations and their officials and employees shall honour such rulings.
- 2 (4) Any ruling, any publication, any newly adopted rule or change to an existing rule of the Commission, the judges and racing officials may be published by posting it in a prominent place in the office of the Commission or such other place deemed appropriate by the Commission forthwith after having been made and such posting shall constitute notice.
- 2 (5) Every person participating in and every patron of a meeting shall abide by the rules and accept the decisions of the judges on all matters to which their authority extends, subject to the right of appeal to the Commission, and shall accept as final the decisions of the Commission.
- 2 (6) Notwithstanding the definition of "Rules" contained in Part 1, the Commission may apply these rules to any other standardbred race held in the Province of Manitoba featuring pari-mutuel wagering or receiving grant support from the Commission.
- 2 (7) Commission officials and employees and association officials and employees shall not drink alcoholic beverages while on duty.
- 2 (8) It is an offence for any licensee of the Commission or anyone covered under Rule 2 (7), while on the grounds of the association, to have in his possession or to have in his body any narcotic as defined in the Narcotic Control Act (Canada), or any restricted drug or controlled drug as defined in the Food and Drugs Act (Canada) without a prescription from a licensed veterinarian or medical doctor.
- 2 (9) The Commission or the judges may order any official, Commission employee or licensee of the Commission to submit to a breath analysis test.
- 2 (10) A person who refuses to submit to a breath analysis when ordered to do so under this section may be fined or suspended or both fined and suspended by the judges.

- 2 (11) When a breath analysis test shows that a person has a blood/alcohol concentration of more than .03%, the judges shall suspend that person from participating in any manner for that day and may take such additional disciplinary action against such person as they deem fit.
- 2 (12) The Commission or the judges may order any licensee of the Commission or anyone covered under Rule 2 (7) to provide a sample of urine or other bodily substance.
- 2 (13) A person who refuses to provide a sample of urine or other bodily substance when ordered to do so under Rule 2 (12) may be fined or suspended or both fined and suspended by the judges.
- 2 (14) Where any licensee of the Commission and anyone covered under Rule 2 (7) is, by reason of any physical condition:
- (a)incapable of providing a sample of breath, urine or other bodily substance; or
 - (b)it would be impracticable to obtain a sample of breath, urine or other bodily substance; then that person may be ordered by the Commission or the judges to provide a sample of blood to enable proper analysis to be made in order to determine concentration, if any, of alcohol, or the presence of drugs in his or her blood.
- 2 (15) Pursuant to Rule 2 (14), samples of blood may only be taken if the samples are taken by or under the direction of a qualified medical practitioner and the qualified medical practitioner is satisfied that the taking of such samples would not endanger the life or health of the person.
- 2 (16) A person who refuses to provide a sample of blood when ordered to do so under Rule 2 (14) may be fined or suspended or both fined and suspended by the judges.
- 2 (17) Where in the opinion of the judges a person is impaired by the use of any drug or alcohol, the judges may:
- (a) if a judge, relieve such judge of duties immediately and refer the matter to the Commission;
 - (b) if a starter or member of the starting gate crew, relieve such person of duties immediately and may impose a fine or suspension, or both fine and suspension;
 - (c) if a driver, prohibit from driving in any races scheduled for that day and may impose a fine or suspension, or both fine and suspension;

- (d) if any other licensee, relieve such person of duties immediately and may impose a fine or suspension, or both fine and suspension.
- 2 (18) For the purpose of this section the reading obtained by a testing device authorized by the Commission shall be conclusively deemed to be correct.
- 2 (19) It is an offence for any licensee of the Commission other than a security employee to have in his possession on the grounds of the racing association any firearm or other weapon.
- 2 (20) Ignorance of the rules shall not be accepted as an excuse for their violation.
- 2 (21) The Commission may issue directives relating to the application and interpretation of these rules.
- 2 (22) All definitions in these rules shall apply as well to Commission directives.
- 2 (23) When the last day for doing anything under the rules falls on a day when the Commission office is closed, it may be done on the next day that the Commission office is open.
- 2 (24) Any violation of the Pari-mutuel Betting Supervision Regulations is a breach of these rules.
- 2 (25) The Commission has power, as it may think proper, to make and, if necessary, to vary all arrangements for the conduct of a meeting.
- 2 (26) Members of the Commission, its employees, and its designated representatives, in the performance of their duties, shall have the right of full and complete entry to all parts of the race track of any association, whether or not racing is being conducted by the association at the time.
- 2 (27) The past performance statistics compiled by 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.
- 2 (28) The records of fines, penalties, driver's statistics and infraction records, race results, purse winnings for horses and participants, and past performance and other statistics compiled by Standardbred Canada and/or the USTA 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.

- 2 (29) Films of the races may be screened at the race track where racing is being conducted on the next following racing day in a room or place to be designated by the judges.
- 2 (30) All Commission licensees, members of the press and members of the public may attend these screenings.
- 2 (31) Only one public screening of any race will be made for Commission licensees, members of the press or public provided, however, that if the Executive Committee of the M.H.H.I. requests a special showing of the film of any race, such film will be screened for them separately at or about the time of the public screening of the films of the previous day's racing.
- 2 (32) Should the judges so require, the starter, the patrol judges and any other licensees shall attend a screening of the films for the races of the preceding racing day at such time and place selected by the judges.
- 2 (33) The films of the film patrol shall not be shown to anyone without permission of the judges or the Commission.
- 2 (34) No one shall enter the stabling area of an association race track where horses are stabled unless he is a member, official, employee or licensee of the Commission, an employee of an association or one whom the Commission or the association has issued with documentary credentials attesting to his right to enter such stabling area. The owners and trainers may, with proper documentary credentials, sign in guests unless such guests are unacceptable to the Commission or the association.
- 2 (35) Racing officials and their assistants shall report immediately to the judges every observed perceived violation of these rules and the laws of this jurisdiction governing body.
- 2 (36) Words in the singular number include plural and in the plural number include the singular and words in the masculine gender shall include the feminine and words in the feminine gender shall include the masculine gender.

PART III - RACING ASSOCIATIONS

- 3 (1) No association shall operate a race track at which racing is conducted without applying for the dates of racing and having them approved by the Commission and without

payment of a daily license fee for the days upon which racing is to be conducted by the association. The deadline for application for racing dates to the Commission shall be December 31 of the year prior to that in which the race meets are to be conducted.

- 3 (2) An association conducting a race meeting shall conduct it according to this regulation, any other applicable laws or regulations, and any directives or amendments.
- 3 (3) An association conducting a race meeting shall provide and equip a first aid room and have present on their premises, or within easy call;
 - (a) a licensed physician or;
 - (b) a licensed registered nurse or;
 - (c) a licensed emergency measures technician (E.M.T.).
- 3 (4) An association shall provide a properly equipped ambulance, staffed with certified paramedics or E.M.T.'s at any time the racetrack is open for racing or qualifying. If the ambulance is being used to transport an individual, the association shall not conduct a race until the ambulance is replaced.
- 3 (5) An association shall provide a suitable horse ambulance at all times to remove any lame or injured horses.
- 3 (6) An association shall ensure all public areas of the association grounds meet Federal, Provincial and Municipal health and safety requirements, and are designed and maintained for the comfort and safety of patrons and licensees and are accessible to all persons with disabilities as required by law.
- 3 (7) Each association shall provide within its grounds, an office for the use, and to be at the disposal of the Commission and its designated representative.
- 3 (8) Any association conducting a race meeting shall maintain complete records of all races in such form as the Commission shall from time to time prescribe and shall retain same in good order for inspection by the Commission or any other authorized person for a period of not less than one year following the close of a race meeting.
- 3 (9) Races shall be run by associations no longer than 30 minutes apart on weekdays and no longer than 35 minutes apart on Saturdays, Sundays and holidays but in the event of an emergency, such times may be extended by the

- judges.
- 3 (10) Racing shall be conducted only between the hours of 12 o'clock noon and 12 o'clock midnight local time unless otherwise specifically authorized by the Commission.
- 3 (11) Films of all races shall be kept by the association for 365 days after the date of the race in question, unless the Commission, judges, or authorized person request that they be kept for a longer period.
- 3 (12) An association shall provide adequate stands for officials to have a clear view of the racetrack. The location and design of the stands must be approved by the Commission.
- 3 (13) An association shall provide and maintain in good working order a communication system between the:
- (a) judges stand
 - (b) racing office
 - (c) tote room
 - (d) paddock
 - (e) test barn
 - (f) starting gate
 - (g) video camera locations
 - (h) veterinarian
 - (I) track announcer
 - (j) location of ambulances(equine and human)
 - (k) commission office
 - (l) other locations and persons designated by the Commission.
- 3 (14) Prior to the first race of any meeting an association may have a licensed surveyor provide to the Commission a certified report of the grade and measurement of the distances to be run if so ordered by the Commission.
- 3 (15) Distances to be run shall be measured from the starting line at a distance three feet out from the inside rail or other fixed marker.
- 3 (16) The surveyors report must be approved by the Commission prior to the first day of the race meeting.
- 3 (17) An association shall provide an adequate drainage system for the racetrack.
- 3 (18) An association shall provide adequate equipment and personnel to maintain the track surface and appurtenances in a safe training and racing condition. The association shall provide back-up equipment for maintaining the track surface.

- 3 (19) The association shall be responsible to see that no horse be admitted to any racetrack facilities in this jurisdiction without having had a negative official test for equine infectious anaemia within twelve months.
- 3 (20) Any barn or stabling provided, must meet the configuration and approval of the Commission.
- 3 (21) An association shall immediately notify the judges and Commission in writing of any person ejected or excluded by an association.

PART IV - LICENSES

- 4 (1) An application for any license under The Horse Racing Commission Act and these rules is subject to the following requirements:
 - (a) the application for the license shall be in writing, shall be complete and shall be true and accurate;
 - (b) the application for a license shall be submitted to the licensing clerk of the Commission who shall, in turn, submit it to a judge for consideration;
 - (c) a judge receiving an application for a license shall consider it, and may approve it or reject it;
 - (d) the consideration of an application for a license by a judge shall include a consideration of the personal character and ability of the applicant, but no judge shall approve the application of a person who is under suspension by any racing authority;
 - (e) the licensing clerk of the Commission shall issue a license to any applicant whose application is approved by a judge;
 - (f) the Commission has final authority to approve or reject a license under the Horse Racing Commission Act, and the Commission may review an approval or rejection of an application for a license made by a judge.
- 4 (2) The Commission may refuse to issue, or renew a license, or may suspend, place on probation, or revoke the license of a person if the applicant or license holder:
 - (a) has committed acts in Manitoba or elsewhere, in connection with horse racing which in the opinion of the Commission are objectionable, obnoxious or detrimental to the best interests of racing;

- (b) has violated any rule or regulation of the Commission;
 - (c) has been charged or convicted with the commission of any crime, whether the crime relates to horse racing or not.
- 4 (3) Each occupational license shall bear the photograph and signature of the holder. The Commission shall supply, at its expense, the equipment necessary for the taking of photographs. Such photograph will be paid for by the licensee and shall bear a distinct likeness to the applicant.
- 4 (4) License applicants may be required to furnish to the Commission a set(s) of fingerprints and a recent photograph and may be required to be re-fingerprinted or re-photographed periodically as determined by the Commission.
- 4 (5) Every license issued to any licensee by the Commission is issued on the condition that the licensee, his employees and agents who may be concerned with racing, shall accept, observe and enforce the rules and every rule required to be observed by the licensee is a term or condition under which the license is issued.
- 4 (6) No person shall act as a judge, race official, owner, trainer, driver, veterinarian, veterinarian assistant, authorized agent, stable employee, farrier, parade marshall, or other racing trade or calling as the Commission may designate unless he is the holder of a subsisting license issued by the Commission.
- 4 (7) The following categories of licensees in addition to holding a subsisting Commission license, must hold a valid Standardbred Canada license:
- (a) Starter
 - (b) Race Secretary
 - (c) Paddock Judge
 - (d) Owner
 - (e) Trainer and Assistant Trainer
 - (f) Driver, and;
 - (g) Groom
- 4 (8) The Commission may upon application accept a valid United States Trotting Association license in lieu of a Standardbred Canada license for any of the categories above mentioned.

- 4 (9) No person shall be licensed as an owner or owner/trainer unless he has a horse registered with the association.
Unless an owner or an owner/trainer has a horse registered with the association, he shall on demand forfeit his license to the judges and he shall not apply for another owner's or owner/trainer's license until he has a horse registered with the association.
- 4 (10) Unless a trainer is training a horse registered with the association, he shall on demand forfeit his license to the judges and he shall not apply for another trainer's license or for the return of his forfeited trainer's license until he is employed as trainer of a horse registered with the association.
- 4 (11) Upon any occupational licensee's leaving an owner's or trainer's employ:
- (a) the occupational licensee shall notify the judges who shall so inform the association so as to alert their security personnel; and
 - (b) the owner or trainer shall notify the judges who shall so inform the association so as to alert their security personnel;
 - (c) the judges may demand the surrender of the license, and after such demand having been made, whether it is complied with or not, the holder's occupational license shall be automatically and immediately suspended and the matter shall be reported to the Commission and to the security personnel of the association.
- 4 (12) Each license issued by the Commission shall be carried on the person at all times while the licensee is within the confines of the stable and paddock areas.
- 4 (13) The Commission may from time to time fix license fees to be paid to the Commission by any person who is required to be licensed under these rules.
- 4 (14) The Commission may from time to time fix the annual fees payable to the Commission for registration of claim certificates, for unlicensed owners or owner/trainer's, leases, partnerships, stable names, authorized agents and colours.
- 4 (15) The Commission may from time to time fix the license fee to be paid to the Commission by an association.
- 4 (16) The Commission may post in a prominent place in the

office of the Commission a list of the fees fixed from time to time.

- 4 (17) A person under the age of 18 years may be licensed by the Commission with the written consent of his or her parents or legal guardian, subject to the approval of the board of judges, and subject to the parents or guardian executing a guarantee of financial responsibility for such person.
- 4 (18) The license application of an employee shall be signed by the employer.
- 4 (19) No person who is the holder of a subsisting license issued by the Commission shall have in his employ, or offer to employ at the racetrack, a person who is required to be licensed but is not the holder of a subsisting license issued by the Commission.
- 4 (20) An employer is required to submit to the Commission and keep current an employee roster with the name of each employee and his license number and shall promptly inform the Commission of the name and license number of:
 - (a) any employee leaving his employ, and;
 - (b) any new employee.
- 4 (21) The Commission may grant a duplicate license on receipt of satisfactory proof of loss of an original license at no cost for the first replacement. The fee for any subsequent license may be determined by the Commission from time to time.
- 4 (22) The Commission may by directive require that personnel as may be designated by the Commission and who are employed or engaged in the conduct of a race meeting shall be registered with the association conducting the race meeting in lieu of being licensed by the Commission, and such persons so registered shall be deemed to be licensed by the Commission and subject to the rules of the Commission covering such licensed persons.
- 4 (23) A licensed trainer may apply for a license on behalf of an owner he represents by signing the application for the owner's license as if he had a power of attorney from such owner, for example, "John Doe, owner, per Richard Roe, trainer (signature of applicant)". Such license may be revoked unless within two weeks an application has been submitted under the owner's signature.
- 4 (24) No trainer shall apply for a trainer's license except under his own name.

- 4 (25) In lieu of a license application from this jurisdiction, the Commission may accept a North American Pari-Mutuel Regulators Association (NAPRA) or an Association of Racing Commissioners International (RCI) Multi-State License Application.
- 4 (26) The filing of an application for license shall authorize the Commission to investigate criminal, financial and employment records, to engage in interviews to determine applicant's character and qualifications and to verify information provided by the applicant and to distribute information to other racing jurisdictions and government entities.
- 4 (27) By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents and to the seizure of any prohibited medication, drugs, paraphernalia or devices. Any drugs, medication or other materials seized may be forwarded by the Commission to the official chemist for analysis. Any seized material may be forfeited.
- 4 (28) A person who is licensed as an owner or trainer, or has any financial interest in a horse registered for racing at a race meeting in this jurisdiction shall not be employed or licensed at that race meeting as a racing official; officer or managing employee; track maintenance supervisor or employee; racetrack security employee; horseshoer; licensed veterinarian; photo finish operator; horsemen's bookkeeper; racing chemist, or testing laboratory employee.
- 4 (29) A license may only be used by the person to whom it is issued.
- 4 (30) Licensed owners and trainers participating at that track may sign in guests, unless such are unacceptable to the Commission or association.

PART V - CLASS OF LICENSES

- 5 (1) Licenses issued by the Commission shall be either Class A or Class B licenses.
- 5 (2) Only the following persons may be issued Class A licenses:
- (a) owners;
 - (b) trainers;
 - (c) assistant trainers;
 - (d) drivers;
 - (e) veterinarians;

- (f) veterinarian's assistants;
 - (g) officials; and
 - (h) stable employees including grooms, farriers and other persons designated by the judges.
- 5 (3) All other persons may be issued Class B licenses.
- 5 (4) The holders of Class A licenses shall have reasonable access to all areas of the track.
- 5 (5) The holders of Class B licenses shall not have access to the backstretch or stable area of the track without special permission of the judges.
- 5 (6) All licenses shall be issued annually and shall be valid from April 1st of the year issued to March 31st of the following year.

TRAINERS

- 6 (1) A trainer shall register with the Racing Association the names of all horses that the trainer is training for each race meeting.
- 6 (2) No person shall represent himself to be the trainer of a particular horse unless he is training that horse.
- 6 (3) If the license of a trainer is suspended or revoked, all horses trained by that trainer are ineligible to race, unless horses owned wholly or in part by the suspended party may be sold if approved by the Board of Judges:
- (a) Whenever a trainer is suspended under any provisions of the rules, any horse trained by him or her or under his or her care, but not owned wholly or in part by him or her, may, with the consent of the judges at the meeting, be released to the care of another licensed trainer and may race.
- 6 (4) A trainer is responsible for the condition and consistent performance of a horse in his care, and, without restricting the generality of the foregoing, for the condition of the horses entered in a race as disclosed by chemical analysis, regardless of the acts or intervention of third parties whether or not known to the trainer and regardless of the time of the administration of any drug which results in a positive analysis of an official sample. It shall constitute an offence for a trainer to enter a horse that is unfit.
- 6 (5) A trainer shall be irrevocably deemed to represent the owner in the matter of all declarations, scratches, protests, objections, inquiries and the engagement of drivers,

- veterinarians and tradesmen, until removed or replaced with the permission of the judges.
- 6 (6) A trainer shall not have in his charge a horse owned wholly or in part by an unlicensed owner, except with respect to a 100% leased horse, with permission of the Judges.
- 6 (7) A trainer shall be responsible for his horse(s) in the paddock.
- 6 (8) Trainers shall promptly report the sickness of any horse in their charge to the Commission veterinarian.
- 6 (9) The Commission may issue the following categories of trainer's licences:
- (a) "A", a "Full License" valid for all meetings and permitting the operation of a public stable;
 - (b) "F", a "Fair License" valid for the training of horses owned solely by the licensee or his immediate family at all race meetings.
- 6 (10) A person shall not train horses, or be programmed as trainer of record at extended meetings, without first having obtained a trainer license valid for the current year by meeting the standards for trainers, as laid down by Standardbred Canada or the United States Trotting Association and being licensed by the Commission. The holder of a driver's license issued by Standardbred Canada or the United States Trotting Association is entitled to all privileges of a trainer and is subject to all rules respecting trainers.
- 6 (11) The Board of Judges may specify the practitioner by whom an applicant shall be examined when required by Standardbred Canada.
- 6 (12) An examination shall be at the applicant's expense.
- 6 (13) If an owner wishes to change trainers, he shall notify his former and new trainer, the racing secretary and the Board of Judges and shall have the previous trainer sign the necessary papers before switching his horse or horses to the new trainer's stall area.
- 6 (14) A trainer shall be responsible to notify the Commission immediately that a horse formerly in his care is removed from his care for any reason, including retirement or disability, whether or not such horse is subsequently turned over to another trainer or removed from the grounds of an Association.
- 6 (15) When the judges decide that someone other than the officially named trainer of record is actually in charge, has

custody of, or in 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.

- 6 (16) It shall be the responsibility of a trainer to determine that every assistant trainer or groom employed by him or her during a meeting is licensed for the current year by the Commission and, if applicable, licensed by Standardbred Canada for insurance purposes.
- 6 (17) It shall be the responsibility of a trainer to refuse employment to any person required to be licensed when he or she has reason to believe that the person has not been licensed by the Commission or Standardbred Canada, where applicable. He or she is required to report the circumstances to the judges. A fine may be imposed for a violation of this rule.
- 6 (18) 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 at that track.
- 6 (19) If a trainer is to be absent from the track where his horses are participating in races and he has no assistant trainer, he must obtain a licensed trainer to substitute for him during his absence. Such a substitute trainer must be approved by the judges upon forms approved by the Racing Commission. The original trainer is responsible for the horses he has entered prior to his absence from the track. The substitute trainer will then become responsible for any additional horses entered by either trainer.
- 6 (20) It is the responsibility of a trainer for:
- 6 (20) (1) the condition and contents of stalls, tack rooms, feed rooms, sleeping rooms and other areas which have been assigned by the association;
- 6 (20) (2) maintaining the assigned stable area in a clean, neat and sanitary condition at all times;
- 6 (20) (3) ensuring that fire prevention rules are strictly observed in the assigned stable area;
- 6 (20) (4) providing a list to the Commission of the trainer's employees on association grounds and any other area under the jurisdiction of the Commission. The list shall include each employee's name, occupation, social security number and occupational license number. The Commission shall be notified by the

- trainer, in writing, within 24 hours of any change;
- 6 (20) (5) disclosure of the true and entire ownership of each horse in the trainer's care, custody or control;
- 6 (20) (6) training all horses owned wholly or in part by the trainer which are participating at the race meeting;
- 6 (20) (7) having each horse in the trainer's care that is racing, or is stabled on association grounds, tested for Equine Infectious Anaemia (EIA) in accordance with state/provincial law and for filing evidence of such negative test results with the racing secretary;
- 6 (20) (8) using the services of those veterinarians licensed by the Commission to attend horses that are on association grounds;
- 6 (20) (9) immediately reporting the alteration of the sex of a horse in the trainer's care to the horse identifier and the racing secretary, whose office shall note such alteration on the certificate of registration;
- 6 (20) (10) promptly reporting to the racing secretary and the official veterinarian any horse on which a posterior digital neurectomy (heel nerving) is performed;
- 6 (20) (11) promptly reporting the death of any horse in the trainer's care on association grounds to the judges and the official veterinarian, USTA/SC ;
- 6 (20) (12) maintaining a knowledge of the medication record and status of all horses in the trainer's care;
- 6 (20) (13) immediately reporting to the judges and the official veterinarian if the trainer knows, or has cause to believe, that a horse in the trainer's custody, care or control has received any prohibited drugs or medication;
- 6 (20) (14) attending the collection of a urine or blood sample from the horse or delegating a licensed employee or the owner of the horse to do so; and
- 6 (20) (15) promptly notifying the official veterinarian of any serious injury, reportable disease and any unusual incidents of a communicable illness in any horse in his/her charge;
- 6 (20) (16) immediately reporting to the judges and the official veterinarian knowledge or reason to believe, that there has been any administration of a prohibited medication, drug or substance.

ASSISTANT TRAINERS

- 7 (1) An assistant trainer may be licensed upon the request of a trainer holding a category “A” license and shall at all times be under the direction of the trainer, who bears responsibility for all acts of the assistant trainer as though they were those of the trainer.
- 7 (2) An assistant trainer may be licensed upon attaining the age of 16 years and shall otherwise be subject to all rules and qualifications applicable to a trainer holding a category “A” license.
- 7 (3) In the event of a trainer’s absence from the race track, the trainer may apply to and obtain from the judges their approval on forms provided by the Commission for an assistant trainer to act in the trainer’s absence but a trainer becomes and is responsible for all horses entered by the assistant trainer during such absence.
- 7 (4) Each assistant trainer must hold a valid Standardbred Canada license (see Rule 4(7)(e)).

DRIVERS

- 8 (1) There shall be the following categories of drivers’ licenses:
 - (a) “A”, a “Full General License” valid for all meetings;
 - (b) “B”, an “Apprentice License” valid upon satisfactory performance for all meetings;
 - (c) “C”, a “Beginners License” valid with the approval of the judges for fairs and for qualifying and overnight races;
 - (d) “P”, a “Probationary License” valid for all meetings but indicating that the driver has been guilty of repeated driving rule violations; and
 - (e) “F”, “Fair License” valid for fairs and non-extended pari-mutuel meetings.
- 8 (2) 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’s license 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 licenses shall be presented to the judges prior to participating for the first time at any race meeting.
- 8 (3) Changes in license category shall be governed by the

following provisions:

- (a) holders of a "C" license, subject to the completion of the requirements in Rule 8 (2), may, with the written approval of the Board of Judges have their license upgraded to category "B" after 15 overnight drives have been satisfactorily completed;
 - (b) the holder of a category "B" license may with the written approval of the Board of Judges, have the license upgraded to a category "A" license if the holder:
 - (i) has had at least one full year of driving experience while holding a category "B" license; and
 - (ii) has made 40 drives satisfactory to the Board of Judges in the 18 months preceding the application for a full license; and
 - (c) the holder of a category "P" license may have the license upgraded to the category of license held before being issued the category of "P" license, if having driven for a year without any major or repeated driving violations.
- 8 (4) The Board of Judges may specify the practitioner by whom any applicant shall be examined when required by Standardbred Canada.
- 8 (5) An examination shall be at the applicant's expense.
- 8 (6) If a driver is assigned to drive a horse which is sick or unsound, the driver shall promptly report this to the Commission Veterinarian or the Board of Judges.
- 8 (7) Drivers must report to the paddock judge at least one hour prior to post time of any race in which they are programmed to drive; if they are programmed to drive in any race that is part of a feature pool, drivers must be in the paddock at least one hour before post time of the race which comprises the first part of the feature pool, unless excused by the Judges.
- 8 (8) A driver cannot decline to be substituted by the judges.
- 8 (9) Once a driver reports to the paddock the driver shall not enter the public stands or the betting area until the driver's driving duties for the day have been completed. A driver shall not enter the public stands or betting area while wearing colors.
- 8 (10) The judges may remove a driver at any time and substitute an alternate driver.

- 8 (11) A driver shall not drive for any other person in a race in which one of the horses the driver or his or her spouse trains or owns has been declared in to race.
- 8 (12) Drivers shall fulfill all engagements, unless excused by the judges.

OWNERS, PARTNERSHIPS

- 9 (1) An applicant for an owner's license may be required to satisfy the Commission of his financial responsibility.
- 9 (2) Upon the suspension or revocation of the license of an owner, all horses of the owner shall become ineligible to race.
- 9 (3) A declaration of joint ownership or partnership or changes in them shall be registered with the Commission.
- 9 (4) A declaration of joint ownership or partnership shall contain the following information:
- (a) name and address of every person having an interest in the horses involved;
 - (b) the relative proportions of each person's interests;
 - (c) to whom the winnings are payable;
 - (d) in whose name the horse shall race;
 - (e) with whom the power of declaration and scratching rests;
 - (f) the terms of any contingency, lease or other similar arrangement.
- 9 (5) No transfer of interest or lease of a horse, or any part interest therein, that takes place on or off the grounds of an association during the term of a meet is valid as a transfer of ownership for racing eligibility purposes during the meet until the sale or lease has been approved by the Board of Judges or the Commission, and the horse shall not be allowed to declare or start a race at that meet until the transfer of interest or lease is approved. A horse shall not be transferred to a new trainer after entry.

LIMITED PARTNERSHIP

- 10 (1) Limited partnerships must be registered with the Commission.
- 10 (2) Limited partnership registration papers shall, among other things, set forth the following:
- (a) The name and address of the General Partner and each Limited partner;
 - (b) The proportional interest owned by the General Partner and each Limited partner;

- (c) To whom the winnings are payable;
 - (d) In whose name the horses shall race;
 - (e) With whom the power of declarations and scratching rests;
 - (f) The terms of any contingency, lease or other similar arrangement.
- 10 (3) All Limited partnership registration papers shall be signed by the General Partner.
 - 10 (4) The General Partner must be licensed as an owner and in the event the General Partner is a corporation it must satisfy the provisions for licensing as required in this section relating to corporations.
 - 10 (5) The General Partner must file an affidavit that no Limited partner is ineligible for licensing in any racing jurisdiction or is currently suspended by any racing authority. In the event that a Limited partner is a corporation, such affidavit shall also state that all officers, directors and shareholders of such corporation are eligible for licensing.
 - 10 (6) Any alteration in the Limited partnership registration papers or contents thereof must be reported in writing to the Commission and signed by the General Partner.
 - 10 (7) Any claim not signed by the General Partner shall not be recognized unless the General Partner has licensed with the Commission an authorized agent with the power to claim on the Limited partnership's behalf and said agent has signed the claim in question.
 - 10 (8) If the General Partner does not decide to race under a stable name, the name and phrase "limited partnership" shall be carried on the daily racing program.

CORPORATIONS

- 11 (1) On application for a license involving a corporation, whether initial or renewal, the structure of the corporation must be filed to provide the names and addresses of all shareholders holding more than 10 percent

- of the voting shares of the corporation.
- 11 (2) Corporate registration papers shall, among other things, set forth the following:
 - (a) The head office address of the corporation;
 - (b) The name and address of every director and officer and each shareholder holding more than 10%;
 - (c) The proportional interest of each shareholder holding or controlling ten (10%) percent or more of the capital stock in the corporation;
 - (d) To whom the winnings are payable;
 - (e) In what name the horses shall race;
 - (f) With whom the power of declarations and scratching rest;
 - (g) The terms of any contingency, lease or other similar arrangement.
 - 11 (3) In corporations where one individual is both the sole officer and director, such individual must be licensed as an owner. In all other corporations two (2) officers, who are also directors, must be licensed as owners.
 - 11 (4) All corporate registration papers shall be signed by those officers/directors who are required to be licensed as owners.
 - 11 (5) The officers/directors required to be licensed as owners pursuant to Rule 11 (3) shall file an affidavit that no officer, director, or shareholder is ineligible for licensing in any racing jurisdiction or is currently suspended by any racing authority.
 - 11 (6) If any shareholder holding or controlling at least ten (10%) percent of the capital stock in the corporation is a partnership, limited partnership or corporation, it must make similar full disclosure as required by those entities under the rules of this section.
 - 11 (7) Any alteration in the corporate registration papers or contents thereof must be reported in writing to the Commission and signed by the officers/directors required to be licensed as owners under Rule 11 (3).
 - 11 (8) Any claim not signed by the officers/directors required to be licensed as owners under Rule 11 (3) shall not be recognized unless the said officers/directors have licensed with the Commission an authorized agent with the power to claim on the corporation's behalf and said agent has signed the claim in question.
 - 11 (9) Subject to the provisions of Rule 11 (2)(e), a corporate

name shall be considered as a stable name for the purposes of the rules.

LEASES

- 12 (1) A lease of a horse shall be filed with the Racing Association, Standardbred Canada and the Commission and shall state to whom the winnings are payable.
- 12 (2) The terms of a lease shall be bona fide, specific and substantial, and be submitted to the Board of Judges for their approval.
- 12 (3) The judges may require the lessor to hold a valid owners license.

AUTHORIZED AGENTS

- 13 (1) An owner, may appoint an authorized agent who shall be licensed by the Commission to act on his behalf.
- 13 (2) All documents by which an owner appoints an authorized agent shall be registered with the Commission.
- 13 (3) Any change in or revocation of such appointment shall be in writing, signed by the owner and filed with the Commission, and the trainer.
- 13 (4) Notwithstanding any provisions contained in the rules of racing, as between an owner and any racing association, a document appointing an authorized agent which has been registered with the Commission, shall remain in full force and effect until the end of the current racing season or until notice in writing of its revocation has been received by such racing association from the Commission, whichever shall first occur.
- 13 (5) Persons appointed as authorized agents, shall be licensed as authorized agents.
- 13 (6) A general power of attorney shall not take the place of an authorized agent for the purposes of this rule, but nothing shall prevent the attorney appointing him/her self the authorized agent under these rules within the scope of the power of attorney.
- 13 (7) A licensed authorized agent may perform on behalf of the licensed owner/principal all acts as relate to racing, as specified in the agency appointment, that could be performed by the principal if such principal were present.
- 13 (8) In executing any document on behalf of the principal, the authorized agent shall clearly identify the authorized agent and owner/principal.

- 13 (9) When the authorized agent enters a claim for the account of the principal, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip or card.

STABLE NAMES

- 14 (1) Licensed owners and lessees may adopt a stable name subject to approval of the Commission and the USTA/SC.
- 14 (2) The applicant shall identify all persons using the stable name. Changes shall be reported immediately to the Commission and a copy sent to the USTA/SC.
- 14 (3) A person who has registered a stable name may cancel it upon written notice to the Commission and USTA/SC.
- 14 (4) The stable name shall be published in the program.
- 14 (5) If there are more than four owners of a horse, the licensed owners must register as a stable name.

PART VI - OFFICIALS

STANDARDBRED CANADA FIELD REPRESENTATIVE

- 15 (1) A Standardbred Canada field representative shall:
- (a) represent Standardbred Canada during at least two consecutive hours to provide services to racing participants; and
 - (b) input to and maintain accurately the Standardbred Canada data base, including;
 - (i) adding Foreign horses to the data base when racing for the first time at tracks in Manitoba;
 - (ii) recording racelines not already on the data base, immediately upon receipt of same;
 - (iii) inputting changes of ownership to the data base, necessitated by claims and transfers;
 - (iv) inputting change of sex information for horses to the data base;
 - (v) inputting all race results and printing reports for all types of races to the data base as soon as they become available, and providing reports to the judges and the chart maker for proofreading and verification by the Judges before completion of the program;
 - (vi) inputting Coggin's Test information from laboratory certificates, immediately upon receipt of

- such test result;
- (vii) updating and maintaining Judges' List, on the written instruction of a judge;
- (viii) inputting requests for first-time starters and maintaining individual track files of such requests and requests for hard-copy certificates;
- (ix) insuring eligibility of first-time starters by adding same to electronic eligibility system;
- (x) inputting suspensions to the data base, and removing same upon written request of a judge;
- (xi) updating hard-copy eligibility certificates for horses required to race with same.

STARTER

- 16 (1) An association conducting a race meeting shall appoint a starter approved by the Commission who shall have the authority to give orders necessary to insure a fair start.
- 16 (2) The starter's decision as to the validity of a start is final except where ordered otherwise by the Board of Judges.
- 16 (3) The starter shall maintain a starters schooling list and horses shall be schooled in starting if and when required by the starter or the judges, and shall be denied declaration until removed from that list.
- 16 (4) A horse that is unmanageable at the starting gate or refuses to start properly may be refused declaration until the starter is satisfied that the horse's conduct has been corrected.
- 16 (5) The starter shall report any violation of the rules and recommend penalties to the Board of Judges.
- 16 (6) The starter shall be subject to the supervision of the judges.
- 16 (7) The starter shall have control over the horses from the formation of the post parade until the field is released at the starting point.
- 16 (8) In accordance with the instructions of the judges the starter may fulfil the function of a patrol judge.
- 16 (9) No person shall be licensed as a starter until he/she has successfully:
 - a) completed a written examination and satisfied the Commission that he/she has the necessary qualifications to perform the required duties;
 - b) submitted a physical and or eye examination when required by the Commission.

PADDOCK JUDGE

- 17 (1) The association shall appoint a paddock judge approved by the Commission. The paddock judge shall be under the direction and supervision of the judges and shall have complete charge of all paddock activities. The paddock judge may also be the horse identifier and equipment inspector.
- 17 (2) The Paddock Judge shall:
- (a) have fields on the track for post parade in accordance with schedule determined by the judges;
 - (b) maintain records of the equipment and harness worn by each horse racing at the meeting;
 - (c) inspect horses for changes in equipment, broken or faulty equipment, head numbers and saddle pads;
 - (d) check equipment and harness of each horse prior to each race, recording all changes from the previous race and notifying the judges of any unauthorized changes;
 - (e) supervise paddock security personnel;
 - (f) check horses in and out;
 - (g) provide for and direct the activities of a paddock blacksmith;
 - (h) notify the judges of anything that could, in any way, change, delay or otherwise affect the race program;
 - (i) see that only properly authorized persons are permitted in the paddock;
 - (j) identify horses in a race, including the verification of lip tattoo or freeze brand numbers;
 - (k) have necessary extra equipment available in the paddock so as to avoid undue delays to the race program;
 - (l) notify the judges of horses returning to the paddock after having entered the track for the post parade and before the start of a race;
 - (m) notify the judges of drivers, trainers or grooms leaving the paddock in an emergency;
 - (n) maintain cleanliness in the paddock;
 - (o) supervise the conduct of all persons in the paddock and report any rule violations to the judges;
 - (p) report acts of cruelty to horses;
 - (q) submit paddock reports to the judges when requested and retain copies of such reports for at least twelve months;

TIMERS

- 18 (1) There shall be one or more official timers appointed by the association and approved by the Commission. They shall determine the official time of each race.
- 18 (2) All races shall be timed with stopwatches when an electronic timing device is not installed or in use.
- 18 (3) The time of each race shall be announced and prominently displayed.
- 18 (4) Before the commencement of racing each year, all official timers approved by the Commission shall have all their watches tested for accuracy by a watchmaker approved by the Commission.
- 18 (5) The time shall be recorded from the instant that the first horse crosses the starting point, until the first horse reaches the finish line and each quarter mile shall also be recorded on the leading horse.
- 18 (6) No unofficial time shall be announced, posted or entered into the official performance record.
- 18 (7) In case of alleged error regarding a horse's official time, the time in question shall not be changed to favour the horse or its owner, except upon the sworn statement of the judges and official timers who officiated in the race.

HORSEMEN'S BOOKKEEPER

- 19 (1) Each association conducting a race meeting shall appoint a Horsemen's Bookkeeper who shall record all monetary transactions including purse distribution, driver, nomination, entry and starting fees, and claiming monies and shall account to the person entitled thereto.
- 19 (2) No horse shall be entered in a race without consent of the association if the owners' account with the horsemen's bookkeeper is overdrawn.
- 19 (3) In the event the horsemen's bookkeeper accepts a deposit for any owner's account he shall keep a record of who deposits the money, and in what form the deposit is made, and have it signed by the depositor should it be other than by cheque or money order.
- 19 (4) It is the duty of the horsemen's bookkeeper to immediately notify the Judges of any unusual money transactions between horsemen's accounts that would indicate any improper procedures or disposition of funds.

IDENTIFIER AND EQUIPMENT INSPECTOR

- 20 (1) An association shall employ a person in the paddock who shall be responsible to the paddock judge for maintaining a card that will list all equipment worn, including shoes, and the tattoo number for each horse racing at the meeting.
- 20 (2) The equipment inspector shall identify each horse that races by checking its lip tattoo or its freeze brand and compare the equipment actually being used on the horse with the approved equipment listed on the card referred to in subsection 20 (1).
- 20 (3) The positions and duties defined in subsections 20 (1) and 20 (2) may be carried out by the paddock judge, with permission of the Board of Judges.

PATROL JUDGES

- 21 (1) An association conducting a race meeting shall appoint one or more patrol judges approved by the Board of Judges who shall:
 - (a) observe racing from positions allotted by the Board of Judges; and
 - (b) report any irregularities observed by them to the Board of Judges during or immediately following the race.
 - (c) The patrol judge may be the starter.

RACE SECRETARY

- 22 (1) Applicants for license as Race Secretary or Assistant Race Secretary must satisfy the Commission that they possess the necessary qualifications to perform the required duties, and must successfully complete a written Standardbred Canada examination.
- 22 (2) The Race Secretary or designate shall:
 - (a) receive and keep safe any documents required to permit a horse to compete at the meeting and return same upon request of the trainer;
 - (b) be familiar with the age, class, and competitive ability of horses racing at the meeting; \
 - (c) write conditions for races and schedule race programs in accordance with the rules;
 - (d) provide for the listing of horses in the race program, examine all declarations and verify all information set

- forth therein, determine the horses eligible to be drawn to start and the “also eligible” horses from the declarations in accordance with the rules;
- (e) examine nominations and declarations to added money events and verify the eligibility of same, and compile lists thereof for publication or distribution as required by the rules;
 - (f) establish allowances and qualifying standards for horses and display such information in the racing office so as to be accessible to all participants;
 - (g) ensure that no one other than officials and those assisting the race secretary are present during the receiving and sorting of declarations;
 - (h) be responsible for the accuracy and eligibility of declarations to all races conducted at the meeting.
 - (i) be the caretaker of the permanent records of all stakes and shall verify that all added monies due are paid prior to declaration for races conducted at the race meeting.
- 22 (3) There shall be a minimum of two days of conditions presented at any one time, except with permission of the Board of Judges.
- 22 (4) The Race Secretary may, with the approval of the Board of Judges, reject the declaration to an overnight event of any horse that has a past performance that indicates that it would be below the competitive level of other horses declared to the particular event.

JUDGES

- 23 (1) The Commission shall appoint a Board of Judges consisting of at least three judges.
- 23 (2) In the performance of their duties, the judges shall exercise reasonable control over and have unrestricted access to all buildings, stables, rooms and all other places within the grounds of an association.
- 23 (3) The Board of Judges shall interpret the rules and decide all questions according to the usage of the race course and in the best interest of racing whether specifically covered by the rules or not.
- 23 (4) Where there is no rule of the Commission to cover a specific situation, if a quorum, and a majority of the judges present determines any question.

- 23 (5) The Board of Judges shall approve or deny all applications for licenses under the rules, subject to appeal to the Commission.
- 23 (6) At any meeting or hearing of the Board of Judges, three judges constitute a quorum, and a majority of the judges present determines any question.
- 23 (7) Any one of the judges may supervise all declarations and scratches and may be present at the race secretary's office at the closing and during the drawing of declarations. Stakes and futurities will be supervised by at least one judge in attendance at time of draw. At all draws the horsemen may be represented.
- 23 (8) The judges may conduct an investigation into any matter within their jurisdiction and may demand a statutory declaration or other form of proof from any person under their jurisdiction who they believe may or ought to have knowledge of the matter under investigation. They may also order a veterinarian's examination of any horse at any time.
- 23 (9) The Board of Judges may refuse the declaration of any horse for any reason they consider proper, and:
(a) shall notify the owner or trainer of the reason;
(b) may place the horse on the judge's list; and
(c) may subsequently be reinstated by removal from that list by the judges.
- 23 (10) The Board of Judges may place a horse in the temporary charge of a trainer they select and may order proper compensation to be paid such trainer by the owner of such horse.
- 23 (11) The Board of Judges may excuse a horse from starting for any reason they consider proper whether before or after it has been accepted by the paddock judge.
- 23 (12) The association may, with the approval of the Board of Judges, fill any casual, or emergent vacancy of an official position subject to subsequent approval of the Commission.
- 23 (13) In matters pertaining to racing the orders of the Board of Judges shall supersede the orders of the officers, directors and officials of the association.
- 23 (14) No person, other than authorized personnel, shall enter the judge's stand without the permission of the judges.
- 23 (15) The Commission Director of Security may be in

attendance at hearings and appeals where requested by the Judges or Commission, and may assist the Judges in presenting evidence at such hearings and may also act as a witness where necessary, and shall be available at the request of the Judges or Commission for other investigations and hearings.

- 23 (16) No judge, shall be employed in any other capacity by an association during the time he acts as a judge, excepting for the purposes of Rule 23(12) and Rule 23(17).
- 23 (17) In the event of the absence of a judge from his duty, the remaining judges shall appoint a person to act as a substitute judge for such a period as may be necessary.
- 23 (18) Subject to the powers and duties of the Commission, the judges have power and it is their duty to regulate and govern the conduct of all racing, racing officials and owners, trainers, drivers, grooms and all persons attendant upon horses, or holding any license or permit issued by the Commission.
- 23 (19) Subject to the powers and duties of the Commission, the judges have the authority to decide all questions not specifically covered by the rules, and to interpret the rules according to the customs and usage of the race course, and in the best interest of racing and fairness.
- 23 (20) The judges shall assume their powers and duties at one minute after midnight three days before the start of each meeting and such powers and duties shall continue until one minute after midnight three days before the start of the next meeting. For purposes of the M.G.W.H.R.C. the judges shall assume their powers one minute after midnight three days before the start of the first scheduled meet and shall continue until one minute after midnight three days before the start of the next racing season.
- 23 (21) It shall also be the duty of the judges, when they deem it advisable, to take such action in advance as they may regard as necessary to prevent an infraction of the rules.
- 23 (22) The judges shall have the power to warn off or order the ejection from the race track all persons who by reason of past or present conduct would be regarded as objectionable, and the association shall enforce such order.
- 23 (23) It is the responsibility of the judges to get the horses to the post at post time.

- 23 (24) The onus of proof that a horse should not be disqualified from any particular race or that it is not entered, owned or trained, in whole or in part, by a disqualified person shall be on the person declaring the horse and in default of satisfactory proof, the judges may disqualify the horse.
- 23 (25) The judges have sole and final authority to determine when a disqualification is proper and the extent of the disqualification, including the other parts of an entry.
- 23 (26) In determining the extent of disqualification of a horse in a race, the judges may place the disqualified horse behind any horse that in their judgement the disqualified horse interfered with, or they may place it last.
- 23 (27) When a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one will not necessarily affect the placing of the other.
- 23 (28) If the judges are satisfied that the driving in a race was wilfully foul or that a driver was instructed or induced so to drive, they shall suspend the driver and any person who instructed or induced the driver to drive in such a manner and shall report the matter to the Commission.
- 23 (29) The judges may require that any owner give a statutory declaration attesting to his bona fide ownership of a horse that he purports to own.
- 23 (30) The judges may examine or order a Commission veterinarian to examine and report upon any horse on the grounds of the race track whether or not a meeting is being held at the race track at the time of the order.
- 23 (31) Any owner or trainer who wishes to change equipment shall apply for permission to one of the judges prior to entry for the race in question. However, the judges may at their discretion approve changes in equipment after entry but prior to post time, but no such change shall be made without such permission. Under no circumstances will any change be permitted for a horse coming off a race in which it placed first.
- 23 (32) The judges may place the name of any horse on the judge's list for any reason they may deem to be proper. During the time a horse's name is on such list, it shall not race, nor shall it be entered in any race, except that it "may be allowed to nominate to a stakes race but is not eligible to

declare or start unless it is removed from those lists before the time of declaration”.

- 23 (33) The judges shall have the authority to declare a race no contest, and any such declaration by the judges if made after the posting of the “official” sign shall in no way affect the wagering of the race.
- 23 (34) The judges may by verbal or written notice require any licensee to attend before them to review films, provide information, or to assist in inquiries, and the failure by the licensee to appear shall be an offence.
- 23 (35) The judges may impose any or all of the following penalties for conduct prejudicial to the best interest of racing, or for a violation of the rules:
- (a) refuse an offender admission to the grounds of an association;
 - (b) expel an offender from the grounds of an association;
 - (c) suspend any Commission licensee for any length of time or indefinitely;
 - (d) impose whatever fine they feel is suitable or justifiable;
 - (e) prohibit any Commission licensee from driving a motor vehicle in the stable area;
 - (f) revoke the license of any Commission licensee when the said license was obtained fraudulently or under false pretences; and
 - (g) in addition to any other penalty imposed, place the person’s license on probation for a definite or indefinite period of time and attach such conditions to the probation as the judges deem necessary or desirable.
- 23 (36) Should the judges consider the penalties set out in Rule 23 (35) inadequate for the offence committed, they shall immediately so report in writing to the Commission, and the Commission shall determine the matter.
- 23 (37) Before imposing a penalty on any person for a violation of these regulations, the judges shall give that person a notice of violation which may be delivered verbally or in writing.
- 23 (38) A written notice of violation shall be in the form set out in Schedule A hereto and shall set out:
- (a) The name of the person;
 - (b) The number(s) of the section(s) or subsection(s) of the rule(s) or regulation(s) which the person is accused of violating;

- (c) The date and place of the alleged violation; and
 - (d) The time date and place at which the judges will conduct a hearing into the alleged violation.
- 23 (39) A verbal notice of violation shall advise the person of:
- (a) The number(s) of the section(s) or subsection(s) of the rule(s) or regulation(s) which the person is accused of violating;
 - (b) The date and place of the alleged violation; and
 - (c) The time, date and place at which the judges will conduct a hearing into the alleged violation.
- 23 (40) A person who has been given a verbal notice of violation has the right to require the judges to provide a written notice of violation.
- 23 (41) A written notice of violation may be given:
- (a) by delivering it to the person; or
 - (b) by mailing it to the address shown on the person's license application, in which case it shall be deemed to have been received after five days have elapsed since the date the notice was mailed.
- 23 (42) At a hearing before the judges the person accused of a violation shall have the right:
- (a) to be present throughout the hearing;
 - (b) to be represented;
 - (c) to call evidence and to cross-examine witnesses called by the judges; and
 - (d) to make oral or written submissions.
- 23 (43) If a person who has been notified of a hearing pursuant to this section fails to appear at the hearing, his absence shall be construed as a waiver of his rights to a hearing, and such penalty as the judges deem appropriate may be imposed in such person's absence.
- 23 (44) Upon imposing any penalty on a person, other than a fine not exceeding \$250.00, the judges shall give that person written notice of the penalty in the form set out in Schedule B in one of the ways provided for in subsection 41 for giving a written notice of violation.
- 23 (45) In a notice of penalty imposing a fine, the judges may provide that if the fine is not paid within 96 hours of the offender receiving notice of the penalty, the offender's license may be suspended until the fine is paid and may remain suspended for a stipulated period after the fine is paid.

- 23 (46) Fines imposed in respect of violations committed in the City of Winnipeg shall be paid at the office of the Commission during regular business hours. Fines imposed in respect of violations in other places shall be paid at the office of the Commission during regular business hours or at such time or place as the Commission or authorized person may provide.
- 23 (47) Any person who issues a cheque in connection with their racing activity which does not clear is guilty of an offence under this regulation.
- 23 (48) The authorized person, the Commission veterinarian, any member of the board of judges or any person designated by the authorized person or the board of judges may enter and inspect any part of a race track.
- 23 (49) With the agreement of the judges and the penalized licensee, the chairman or in the chairman's absence, the vice-chairman, may remove, alter or substitute a suspension or other penalty imposed by the judges provided it is done within the time limit for filing of an appeal following the delivery of the ruling appealed from or after the filing of an appeal but prior to the hearing of the appeal.
- 23 (50) If a person charged with a violation signs the waiver of hearing attached to the Notice of Violation the Board of Judges may proceed to impose a penalty on that person without further notice to that person.
- 23 (51) The judges may compel the attendance of witnesses and the submission of documents or potential evidence related to any investigation or hearing.
- 23 (52) The judges have the power to administer oaths and examine witnesses.
- 23 (53) The judges shall consult with the official veterinarian to determine the nature and seriousness of a laboratory finding or alleged medication violation.
- 23 (54) The judges may, at their discretion, direct the video camera operators to videotape the activities of any horse or person handling horses prior to, during or following a race.
- 23 (55) Following any race in which there is an inquiry or objection, the association shall, when so ordered by the judges, display to the public on designated monitors, the videotaped replays of the incident in question which were utilized by the judges in making their decision.

- 23 (56) The Board of Judges shall act as placing judges and:
- a) shall place and record the horses in order of finish;
 - b) in determining the place of the horses at the finish of a race shall consider only the relative position of the respective noses of such horses;
 - c) shall cause the numbers of the first four horses in each race in order of finish to be prominently displayed.
 - d) shall make their decisions public as promptly as possible.
 - e) shall display the photo sign if the order of finish among the contending horses(s) is less than half a length or a contending horse is on a break at the finish. After the photo has been examined by the Board of Judges and a decision made, the numbers shall be posted on the Totalisator Board and the official sign displayed. The decision of the judges shall be final.
 - f) nothing in the rules shall be construed to prevent the correcting of an error before the display of the “official” sign or from recalling the official sign in case it has been displayed through error.
 - g) on all tracks a proper camera shall be installed as an aid; however, in all cases the camera is merely an aid and the decision of the judges shall be final.
 - h) if it is considered advisable to consult a picture from the photo finish camera, without waiting for a picture, such placements as are in their opinions unquestionable, shall be posted, and after examining the picture, make the other placements.
 - i) only the Board of Judges have the authority to release any photo finish photographs except to the association for its public display.
- 23 (57) Subject to Commission approval, at non-extended race meetings in the event of the absence or incapacity of the presiding judge, the functions enumerated in this section may be performed by a person designated by said judge, for whose acts and conduct said judge shall be wholly responsible. If a substitution is made as herein provided, the name and address of the person so substituting shall be entered in the Judges’ race report.
- 23 (58) At extended race meetings in the event of the absence or incapacity of the presiding judge, the functions

enumerated in this section may be performed by one or more associate judges who all have been designated by the presiding judge, prior to the start of the race meeting, in the form of a written notice to the Commission and to association conducting the race meeting. A record shall be kept in the Judges' race report showing the name of the individual who performed such functions on each day of the race meeting.

- 23 (59) In races of a duration of more than one dash or heat at pari-mutuel race meetings, the judges may draw post positions from the stand for succeeding dashes or heats.

OFFICIAL CHARTER

- 24 The official charter is responsible for providing a complete and accurate chart of each race. An accurate chart shall include the following:

- a) horse's name;
- b) driver's name;
- c) date and place of the race;
- d) track size, if other than a half-mile track;
- e) track condition and temperature;
- f) type of race (trot or pace);
- g) classification of race;
- h), distance;
- i) fractional times of the leading horse, including the race time;
- j) post position, position at the $\frac{1}{4}$ mile, the $\frac{1}{2}$ mile and the $\frac{3}{4}$ mile poles and at the head of the stretch with lengths behind the leader and finish position with lengths behind the winner;
- k) official order of finish;
- l) individual time of each horse;
- m) closing dollar odds (with favorite designated by an asterisk);
- n) the standard symbols for breaks, interference breaks, interference, broken equipment, park outs, and free legged pacers, where applicable;
- o) the standard symbols for medications, where applicable; in claiming races, the price for which the horse is entered to be claimed less allowances for age and sex;
- p) names of the horses placed first, second and third by the judges; and notations of placings, disqualifications and claimed horses.

**PART VII - COMMISSION
VETERINARIANS AND PRACTISING
VETERINARIANS**

- 25 (1) The Commission may appoint one or more Commission veterinarians to officiate at race meetings.
- 25 (2) The Commission veterinarian shall:
- (a) be a graduate veterinarian and be licensed to practise in this jurisdiction;
 - (b) be in attendance at the Commission's race track office prior to scratch time for the purpose of conducting an examination of horses required by the judges;
 - (c) serve as a professional advisor and consultant to the Commission and its staff on veterinarian matters including all regulatory aspects of the application and practice of veterinary medicine at the track;
 - (d) familiarize himself, in general, with the physical condition of all horses entered for racing that day, and if, in his opinion, a horse is not fit, sound and ready for racing, he shall recommend to the judges that it be scratched and the judges shall take such action as they deem fit;
 - (e) inspect all horses which have been involved in an accident after leaving the paddock for the start, during the race, or while pulling up, as quickly as possible after the accident and provide appropriate emergency treatment;
 - (f) if in the opinion of the Commission veterinarian an injured horse should be destroyed, he shall, with the consent of the owner or his authorized agent, euthanize the horse quickly and humanely. Horses shall be euthanized out of sight of the public unless moving the horse would unduly increase or prolong its suffering. In the absence of the owner or his authorized agent, the Commission veterinarian shall take such action as he deems necessary;
 - (g) keep a list to be called the Commission veterinarian's list (colloquially the "vet's list") upon which shall be entered the name of any horse which the Commission veterinarian considers unfit, unsound or not ready for racing. When the judges order a horse scratched for reasons having to do with the physical condition of the

horse, it shall be placed on the Commission veterinarian's list. Any horse placed on the Commission veterinarian's list must remain on said list for a minimum of 72 hours, at which time any owner or trainer may request his horse to be examined for removal from the list;

- (h) maintain a list called the "heel nerved list" for the benefit of would-be claimers to be posted on the horsemen's bulletin board or in the racing office consisting of the names of horses, reported to the Commission veterinarian, on which heel nerve surgery has been performed and recorded on the horse's papers;
- (i) post on the horsemen's bulletin board a notice of bleeder interpretation and permitted bleeder medication regulations;
- (j) keep bleeder medications confidential except after a horse is claimed that information shall be released to the new trainer so that the continuity of performance will not change for the betting public;
- (k) post a list of spayed mares on the horsemen's bulletin board in the racing office.
- (l) have authority and jurisdiction over the racing veterinarian and practising licensed veterinarians on the association grounds for the purpose of these rules;
- (m) report to the commission the names of all horses humanely destroyed or which otherwise expire at the race meeting and the reasons therefore;
- (n) maintain all required records of post-mortem necropsy examinations performed on horses which have died on association grounds;
- (o) review and make recommendations regarding commission license applications of practising veterinarians;
- (p) co-operate with practising veterinarians and other regulatory agencies regarding medication issues and to take measures to control communicable and/or reportable equine diseases;
- (q) periodically review all horse papers under the jurisdiction of the commission to ensure that all required test and health certificates are current, and properly filed in accordance with these rules;

- (r) provide the judges with a written statement regarding the nature and seriousness of all laboratory reports of prohibited substances in equine samples.
- 25 (3) In the interest of equine health, the Commission veterinarian may examine any horse at his discretion after advising the trainer or other person in charge of that horse of his intention to do so.
- 25 (4) The Commission veterinarian may be in attendance at hearings and appeals where the offence is drug related and shall be available at the request of the judges or Commission for other investigations or hearings.
- 25 (5) In the cases of horses being shipped to a race, if a horse declared to race must be scratched because of injury or sickness, the trainer of that horse shall present a veterinarian's certificate to the Commission veterinarian indicating the reason that the horse must be scratched and any medication that was administered to the horse.
- 25 (6) Any horse placed on the Veterinarian's list for bleeding must remain on the list for a minimum of 14 calendar days exclusive of the day upon which the diagnosis of bleeding is made, and must qualify before entering an overnight event, stakes included.
- 25 (7) Any horse placed on the Veterinarian's list for bleeding a second time, must remain on the list a minimum of 28 calendar days, exclusive of the date of diagnosis of bleeding, and must qualify before entering an overnight event and stakes included.
- 25 (8) Any horse placed on the Veterinarian's list for bleeding a third time shall be barred from further racing in Manitoba for 365 days.
- 25 (9) During the period of his employment the Commission veterinarian shall not without the approval of the Commission diagnose, treat or prescribe for any horse registered for racing with the association for the period of the current race meeting for compensation or otherwise, except in case of emergency, when he may do so without compensation of of any kind except out-of-pocket expenses.
- 25 (10) The Commission veterinarian shall be continuously in the paddock from the time the horses enter the paddock until they leave, and all horses shall be inspected by him. If in

- his opinion, any horse is not fit, sound and ready for racing, he shall recommend to the judges that it be scratched and the judges shall take action as they deem fit.
- 25 (11) A horse scratched by the judges on the recommendation of the Commission veterinarian shall not be allowed to enter a race unless it has been approved by the Commission veterinarian.
- 25 (12) Only the Commission veterinarian shall remove a horse's name from the Commission veterinarian's list and he shall do so only when in his opinion the horse is fit, sound and ready for racing.
- 25 (13) A horse placed on a Commission veterinarian's list or barred from racing for bleeding in a racing jurisdiction recognized by the Commission shall be barred from racing in Manitoba for the length of time decided by that racing jurisdiction or for the period of time provided for in subsections (6), (7), & (8), whichever is longer.
- 25 (14) Any owner or trainer whose horses have been placed on the Commission veterinarian's list may apply at any time to the Commission veterinarian for his examination of such horses, and such examination shall be conducted within 24 hours of the request of it, provided that the horses are stabled at the track.
- 25 (15) The Commission veterinarian shall observe the horse so examined standing in its stall, walking and trotting. Should the horseman or Commission veterinarian request the horse to be jogged or worked on a racing strip, this shall likewise be done.
- 25 (16) Such horse shall be observed at the end of this work, if any, and cooling out, and the Commission veterinarian shall then inform the horseman that his horse is to remain on the Commission veterinarian's list or is removed from it, as the case may be.
- 25 (17) The Commission veterinarian may be instructed to make a full written report of his/her activities and any recommendations he/she deems advisable, as required by the Commission, and a copy of such report shall be delivered to the Judges.

PRACTISING VETERINARIANS

- 26 (1) An applicant for a license as practising veterinarian shall be qualified and licensed to practise veterinary medicine

- in this jurisdiction and be otherwise qualified to be issued a license to participate in racing.
- 26 (2) Veterinarians licensed by the Commission shall keep complete records of their administration of any medicaments to any horse racing in Manitoba.
 - 26 (3) Such records may be inspected only by the Commission veterinarian or the judges.
 - 26 (4) These records shall show the name, tattoo number, or freeze brand of the horse, the name of the trainer, the date and time of the administration of the drug or medicament, and the nature of the medicament administered.
 - 26 (5) The veterinarian may use a code word to indicate the drug or medicament provided that the Commission veterinarian has been furnished with a copy of such code which identifies the drug or medicament.
 - 26 (6) When a veterinarian administers a drug or medicament to a horse classified as a “bleeder”, that is in to race, he shall complete, in duplicate, a veterinarian’s in-today medication form supplied by the Commission. He shall retain the original copy and furnish the duplicate copy to the trainer of such horse who shall be required to submit such duplicate to the Commission veterinarian when such horse arrives at the paddock for a race.
 - 26 (7) Except in case of extreme emergency, only a veterinarian licensed by the Commission may, during the racing season, treat or prescribe for a horse registered for racing under the jurisdiction of the Commission.
 - 26 (8) All veterinarians licensed by the Commission shall be responsible to the Commission for any drug or medicament administered to a horse registered to race at any meeting of the association.
 - 26 (9) No owner or trainer, or their representative, shall, except in an extreme emergency, employ a veterinarian who is not licensed by the Commission, to provide treatment to or prescribe or administer any drugs or medicament for a horse registered for racing under the jurisdiction of the Commission.
 - 26 (10) A veterinarian licensed by the Commission shall be responsible to the Commission in respect to the condition of any horse that has received treatment from him or has had a drug or medicament prescribed or administered by that veterinarian.

- 26 (11) No horses are to be treated in the paddock except in an emergency situation and under the supervision of the Commission veterinarian.
- 26 (12) No horses are to be treated in the test barn or on the race course during the races without the permission of the Commission veterinarian.
- 26 (13) A licensed veterinarian shall not enter the paddock or onto the race track during the races or immediately following a race without the permission of the Commission veterinarian.
- 26 (14) All practising veterinarians shall promptly notify the official veterinarian of any reportable disease and any unusual incidence of a communicable illness of any horse on association grounds in the practising veterinarian's care.

PART VIII - CONDITIONS OF RACES

- 27 (1) In presenting a program of racing, the race secretary shall use exclusively the following types of races:
 - (a) Overnight events which include:
 - (i) Conditioned races;
 - (ii) Claiming races;
 - (iii) Preferred, invitational, handicap, open or free-for-all races;
 - (iv) Schooling races;
 - (v) Matinee races;
 - (b) Added money events which include:
 - (i) Stakes;
 - (ii) Futurities;
 - (iii) Early closing events;
 - (iv) Late closing events;
- 27 (2) Substitute races may be provided for each race program and shall be so designated in condition sheets and may be used when a regularly scheduled race does not fill.
- 27 (3) Regularly scheduled races or substitute races may be divided where necessary to fill a program of racing, or may be divided and carried over to a subsequent racing program, subject to the following:
 - (a) No such divisions shall be used in the place of regularly scheduled races which fill;
 - (b) Where races are divided in order to fill a program, 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.

- 27 (4) Conditions shall not be written in such a way that a horse is deprived of an opportunity to race in a normal preference cycle.
- 27 (5) Not more than three also eligible conditions shall be used in writing conditions for overnight events.
- 27 (6) When recording winnings, gross dollar winnings shall be used and cents shall be disregarded.
- 27 (7) For the purpose of eligibility, a racing season or racing year shall be the calendar year.
- 27 (8) No time records or bars shall be used as an element of eligibility.
- 27 (9) Horses eligible at the time of declaration shall remain eligible for that race regardless of winnings accrued after such declaration.
- 27 (10) To participate in mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait stated for it in its declaration.
- 27 (11) The word "start" in a condition includes only those performances in a purse race and each dash or heat shall be considered as a separate "start" for the purpose of condition races.
- 27 (12) Preferred, invitational, junior invitation, handicap, open and free-for-all races are those limited to the fastest horses competing at the meeting and, with respect to those races:
 - (a) horses shall be posted in the office of the race secretary and listed with the Board of Judges prior to closing declarations;
 - (b) horses so posted shall not be eligible to conditioned races unless the conditions specifically include horses posted to any, or all such races;
 - (c) a horse shall be removed from the lists not later than the day following the start that caused it to be removed; and
 - (d) no two-year-old horse is eligible to be placed on lists to race against older horses until it has won seven races, unless requested by the owner or authorized agent, but the owner or authorized agent may withdraw a request after he has made it.
- 27 (13) The maximum size of fields for all races except stake races

shall be determined by allowing eight feet per horse to the starters in the front tier and not more than two trailers.

PART IX - DECLARATIONS AND DRAWING OF POST POSITIONS ELIGIBILITY

- 28 No person shall declare a horse to race unless:
- (a) if leased;
 - (i) a copy of the lease is on file with the Board of Judges and the association, and Standardbred Canada, and;
 - (ii) the horse races in the name of the lessee;
 - (b) the horse has qualified pursuant to section 37;
 - (c) the horse has been lip tattooed or freeze branded;
 - (d) the horse is at least two years of age to race at any meeting but not older than;
 - (i) 14 years of age to race at extended meetings, or;
 - (ii) 17 years of age to race at a non-extended meet;
 - (e) a negative “Coggins Test” certificate issued by a laboratory approved by the Canadian Pari-Mutuel Agency has been presented to the race secretary, properly identifying the horse and certifying that within the current racing season in Manitoba the horse has been tested negative;
 - (f) if it is a spayed mare, that fact is noted on the program, registration certificate, and the list of such horses on the horsemen’s bulletin board; and
 - (g) if part of an entry, that fact has been disclosed on the declaration.

MAKING DECLARATION

- 29 (1) An association shall publish the time for closing of declarations on the condition sheets.
- 29 (2) A declaration received after the specified time of closing shall not be accepted, except if it was omitted in error or because of negligence by an official or employee of the association.
- 29 (3) The association 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 29 (7).
- 29 (4) The same horse shall not be declared to compete in races scheduled for the same day at different tracks.

- 29 (5) A horse that is on the qualifying list, starter's schooling list, judge's list or veterinarian's list and not removed from the appropriate list shall not be declared.
- 29 (6) A declaration must be in writing signed by the owner or his authorized agent or his trainer.
- 29 (7) A declaration made by mail, facsimile, or telephone is acceptable if:
- (a) the mail, facsimile or telephone declaration states the name of the horse, the event it is to be declared to, and is signed by the person who received and deposited it, and;
 - (b) evidence of the declaration is deposited, in the declaration box, before the time specified by the race secretary, or his licensed delegate, for declarations to close, and adequate program information is furnished by the declarer.
- 29 (8) After declaration to start has been made no horse shall be withdrawn except by permission of the judges. A fine, or suspension may be imposed on the party for withdrawing a horse without permission. The horse may be suspended.
- 29 (9) Where the person making the declaration fails to honor it and there is no opportunity for a hearing by the judges, this penalty may be imposed by a Commission representative after a hearing.

DRAWING DECLARATIONS

- 30 (1) Before opening the declaration box before the draw, the race secretary or licensed delegate shall take control of the declaration box, and may open the box prior to the time of closing to provide an opportunity to process declarations, but no information as to the names of horses declared shall be given by any person to any other person prior to the drawing of declarations.
- 30 (2) No owner of a horse or agent of an owner shall be denied the privilege of being present at the closing and drawing of declarations.
- 30 (3) Declarations shall be listed, the eligibility verified, preference ascertained, starters selected and post positions, drawn at such times as are determined by the association.
- 30 (4) If it is necessary to reopen any race, a public announcement shall be made at least twice and declaration box reopened at a specified time.

- 30 (5) Starting horses and also eligible horses for overnight events shall be drawn by lot from horses properly declared to start, and preference shall be given according to a horse's last previous start at the gait declared for it in a purse race.
- 30 (6) Preference dates are not applicable to horses racing in schooling races.
- 30 (7) Preference shall be governed by the following:
- (a) if more than the required number of horses are declared in a race with the same preference date, the previous preference dates shall apply;
 - (b) when a horse is racing for the first time at the gait declared for it, it shall have preference over other horses regardless of their preference dates;
 - (c) if a declaration is made for a horse that has already been drawn to start in a race that has not yet been contested, the date of that uncontested race shall be its preference date;
 - (d) if a race has been reopened for additional declarations, preference shall be given those horses eligible and declared at the time declarations closed originally, and;
 - (e) if conditions so specify, preference can be given to two-year-old horses, regardless of preference date.
- 30 (8) Not more than two horses may be drawn as "also eligibles", in accordance with the following provisions:
- (a) also eligibles shall be drawn from horses having the best preference;
 - (b) no horse shall be added to the race as an also eligible unless it was drawn as an also eligible at the time declarations closed for that race;
 - (c) no horse may be barred from another race to which it is eligible and has preference because it has been drawn as an also eligible;
 - (d) also eligibles moved into races shall be posted in the office of the race secretary and their owners or trainers shall immediately be so notified by the race secretary;
 - (e) also eligibles not moved into a race by 10:00 a.m. of the day of the race shall be released, and;
 - (f) if an also eligible is moved into a race it shall be scratched from any subsequent race for which it has been drawn, unless preference otherwise allows.

COUPLED ENTRIES

- 31 (1) Horses shall be coupled as an entry if:
- (a) one person is the owner of two or more horses in a race;
 - (b) the spouse of a person who is the owner of one horse in a race is the owner, trainer or driver of another horse in that race;
 - (c) the spouse of the driver of one of the horses in a race is the owner, trainer or driver of another horse in that race, or;
 - (d) the trainer of one of the horses in a race is the owner, trainer or driver of another horse in that race, or;
 - (e) the owner, trainer or driver of one horse in the race is the parent or legal guardian of a child under 18 which child is the owner of another horse in that same race.
- 31 (2) Any two or more horses may be coupled as an entry by the Board of Judges when the board considers it in the public interest to do so.
- 31 (3) If a race is split into divisions or elimination heats, horses coupled as an entry shall be seeded in separate divisions or elimination heats insofar as possible:
- (a) by owners;
 - (b) by trainers, and;
 - (c) by stables, but the divisions or elimination heats in which they are to compete and their post positions shall be determined by lot.
- 31 (4) Notwithstanding subsection 31 (1), where two or more horses are coupled as an entry, only for the reason that the horses are trained by the same trainer, the association may, with the consent of the Board of Judges, race the horses as separate interests.
- 31 (5) The person making the declaration of a horse that qualifies as a coupled entry with another horse entered in the same event shall be responsible to designate the word "entry" on the declaration blank.

LOST DECLARATIONS

- 32 (1) When there is conclusive evidence that a horse was properly declared to an overnight event, but was omitted from a program due to error or negligence by an official or employee of the association, the horse so omitted may be added to the race by the judges and given the last post position, if the error is found prior to the printing of the

official program and its addition does not result in more than the maximum number of starters allowed in a single field but if the program has been printed, the horse shall not be permitted to start.

- 32 (2) If a horse omitted as described in subsection 32 (1) was nominated or declared to a stake, it shall be added to the race and given the last post position, and in that case, if its addition results in more than the maximum number of starters allowed in a single field; the event shall be divided and the starters in each division and their post positions shall be redrawn by lot.

ALSO ELIGIBLES

- 33 (1) 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 the handicap races. In both handicap or claiming handicap races the also eligible horse shall take the place of the horse that it replaces in the event 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.
- 33 (2) After having been drawn to start, or as an also eligible horse in a race, the horse shall not be sold prior to the particular race and trainers may only be changed with the permission of the Board of Judges.

NAMING OF DRIVERS

- 34 It is the responsibility of trainers to name the drivers of horses declared to race and it is the trainer's further responsibility to ensure that the drivers are available and willing to drive the horses. Drivers shall be named not later than the time to permit this information to be published in the official program. The deadline for naming of drivers will be set by the association, and no driver may be changed thereafter without permission of the judges. When a programmed driver fails to appear the judges may fine or suspend the trainer and/or the driver.

SCRATCHES

- 35 (1) A horse properly declared shall not be withdrawn or scratched from the race without the permission of the

Board of Judges. The Commission Veterinarian shall immediately report any horse to the Board of Judges if in his opinion the horse is not fit, sound or ready for racing.

- 35 (2) A horse that is scratched from a race cannot be reinstated to participate in that race.
- 35 (3) A horse scratched on the recommendation of the Commission Veterinarian shall not be allowed to declare for a minimum of 72 hours (exclusive of the day it is scratched) from the time it was scratched and then only if it has been approved for entry by the Commission Veterinarian.
- 35 (4) Any horse that falls during a warm-up or parade must be examined by the Commission Veterinarian and may be scratched. If scratched, said horse may have to re-qualify at the discretion of the Board of Judges before being allowed to enter any overnight or stake race.

PART X - CLAIMING

- 36 (1) In claiming races, any horse is subject to be claimed for its entered price plus allowances and applicable taxes by any person who is eligible to claim or by their duly licensed authorized agent. Any person is eligible to claim:
- (a) who is a licensed owner, and in good faith has a horse registered to race at the current meeting or;
 - (b) who is a licensed owner, and who lose(s) his last horse through fire, misfortune or claim may nevertheless claim (if he is otherwise eligible) for 30 racing days after he has lost his last horse. The 30 racing days may extend from one racing season to the next. A person claiming under this rule is required to establish his eligibility to claim with the Board of Judges and to receive their confirmation in writing prior to making a claim. Such confirmation must accompany the claim slip in the claim envelope.
 - (c) who applies for an owners license and is approved by the Board of Judges may be granted a claim certificate. Consent of a licensed trainer must be provided by the applicant to the judges. Under no circumstances shall the claim certificate be issued until three full days after the initial application. A license will not be granted until after the claim certificate has been executed. Once the applicant has been granted a claim certificate, he may open an account with the

horsemen's bookkeeper. The claim certificate must be included in the claim envelope.

- (d) who has not previously had a horse registered to race at the current meeting and purchased a horse, registered to race, by private sale, provided that a period of 15 calendar days, not including the date of the private sale has elapsed between the date of the private sale and the date of the claim.
- 36 (2) A claim certificate is valid only for the current racing season.
 - 36 (3) No owner shall claim his own horse or cause his own horse to be claimed, directly or indirectly, for his own account.
 - 36 (4) If there are two or more owners of a horse through which a claim is made, all must sign the claim, unless one is appointed in writing as the authorized agent to make the claim for the partnership or group.
 - 36 (5) An owner may make a claim for the owner's account through his authorized agent.
 - 36 (6) No person shall make more than one claim in any one race.
 - 36 (7) No person shall claim a horse that is trained or driven by him in that particular race.
 - 36 (8) No trainer may claim any horse from an owner for whom he trains.
 - 36 (9) No authorized agent, although representing several owners, shall submit more than one claim for any one race.
 - 36 (10) Only one claim for owners having the same trainer may be entered in any one race.
 - 36 (11) No person other than an authorized agent acting for his principal shall claim a horse for or on behalf of any other person and, for the purpose of this regulation, persons making a claim by merely executing that claim declare they are claiming on their own account.
 - 36 (12) No person shall:
 - (a) offer to, or enter into agreement to claim or not to claim a horse;
 - (b) attempt to prevent a claim from being made; or
 - (c) attempt by intimidation, discussion or other means to prevent anyone from entering or racing a horse in a claiming race; or
 - (d) directly or indirectly conspire to protect a horse from

being claimed by arranging another person to lodge claims, a procedure known as protection claims.

- 36 (13) When a claim is being lodged with an association, the claim is not revocable, and is made at the sole risk of the claimant.
- 36 (14) The claimant is responsible for determining the sex of the horse claimed.
- 36 (15) To be eligible for a claim, a horse shall start in the event to which it was declared.
- 36 (16) A horse that started in a claiming race but is declared ineligible to the race by the judges is not eligible to be claimed.
- 36 (17) If a horse is declared to start in a claiming race but is scratched for any reason other than its being ineligible, and if declaration is made within a period of 30 calendar days before its next start, regardless of the type or conditions of the race for which it has declared or any change in ownership of said horse occurring since the date of the scratch, the horse may be claimed by any eligible person or owner, or authorized agent, at a price not greater than the amount for which it could have been claimed in the race from which it was scratched.
- 36 (18) A horse shall race for the account of the owner in whose name it starts, but the title to the horse, whether the horse finished safely or injured or otherwise or dies before, at or after the finish is vested in the successful claimant from the moment that horse becomes a starter.
- 36 (19) A person making a claim in any race shall deposit the claiming price, G.S.T. and transfer fee, in cash or by certified cheque or money order with the horsemen's bookkeeper, or if the horsemen's bookkeeper's office is not open, with the pari-mutuel office at least 30 minutes before post-time of the race.
- 36 (20) All claims must be made in writing, on forms and in envelopes approved by the Commission. If both the form and the envelope are not completely and accurately filled out, the claim will be void. No money shall accompany the claim.
- 36 (21) All claims shall be submitted to the Board of Judges, or such person as is designated by the Board, a minimum of 30 minutes prior to post time of the race in which the

- horse to be claimed is to start, failing which the Board shall declare the claim null and void.
- 36 (22) The paddock judge shall cause all claims to be delivered to the Board of Judges before the start of each race, pursuant to Rule 36 (21).
- 36 (23) Claims shall be opened at the discretion of the Board of Judges in order that the Board may ensure the claim is in order.
- 36 (24) If more than one eligible person enters a claim for the same horse, the successful claimant shall be determined by lot by the Board of Judges or such person as designated by the Board of Judges. All unsuccessful claims involved in the decision by lot shall, at that time become null and void, notwithstanding any future disposition of such claim.
- 36 (25) The Board of Judges after approving a claim and determining that the claimant has the required money on deposit with the horsemen's bookkeeper, shall issue a delivery order for the claimed horse to the original owner or representative who shall immediately make delivery to the claimant in the test barn where possession will transfer. The original owner or representative must deliver the claimed horse complete with stable halter to the test barn, without altering or removing the horse's shoes.
- 36 (26) If, subsequent to approval of a claim, whether delivery of the horse has been completed or not, the claim is ruled ineligible by the Board of Judges or by the Commission, the horse and/or ownership thereof shall be returned to the original owner immediately following the ruling of the Board or Commission, notwithstanding that there may have been one or more other eligible claims for the said horse drawn out by the Board of Judges at the time of originally determining the successful claimant, whether it be alive or dead, sound or unsound, or injured during or after the race.
- 36 (27) A post race urinalysis test may be taken from any horse claimed out of a claiming race. The trainer of the horse at the time of entry for the race from which the horse was claimed shall be responsible for the claimed horse until the post race urine sample is collected.
- 36 (28) No owner shall claim a horse from another owner if that horse has the same trainer as other horses owned by the claimant.

- 36 (29) If an owner or trainer refuses to deliver a claimed horse, the owner, or the trainer and the horse shall be suspended.
- 36 (30) The certificate of registration of a claimed horse shall upon completion of the claim procedure prescribed in this section, be transferred to the claimant by the Standardbred Canada representative with the approval of the judges.
- 36 (31) If a horse is claimed:
- (a) the horse or any partial interest in it shall not be sold or transferred to anyone for a period of 30 days from the date of the claim, except in a subsequent claiming race, nor shall it, unless reclaimed, remain in the same stable or under the control or management of its former owner or trainer for such period; and
 - (b) it shall not race outside of Manitoba except in a stake race until after the expiry of 30 days, or until the conclusion of the current racing season, whichever first occurs.
- 36 (32) The new owner or trainer of a claimed horse shall be allowed to scratch the horse out of any race in which it had been entered by its former owner.
- 36 (33) Any claim made in contravention of this regulation may be declared void by the judges.
- 36 (34) If a horse is claimed at a meeting under rules of another authority, title to and entry restrictions respecting that horse shall be recognized in Manitoba in accordance with the rules of that other jurisdiction.
- 36 (35) Spayed mares shall not receive any sex allowance.
- 36 (36) If a filly or a mare has been bred, she is ineligible to be entered into a claiming race unless:
- (a) the following conditions are met:
 - (i) full disclosure of this fact has been filed with and posted in the office of the racing secretary;
 - (ii) the breeding slip has been deposited with the race secretary's office, (all information on the slip to be confidential);
 - (iii) all payments due for the service in question and for any live progeny resulting from the service are paid in full
 - (iv) (a) the release of the breeding slip to the successful claimant at the time of claim is guaranteed; or
 - (b) a veterinary certificate dated at least 40 days after the last breeding of the mare or filly stating that she is not in foal is on file with the racing secretary's office.

- 36 (37) When the Board of Judges rules that a claim is invalid and the horse is returned to the original owner:
- (a) the amount of the claiming price and applicable taxes shall be repaid to the claimant; and
 - (b) any purse monies earned subsequent to the date of the claim and before the date on which the claim is ruled invalid shall be the property of the claimant; and
 - (c) the claimant shall be responsible for any reasonable costs incurred through the care, training or racing of the horse while it was in his or her possession;
- 36 (38) No horse will be eligible to start in a claiming race unless the owner has provided written authorization, which must include the minimum price for which the horse may be claimed, to the race secretary at least one hour prior to post time of its race. If the horse is owned by more than one party, all parties must sign the authorization. Any question relating to the validity of a claiming 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. Any question relating to the validity of a claiming 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.
- 36 (39) The price allowances that govern for claiming races are as follows. Any deviation from these allowances will constitute a violation:

Colts, Stallions, Geldings and Spayed Mares	Fillies and Mares
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2-year-old	75%	100%
3-year-old	50%	75%
4-year-old	25%	50%
5-year-old	0	25%

Claiming prices recorded on past performance lines in the daily race program and on eligibility certificates shall not include allowances.

- 36 (40) The claiming price, including any allowances, of each horse shall be printed on the official program adjacent to the horse's program number and claims shall be for the amount designated, subject to correction if printed in error.

PART XI - QUALIFYING RACES

- 37 (1) Declarations at a race meeting shall be governed by the following:
- (a) a horse that has not raced previously at the gait chosen shall perform in a qualifying race under the supervision of a judge, but no horse shall be permitted to race at a race meeting if it does not have at least one satisfactory charted line at the gait chosen and in order to provide complete and accurate chart information on time and beaten lengths, a standard photo-finish shall be in use;
 - (b) a horse that does not show a charted line within the last six starts shall perform a qualifying race;
 - (c) a horse that has not raced within a time period set by the association before a meet, shall perform in a qualifying race except where it has been prevented from doing so by reason of cancellation of a race in which it was drawn and which would have been run within the time period set where such cancellation is due to inclement weather or other circumstances beyond the control of the owner or trainer of said horse, and such horse shall retain the preference date held by it at the time of cancellation of the race in which it was entered;

- (d) if a horse has raced at meetings at which races are not charted, the information from the uncharted races shall be summarized, including each start, and consolidated in favour of charted lines that shall carry date, place, time, driver, finish, track conditions and, if the race is not at one mile, distance;
- (e) a horse that is on a qualifying list shall be required to perform in a satisfactory qualifying race or races before being removed from that list;
- (f) a horse that chokes or bleeds during a warm-up or race shall be required to perform a satisfactory qualifying race before it can be declared to an overnight event;
- (g) the Board of Judges shall permit a preferred or invitational horse to qualify for overnight events by means of a timed work-out consistent with the time of the races in which it will compete;
- (h) the Board of Judges may institute standards or guidelines relating to an individual horse's performance to establish if the horse will qualify. The Board of Judges must notify the trainer of said horse of the time standard set for said horse prior to qualifying;
- (i) any horse put on the judge's list as unmanageable or dangerous must qualify in a satisfactory manner for the judges at least two times;
- (j) the judges may put any horse on the judge's list for performance when such horse shows a reversal of form or does not race near its own capabilities, such horse shall qualify in a time comparable to its own capabilities from one to three times at the discretion of the judges before being declared;
- (k) a horse:
 - (i) regularly wearing hobbles shall not be permitted to race without them without first having qualified without same;
 - (ii) regularly racing without hobbles shall not be permitted to race with them without having first qualified with same;
 - (iii) regularly wearing hobbles, or regularly racing without hobbles, and which is not on a qualifying list or judges' list, shall be allowed one performance with or without hobbles, as the case might be, in a qualifying race and this single

- performance shall not affect its eligibility to race with or without hobbles as the case might be, in a subsequent event to which it is declared;
- (l) if a race is conducted for the purpose of qualifying drivers and not horses, the race need not be charted, timed or recorded, but this clause does not apply to races qualifying both horses and drivers;
 - (m) a horse making two consecutive breaks must qualify unless the preceding breaks were equipment breaks or caused by interference;
 - (n) except as hereafter provided, a horse must qualify if:
 - (i) it is distanced for reasons other than interference, broken equipment or breaking stride, or;
 - (ii) it does not finish for reasons other than interference or broken equipment; but the Board of Judges may in their discretion excuse a horse from qualifying under this rule if the race in which it was distanced was a preferred, invitational, or an open stake race;
 - (o) a horse making a break off a qualifier or schooling line must qualify again unless the break was an equipment break or caused by interference but can declare into race in an added money event but cannot start in such added money event until it qualifies again;
 - (p) a charted line containing a break caused by interference or an equipment break shall be considered a clean charted line;
 - (q) any horse that has been scratched two consecutive times by the Commission Veterinarian must qualify before entering any overnight race, including stakes or added money events;
 - (r) the placing of a horse on a “qualifying list” shall be recorded in the electronic eligibility system;
 - (s) no horse shall be permitted to obtain a win race record in a qualifying race unless an approved urine or blood test has been taken in respect of it.
- 37 (2) General qualifying standards shall be established by the race secretary and those standards and any changes to them shall be approved by the Judges and posted at an extended meet so that they are available for inspection by participants at all times, and distributed through the race secretary at fair meets.

- 37 (3) Owners and or trainers of horses placed on a qualifying list shall be advised by the Judges or their designate of the placement by written notice posted in an area of the race office, at an extended meet, and through the race secretary or in person at a fair meet.
- 37 (4) Qualifying races shall be scheduled at least once a week, weather conditions permitting.
- 37 (5) Entries for qualifying races on the MGWHRC will be accepted on the terms and conditions set forth in the track rules set from time to time by the MGWHRC and approved by the Commission;
- (a) horses that are placed on the qualifying list in the same week that they qualify are allowed to declare if required by the race secretary; (Fair Circuit Only).
- (b) horses unable to qualify by the standards set after four consecutive efforts may be required to sit out 30 calendar days before again attempting to qualify.

PART XII - STAKE RACES

CONDITIONS

- 38 (1) Conditions for stakes that conflict with the rules, are vague, or inconsistent shall not be published and if published, are of no effect insofar as they so conflict, except that the Commission may approve in advance conditions that conflict with the rules and in such a case the conflicting conditions govern.
- 38 (2) Conditions for stakes shall include the following information:
- (a) the categories of horses that are eligible to be nominated;
- (b) the amount to be added to the purse by the association;
- (c) the dates and amounts of nomination and sustaining payments;
- (d) whether the event will be:
- (i) raced in divisions, or
- (ii) conducted in elimination heats if more horses than the maximum allowed to compete in one division are declared;
- (e) whether also eligible horses may be carded for the final heat of added money events;
- (f) the percentage distribution of the purse to the money winners in each heat or dash, and the formula for

calculating the distribution if the number of starters is less than the number of premiums advertised.

- 38 (3) The date and place where stakes will be raced shall be announced as soon as that information is determined.
- 38 (4) Published conditions shall not be changed after nominations have been received, nor shall the date and place of the event be changed after being advertised, without the consent of the Commission.
- 38 (5) Conditions for all stake races run in Manitoba must be submitted to, and approved by, the Commission prior to being advertised.
- 38 (6) Time bars and/or track qualifying standards shall not be used as conditions for late and early closing races.

NOMINATIONS

- 39 (1) All nominations to stakes shall:
 - (a) be made in writing;
 - (b) be signed by the owner, trainer or his authorized agent;
 - (c) state the name and address of the bona fide owner or lessee or both, as the case may be;
 - (d) identify by age, name, color, sex, sire and dam of each horse nominated;
 - (e) name the event or events for which the horse is being nominated; and
 - (f) be made at least five days prior to the race for which the nomination is made.
- 39 (2) No deductions may be made for clerical or any other expenses from nomination or sustaining payments or from added money.
- 39 (3) The dates for the closing of nominations shall be:
 - (a) for stakes nominating yearlings, May 15;
 - (b) for stakes nominating other than yearlings, the 15th day of a month;
 - (c) for futurities, July 15 of the year of foaling.
- 39 (4) Nominations for stakes on races for two-year-olds shall not be taken prior to February 15.
- 39 (5) Sustaining payments for stakes shall be payable on the 15th of a month, but no stake sustaining fee shall become due prior to February 15 of the year in which the horses nominated become two years of age.
- 39 (6) If the day of closing of nomination or sustaining payment falls on a Saturday, Sunday or legal holiday, the day of

- closing shall be the next business day.
- 39 (7) Declaration fees shall become due and payable when a horse is properly declared.
- 39 (8) When a horse that is eligible has been properly declared, its declaration fee shall not be refunded.
- 39 (9) When a horse that has been declared is subsequently ruled ineligible and disqualified, whether prior to or after contesting the race for which it was declared, its declaration fee shall only be refunded with the permission of the Board of Judges.
- 39 (10) If any conditions have the effect of eliminating horses nominated to an event, or adding horses that have not been nominated to an event by reason of performance of those horses after the closing nomination, those conditions are invalid.
- 39 (11) The eligibility of the horse nominated is not affected by the sale of the horse after its nomination has been accepted unless the contrary is specified in the conditions.
- 39 (12) An association shall provide a list of nominations to each nominator and to the Commission for all stakes within a month after the date on which payments were due, including a resume indicating the current financial status of the event by listing the number of horses remaining eligible and the amounts of nomination and sustaining payments received.
- 39 (13) Nomination fees to futurities are not refundable.
- 39 (14) No deductions are permitted from the purse for any event that is allotted to "consolation" races.
- 39 (15) An association has the right to require at least five separate interests to start in all stake races, and if less horses than required by the association are declared to start, the race may be declared off at the discretion of the association.
- 39 (16) If an association shall declare a stake race off pursuant to subsection 39 (15) the total of all nomination, sustaining and starting payments received shall be divided equally among the owners of all eligible horses declared to start in such cancelled race, and said distribution shall not be credited as purse winnings.
- 39 (17) Futurities shall be contested if one or more horses are declared to start.
- 39 (18) If no declarations are made, the total nomination and sustaining payments shall be divided equally and awarded

in respect of the horses remaining eligible after payment of the last sustaining payment, without being credited as purse winnings.

- 39 (19) The eligibility of a horse to declare or start in a stake race is subject to the following restrictions and rights:
- (a) any horse that is on the judge's list as dangerous or unmanageable may be nominated, but shall not be eligible to declare or start in the stake race unless it has been removed from the list by the Board of Judges after having properly qualified; and
 - (b) the placing of a horse on the judge's or qualifying or veterinarian's list for reason other than those set out in Rule 25 (6) or 25(7) or 37(1)(o) or 35(4) or 39(19)(a) shall not affect its right to compete in a stake race, futurity, or early or late closing race providing said horse meets all other qualifying standards.
- 39 (20) Every nomination shall constitute an agreement by the person making the nomination and the horse shall be subject to these rules. All disputes and questions arising out of such nomination shall be submitted to the Judges.
- 39 (21) If conditions require a minimum of nominations and the event does not fill, the Commission and each nominator shall be notified within 15 days of the closing of nominations and a refund of nomination fees shall accompany such notice to nominators.
- 39 (22) A nominator is required to guarantee the identity and eligibility of nominations, and if this information is given incorrectly nominator may be fined, suspended, or expelled and the horse declared ineligible. If any purse money was obtained by an ineligible horse, the monies shall be forfeited and redistributed among those justly entitled to the same.
- 39 (23) Associations shall provide stable space for each horse declared on the day before, the day of and the day following the race.

DIVISIONS AND ELIMINATIONS

- 40 If more horses than are allowed in one field are declared to start a race, the race shall be conducted in divisions or eliminations, as specified in the conditions, and in accordance with the following provisions:
- (a) for stakes conducted in divisions:

- (i) starters shall be divided by lot, raced in two divisions and at least 50% added to the advertised purse with each division racing for one-half of the purse so increased;
 - (ii) if three or more divisions are necessary, the association shall add to the advertised purse an amount sufficient to allow each division to race for at least 75% of the advertised price;
 - (iii) nomination and sustaining payments shall be divided in equal proportion to the number of declared horses that are drawn to each division, and;
 - (iv) all divisions shall be raced on the same day;
- (b) for stakes conducted in eliminations:
- (i) the judges shall draw the post positions by lot of the contestants that have qualified for the final heat of all stakes;
 - (ii) 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;
 - (iii) elimination heats and the final heat shall be raced on the same day unless the conditions provide otherwise;
 - (iv) the winner of the final heat shall be the winner of the stake;
 - (v) unless the conditions provide otherwise:
 - (A) if there are two elimination heats, the first four finishers in each heat shall qualify for the final heat, and;
 - (B) if there are three or more elimination heats, no more than three horses from each elimination heat shall qualify for the final heat;
 - (vi) in all cases, the number of horses allowed to qualify for the final heat shall not exceed 12 or such lower number as may be designated by the authorized person, and;
 - (vii) unless the conditions for the added money event provide otherwise the judges shall draw by lot the post positions for the final heat in 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 position; which of the two horses that were second shall start in the third position, and which in the fourth, etc.

- (c) the sponsor, of any stake to which clause (a) or (b) applied may, a minimum of forty-eight hours prior to the racing of the stake, apply for relief from those clauses, and the Commission may in its discretion relieve the sponsor or the association or both from the responsibility to guarantee all or any portion of any additional payment to the purse that would otherwise be required under those clauses.
- (d) the judges' decisions in arriving at the official order of finish of elimination heats on the same program shall be final and irrevocable and not subject to appeal or protest.

PART XIII - DRIVING RULES

- 41 (1) No horse or driver shall:
 - (a) delay a start;
 - (b) pass the inside or the outside wing of the gate;
 - (c) come to the starting gate in the wrong position;
 - (d) cross over before reaching the starting point;
 - (e) interfere with another horse or driver during the start;
 - (f) fail to come into position and on the gate and remain so until released by the starter;
 - (g) change course or position, or swerve in or out, or bear in or out during any part of the race in a manner that will compel another horse to shorten its stride or cause another driver to change course, take the horse back, or pull the horse out of its stride;
 - (h) impede the progress of another horse or cause it to break from its gait;
 - (i) cross over too sharply in front of another horse or horses;
 - (j) crowd another horse by "putting a wheel under him";;
 - (k) carry another horse out;
 - (l) strike or hook wheels with another sulky;
 - (m) during the contesting of a race, leave the racing strip or drive or proceed in a manner so as to force another horse or driver to leave the racing strip.
- 41 (2) No driver shall:

- (a) fail to obey the starter's instructions;
- (b) wilfully "back off" the starting gate after having been in position;
- (c) allow another horse to pass needlessly on the inside, or commit any other act that helps another horse to improve its position;
- (d) take up or slow abruptly in front of other horses to cause confusion or interference among the trailing horses;
- (e) lay off a normal pace and leave a hole when it is well within his horse's capacity to keep the hole closed;
- (f) drive in a careless or reckless manner;
- (g) fail to set or maintain a pace comparable to the class in which he is racing, considering track conditions, weather and circumstances in the race;
- (h) fail to contest any part of a race in which the pace is slow for the class in which the driver is racing;
- (i) back off from any position and subsequently come on when challenged;
- (j) fail to report any interference or any other infraction that occurred during a race and was noticed by him;
- (k) lodge a claim of foul, violation of the rules, objection or complaint which the judges consider is frivolous;
- (l) drive a horse in a manner that prevents him from winning a race;
- (m) drive a horse to perpetuate or aid in a fraud or corrupt practice;
- (n) drive a horse in an inconsistent manner;
- (o) use a whip to exceed three feet, nine inches in length plus a popper not to exceed six inches. Whips shall not be made of rawhide and shall be approved by the judges.
- (p) not before, during or after a race use his whip in a brutal, excessive, or indiscriminate manner, butt end, punch, jab, or kick a horse, or use a whip to interfere with or cause disturbance to any other horse or driver;
- (q) whip a horse by using the whip below the level of the shafts or the seat of the sulky or between the legs of the horse;
- (r) strike a wheel disc with a whip;
- (s) shout loudly or engage in other improper conduct during a race; or

- (t) drive a horse in an unsatisfactory manner due to lack of effort;
 - (u) drive without both hands in the hand holds until the final eighth of a mile;
 - (v) maintain an outside position without making the necessary effort to improve his/her overall position.
- 41 (3) At the conclusion of the race each driver shall return to be dismissed by the Board of Judges and shall in so doing pass the patrol judge or starter at which time he shall report any objection, interference or broken equipment arising through the course of the race.
- 41 (4) A driver must be mounted in the sulky at all times during the race or the horse shall be placed as a non finisher.
- 41 (5) In races contested at an association that does not use a continuous solid hub rail, a horse that leaves the racing strip may be set back, except that where in the opinion of the Judges a horse was forced from the racing strip as a result of the action of another driver or horse in that race, the Judges may determine the order of finish accordingly.
- 41 (6) Drivers shall keep both feet in the stirrups during the post parade 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 course of the race solely for the purpose of pulling ear plugs and once same have been pulled the foot must be placed back into the stirrup.
- 41 (7) No horse habitually:
- (a) wearing hobbles, shall start in a race other than a qualifying race, without those hobbles unless it has qualified to do so; or
 - (b) racing free legged, shall start in a race other than a qualifying race, wearing hobbles unless it has qualified to do so.
- 41 (8) No horse shall be permitted to wear a head pole or any other equipment protruding beyond its nose.
- 41 (9) When a horse breaks from its gait the driver shall:
- (a) take the horse to the outside of other horses where clearance exists;
 - (b) properly attempt to pull the horse to its gait; and
 - (c) lose ground from the field while on the break.
- 41 (10) If there has been no violation of subsection 41 (9), the

horse shall not be set back unless a competing horse on its gait is lapped on the hind quarter of the breaking horse at the finish.

- 41 (11) No driver shall allow a horse to break for the purpose of losing a race.
- 41 (12) Judges shall call out each break made and have each break duly recorded in the official race reports.
- 41 (13) If a horse chokes or bleeds during a race, the driver of that horse is required to report the choking or bleeding to the Commission veterinarian immediately after the race and that information shall be entered into the official past performance line of that horse.
- 41 (14) If in the opinion of the Board of Judges a driver is, for any reason, unfit or incompetent to drive or refuses to comply with the directions of the judges, or is reckless in his conduct or may endanger the safety of horses or other drivers in the race, the Board of Judges may at any time cause that driver to be removed and another driver substituted.
- 41 (15) A driver desiring to enter a claim of foul, or other complaint of violation of the rules, shall make this known to the nearest patrol judge and shall proceed immediately to the paddock telephone to communicate immediately with the judges.
- 41 (16) If a horse is to warm up it must go its last warm up on the same racing strip as it will compete on unless excused by the judges.

PART XIV - PLACING AND MONEY DISTRIBUTIONS

- 42 (1) Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis, with money being awarded according to a horse's position in each separate dash or heat of the race.
- 42 (2) Purse money distributed shall be limited to the first five finishing positions, unless otherwise provided for in an agreement between the horsemen's association and the racing association.
- 42 (3) Unless otherwise specified in the conditions or in an agreement between the horsemen's association and the racing association, purse money distribution in dashes shall be 50% for the first, 25% for the second, 12% for the third, 8% for the fourth, and 5% for the fifth finishing

positions.

- 42 (4) In a betting or non-betting race, if there are less than five starters in a stake race or added money event, the winning horse shall receive all monies not contested for in the event, in addition to the winner's percentage of the purse.
- 42 (5) In overnight events, if there are less than five starters, the premiums for the positions for which there are no starters may be retained by the association or sponsor, as the case may be, but any premiums so retained by the association shall not be included in the overall purse structure in any agreement between the association and any horsemen's association.
- 42 (6) If premiums apply with respect to any horses that start but were unable to finish due to an accident or otherwise, all unoffending horses that did not finish shall share equally in those premiums.
- 42 (7) If premiums apply with respect to any horses that start but were unable to finish under circumstances to which subsection 42 (6) does not apply, the premiums may be retained by the association or sponsor.
- 42 (8) 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.
- 42 (9) In elimination heats, the purse shall be distributed in accordance with subsection 40 (b) (ii) and the purse for each heat shall be distributed in accordance with subsection 42 (3).
- 42 (10) All monies offered for the race (late or early closing) by the track and/or sponsor shall be in addition to all nominating, sustaining, and starting payments to determine the purse. All payments are forfeit.
- 42 (11) If an ineligible horse is permitted to race, that horse is disqualified from winning any portion of the purse.

PART XV - TIMES AND RECORDS

- 43 (1) The fastest time raced by a horse in a heat or dash which it won, or in a performance against time, shall be its record.
- 43 (2) A standard record is a record of 2.05 or faster for two-year-olds and 2.00 or faster for all other ages.
- 43 (3) The time of each heat or dash shall be accurately timed and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat the time of

- that heat shall be publicly announced or admitted to the record, unless the timers failed to time, in which case no time shall be announced or recorded.
- 43 (4) In the case of an alleged error in the record or announcement of the time made by a horse, the time questioned shall not be changed to favour that horse or its owner, except if so directed by the Board of Judges in consultation with the timers who officiated at the race.
- 43 (5) Every association shall file with the Commission the certificate of a civil engineer or land surveyor that he has measured the race track from wire to wire three feet out from the rail or inside hub rail of the track, and certifying to the nearest foot the results of each measurement; if any changes or relocation of the hub rail are made at a track, that track shall be measured and recertified.
- 43 (6) The leading horse shall be timed and its' time only shall be announced.
- 43 (7) No horse shall obtain a win-race record because of the disqualification of another horse unless that horse is declared the winner because the other horse was disqualified as a breaking horse on which it was lapped.
- 43 (8)
- (a) No horse shall obtain a win-race record in a qualifying race unless that horse in the race in which it competed was subjected to and passed a urine test or other officially recognized test;
 - (b) The judges shall note on the official race reports for each qualifying race whether or not the race was subject to a urine test or other officially recognized test;
 - (c) any such record must be prefaced with the letter "Q" wherever it appears.
- 43 (9) In case of a dead heat for win, the time shall constitute a record for the horses making the dead heat.
- 43 (10) 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.
- 43 (11) Time trial performances are permitted subject to the following:
- (a) urine tests are required for all horses;
 - (b) an approved electric timer is required;
 - (c) if a timing device fails during the progress of a time trial performance, no time trial performance record will be obtained;

- (d) time trial performances are permitted only during the course of a regular meeting with the regular officials in the judges' stand;
 - (e) time trial performances are limited for two-year olds who go to equal or beat 2.05, and three-year-olds and over who go to equal or beat 2.00;
 - (f) time trial performances shall be designated by preceding the time with two capital T's;
 - (g) a horse may have other horses accompany it in a time trial performance but not to precede it, or be harnessed with it or in any way attached to it; and
 - (h) a break during a time trial performance results in no time being given to the breaking horse.
- 43 (12) Any person found guilty of fraudulent misrepresentation of time or the alteration of the record thereof, in any race, shall be fined, suspended, expelled or a combination thereof and time declared not a record.

PART XVI - RUNNING OF RACES

PADDOCK

- 44 (1) An association conducting a race meeting shall:
- (a) provide and maintain a paddock or receiving barn that shall be supervised by the paddock judge in accordance with subsection 17 (1);
 - (b) if so ordered by the Board of Judges, maintain records of all persons entering a paddock or receiving barn, clearly showing the name of each person who entered and the time of entering; and
 - (c) provide and maintain in the paddock or receiving barn adequate facilities, in accordance with the standards approved by the Board of Judges.
- 44 (2) Horses shall be in the paddock at least one hour prior to post time of the race in which they are to compete.
- 44 (3) Except for warm-up trips, no horse shall leave the paddock until called to post.
- 44 (4) After signing the drivers' register, no driver shall leave the drivers' room, except to drive in a race, warm up a horse, or to view the races from a point approved by the Board of Judges, until all his driving engagements for the day have been fulfilled.
- 44(5) Persons entitled to admission to the paddock are:
- (a) owners, trainers, drivers and grooms of horses that:

- (i) are competing on the date of the race; and
 - (ii) are in the paddock;
 - (b) members of the Commission and race officials; and
 - (c) any other person authorized by the paddock judge.
- 44 (6) Owners, or stable members of horses competing on the date of the race shall be entitled to admission to the paddock. An owner, once admitted to the paddock and having left may only be re-admitted if he/she has a horse competing in a later race.
- 44 (7) No more than two members of a registered stable shall, except with permission of the judges, be entitled to be in the paddock on any racing day.
- 44 (8) An association shall, during racing hours, provide the services of a blacksmith within the paddock.
- 44 (9) An association shall, during racing hours, provide the equipment inspector any suitable extra equipment in the paddock that may be necessary in emergencies to prevent unnecessary delay during the conduct of racing.
- 44 (10) The paddock and licensees in the paddock shall be under supervision of the paddock judge.
- 44 (11) All horses entered to race must be on the grounds of the association a minimum of two (2) hours prior to Post Time for the 1st race. Any horse not on the grounds in time may be scratched at the sole discretion of the Board of Judges.

POST TIME AND STARTING

- 45 (1) An association shall establish the post time for each race and the judges shall call the horses on the track at that time to the post to prevent excessive delay after the completion of one or two scores.
- 45 (2) The time between separate heats of a single race shall not be less than 40 minutes.
- 45 (3) Horses called for a race have the exclusive right to occupy the course, and all the other horses shall vacate the course as soon as possible.
- 45 (4) The board of judges shall ensure - subject to Rule 45 (5) that every horse in a race shall perform at least one preliminary score even if the horse has been excused from the post parade.
- 45 (5) In inclement weather the horses may be ordered by the Board of Judges to go directly from the paddock to the starting gate and the public shall be so informed over the public address system.

- 45 (6) Horses may be held on the backstretch while awaiting post time, but not more than two minutes, except when delayed by an emergency.
- 45 (7) If there are two tiers of horses at the start, 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, except as provided for in handicap claiming races. -See Rule 33 (1).
- 45 (8) When a horse is withdrawn from any tier, horses on the outside move in to fill the vacancy.
- 45 (9) When there is only one trailer, he may start from any position in the second tier.
- 45 (10) If there are more trailers than one, they shall start from inside any horse with a higher post position.
- 45 (11) All races shall be started with a mobile starting gate of a design approved by the Commission.
- 45 (12) No person except the starter, the starter's driver and a patrol judge, shall ride in a starting gate without the permission of the Board of Judges.
- 45 (13) The starting gate shall be equipped with two-way communications to the judges' stand and a mechanical loudspeaker for communicating instructions to drivers and to other persons.
- 45 (14) All horses shall parade from the paddock to the starting post and no driver shall dismount without the permission of the starter. Attendants may not care for the horses during the parade except by permission of the starter.
- 45 (15) The starter shall have control of the horses from the formation of the parade until a fair start has been determined.
- 45 (16) The determination of a fair start is symbolized when the horses are released by the starter at the starting point.
- 45 (17) The horses shall be brought to the starting gate as nearly one quarter of a mile before the start as possible.
- 45 (18) The starter shall cause the gate to move towards the starting point, gradually increasing the speed of the gate to maximum speed.
- 45 (19) When maximum speed has been reached in the course of a start there shall be no decrease, except in the case of a recall.
- 45 (20) The starting point is a point that shall be marked on the

inside rail a distance of not less than 200 feet from the first turn.

- 45 (21) After the determination by the starter of a fair start all the horses shall race the course, except in the case of an occurrence that in the opinion of the Board of Judges makes it impossible for the horses to race the course.
- 45 (22) If, in the opinion of the Board of Judges or the starter, a horse is unmanageable or liable to cause an accident or injury to another horse or to a driver, it may be scratched by the Board of Judges.
- 45 (23) **In case of recall:**
- (a) a light plainly visible to the drivers shall be flashed and a recall sounded;
 - (b) 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; and
 - (c) drivers shall take up their horses and return, without delay, to the point where the field is gathered for starts.
- 45 (24) There shall be no recall after the horses are released by the starter at the starting point.
- 45 (25) The starter shall endeavour to get all horses away in position and on gait.
- 45 (26) The starter shall sound a recall for the following reasons:
- (a) a horse scores ahead of the starting gate;
 - (b) there is interference before the horses are released by the starter at the starting point;
 - (c) a horse has broken equipment, which the starter notices; or
 - (d) a horse falls before the horses are released by the starter at the starting point;
 - (e) a horse comes to the starting gate in the wrong position;
 - (f) a malfunction of the starting gate or in the interests of safety.
- 45 (27) There shall be no recalls for breaking horses or horses refusing to come to the gate, even if the horse has not reached the fair start pole at the time of breaking or refusal.
- 45 (28) In the event a horse causes two recalls, it shall be an automatic ruling of the judges that the offending horse be scratched.
- 45 (29) The fair start pole is a pole erected at the point approximately 10 feet nearer the starting point than the pole one-sixteenth of a mile before the start, and shall be

yellow in colour and shall protrude at least two feet above the inner rail.

- 45 (30) When a horse has not reached the fair start pole by the time the field is released by the starter at the starting point, the Board of Judges shall immediately display the inquiry sign on the board, and all monies wagered on the said horse shall be refunded because of the unfair start, and said horse may be ordered to qualify two consecutive times before entering in an overnight event.
- 45 (31) If the starter fails to sound a recall when required, the judges shall cause the “inquiry” sign to be displayed immediately.

EQUIPMENT AND COLOURS

- 46 (1) Sulkies shall only be permitted to be used in a race if they are of the conventional dual-shaft and dual-hitch type as follows:
- (a) they shall have two shafts that shall be parallel to, and securely hitched on each side of the horse;
 - (b) no point of hitch and no part of a shaft of a sulky shall be above a horizontal level equal to the lowest point of the horse’s back;
 - (c) they shall be equipped with mud guards at any race meeting at which the judges require them; and
 - (d) they shall be equipped with wheel discs approved by the Canadian Pari-mutuel Agency.
- 46 (2) At all times, whether mounted on a horse or on a sulky or other vehicle behind a horse on the premises of a track a licensee must wear a protective helmet constructed of a hard shell and adequate padding. The helmet must include a chin strap, which must be fastened securely in place under the chin whenever the helmet is to be worn. Helmets must meet the approval of the Judges and/or the Commission.
- 46 (3) Any licensee breaching Rule 46(2) may be ordered from the track by the Board of Judges and refused permission to participate in any race or other activity until he or she complies with said rules, and shall be subject to such other penalties as the Board of Judges shall impose.
- 46 (4) A person driving a horse shall wear distinguishing colours and white pants when warming up a horse prior to racing.
- 46 (5) A person driving a horse shall have the proper head

number and saddle cloth on a horse when warming up for a race and while contesting a race.

- 46 (6) Drivers shall wear distinguishing colours, white pants, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the Board of Judges, they are properly dressed, their driving outfits are clean and they are well groomed, and during inclement weather conditions, they shall wear rain suits or winter suits either of distinguishing colours or made of a transparent material through which their colours may be distinguished.
- 46 (7) No major equipment changes shall be allowed after the horse is entered to race without the consent of the Board of Judges.
- 46 (8) The Board of Judges shall cause to be posted or announced any major equipment changes.
- 46 (9) All broken equipment shall be reported by the driver concerned in the first instance to the starter and then to the paddock judge who shall make an examination to verify the allegation.

POSTPONEMENT AND CANCELLATION

- 47 (1) An association representative and at least one judge, after consultation with the horsemen's representatives, may for just cause postpone or cancel races.
- 47 (2) In any stake that has not been fully contested before being cancelled, all nomination, sustaining and starting fees remaining at the time of cancellation shall be divided equally among the owners of horses remaining eligible at the time of cancellation.
- 47 (3) In stakes that have been started but remain unfinished before being cancelled, the allotted shares of the remaining nomination, sustaining and starting fees shall be distributed equally to the owners of all horses remaining eligible at the time of cancellation.
- 47 (4) Overnight events that are not raced within two days of being postponed shall be cancelled.
- 47 (5) Added money events shall be postponed and rescheduled.
- 47 (6) If track conditions are questionable, the Board of Judges shall meet with a duly elected representative of the association and the duly elected representatives of the horsemen to consider the matter and the following shall apply:

- (a) if the meeting results in the decision that track conditions are safe for racing, no withdrawals will be allowed; and
 - (b) if the number of withdrawals reduces the field to less than five, the association may cancel a stake or an overnight event.
- 47 (7) If the Board of Judges is unable to judge the racing or finish of a race because of insufficient lighting, adverse weather conditions, or any other circumstances, they may declare the race “no contest”.
- 47 (8) If a decision is made by the Board of Judges that races are postponed or cancelled, an appropriate announcement shall be made by the Board of Judges to the horsemen as soon as that decision is made.

DEAD HEATS AND WALKOVERS

- 48 (1) When horses finish in a dead heat, the dead heat will not be contested.
- 48 (2) When two or more horses finish in a dead heat the prizes allocated shall, if possible, and subject to subsection 48 (5) be divided equally between those horses that finished in dead heat.
- 48 (3) Each horse that finishes in a dead heat and in respect of which a share of prize money for first place is paid shall be deemed a winner of that race and of the amount it actually received.
- 48 (4) If a horse that finishes in front of the dead heat is disqualified, the horses that finished in the dead heat shall be deemed to have finished in the race in the position in which the disqualified horse finished before its disqualification.
- 48 (5) If a non-monetary prize cannot be divided equally or otherwise among persons entitled to it, the Board of Judges may decide the matter by drawing lots for the prize.
- 48 (6) In a stakes or futurity, a “walkover” is entitled to all stakes money and forfeits unless otherwise provided in the published conditions. To claim the purse, the entry must start and go the distance of the race.

PART XVII - ILLEGAL AND CORRUPT PRACTICES OFFENCES

- 49 (1) No person shall:
- (a) administer any drug to a horse without the authorization of the Commission veterinarian;
 - (b) being the trainer, groom or other person having care, charge or custody of a horse, fail properly to protect it against the administration of any drug;
 - (c) administer alkalinizing agents to a horse including, bicarbonate of soda, or a mixture of ingredients for the practise known as “milkshaking”;
 - (d) not being a physician employed by an association as track physician, the Commission veterinarian, a licensed veterinarian or veterinarian assistant, have in his or her possession or under his or her control within the grounds of a race track or the stable area, without first securing the permission of the judges, any injectable or any hypodermic syringe, needle or other device which could be used to administer an injectable to a horse. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the judges and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the judges and/or the Commission;
 - (e) not being a physician employed by an association as track physician, the Commission Veterinarian, a licensed veterinarian or veterinarian assistant, have in his or her possession or under his or her control within the grounds of the race track, or the stable area, alkalinizing agents including, bicarbonate of soda, or a mixture of ingredients for the practise known as “milkshaking”, tubing, dose syringes, drenching equipment or apparatus that could be used for administering an alkalinizing mixture to a horse
 - (f) interfere with or obstruct the taking of an official sample from a horse;
 - (g) possess or use an electrical or mechanical device, goading device, chain, spur, or appliance other than an approved whip;

- (h) declare or start a horse that:
 - (i) is not in a sound condition;
 - (ii) has impaired eyesight in both eyes; or
 - (iii) in the current racing season, including any meeting commencing in the current calendar year, but extending into the next ensuing calendar year, has bled during or following a “warm-up” or a race, after having previously bled during or following a “warm-up” or a race and has not been removed from the vets list.
- (i) being a trainer, have in his charge or under his supervision any horse owned by a person who is not licensed as an owner or whose owner’s license is under suspension;
- (j) tamper with a horse in such a way as to affect its speed in a race, or unduly agitate or otherwise abuse a horse by chaining, whipping, goading or otherwise;
- (k) give, offer, or promise, directly or indirectly, either on his own behalf or on behalf of another, any bribe, gift, or gratuity in any form for the purpose of improperly influencing the results of a race or which would tend to do so;
- (l) accept or offer to accept on his own behalf or on behalf of another, any bribe, gift or gratuity in any form to influence the result of a race or which would tend to do so;
- (m) being an owner or trainer, accept directly or indirectly, any bribe, gift or gratuity or other benefit in any form which is offered to induce him to withdraw a horse from or not enter a horse in a race;
- (n) wilfully or negligently start or cause to start a horse in a race other than a horse named in the declarations;
- (o) purchase a pari-mutuel ticket from behind the line;
- (p) use offensive or profane language or disturb the peace on the grounds of an association;
- (q) obstruct an official or a member of the Commission in the performance of his duties;
- (r) use abusive or profane language or show disrespect to an official or any member of the Board of Judges or patrons;
- (s) attempt to violate any of these rules;

- (t) aid, abet, counsel or conspire with any other person to violate these rules and having done so will be regarded as culpable as the principal offender;
 - (u) not being a peace officer or a security guard engaged by an association, have in possession on the grounds of an association any firearm or other weapon;
 - (v) assault, attempt to assault, or threaten with assault any person on the grounds of an association.
 - (w) transfer a horse to circumvent the intent of a Commission rule or ruling.
- 49 (2) Any person convicted of a criminal offense which offense took place on the grounds of an association shall be deemed to have committed a breach of the Rules of Racing, and may be fined, have his license suspended, or be subject to any other provision of the rules for breach of same.
- 49 (3) No employee of the Commission or racing official shall own, wholly or partly, a race horse or engage in any activity related to horse racing that may result in remuneration or profit to him other than his duties as an official or employee of the Commission.
- 49 (4) No employee of the Commission or racing official shall wager on the outcome of a live or simulcast race shown in the Province of Manitoba.
- 49 (5) No employee of the Commission or racing official shall give to anyone, directly or indirectly, any information or advice pertaining to a race for the purpose of influencing any person, or tending to do so, in the making of any wager on any horse in any race. This rule shall not apply to the naming of selections which appear in the official program, newspapers or other approved publications or a broadcast for the radio or on television, or to the selling of such publications by those persons so authorized.
- 49 (6) No owner, trainer, authorized agent, employee or groom who owns, handles, trains, drives or has any interest in any horse entered in a race shall wager on, or cause or permit any person to wager on his behalf on any other horse competing in that race, except in triactor or exactor features in which he shall be permitted to wager on such horse in combination with any other horse in that race, provided that the total monies wagered on combinations in which his horse is chosen to finish first must equal or

exceed the totals wagered on combinations in which such horse is chosen to place or show.

- 49 (7) A horse shall not be entered in a race if it is wholly or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension or a person who does not deal at arms length from a person whose license is under suspension.
- 49 (8) **Medical Labeling:**
- (a) No person on association grounds where horses are lodged or kept, excluding, licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection.
 - (b) Any drug or medication which is used or kept on association grounds and which, by federal or provincial law, requires A prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable provincial statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:
 - i) the name of the product;
 - ii) the name, address and telephone number of the veterinarian prescribing or dispensing the product;
 - iii) the name of each patient (horse) for whom the product is intended/prescribed;
 - iv) the dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
 - v) the name of the person (trainer) to whom the product was dispensed.

NERVED HORSES

- 50 (1) No person shall start a horse that has been nerved, except a horse whose posterior digital nerve has been desensitized surgically or by any other means below the lowest aspect of the base of the proximal sesamoid bones, may race if the procedure has been recorded on the registration certificate.

- 50 (2) The Commission veterinarian shall keep posted a list of all denerved horses in the race secretary's office.

EMERGENCY ADMINISTRATION OF DRUGS

- 51 (1) Notwithstanding paragraphs 49 (1)(a),(b),(d), the owner, trainer, groom or other person having care or custody of a horse may administer a drug to a horse in an emergency if the administration of the drug is necessary to preserve the horse's life or health and there is no licensed veterinarian or Commission veterinarian on the grounds of an association.
- 51 (2) The person who administered the drug to the horse shall report the incident to the Commission veterinarian forthwith upon his returning to the grounds of the association. The Commission veterinarian shall then report the incident to the Board of Judges. If the Commission veterinarian is not available, a report of the incident must be made to the Board of Judges before the horse in question is taken to the paddock.
- 51 (3) When the Board of Judges receive a report that a drug has been administered to a horse pursuant to this rule they may order that the horse be scratched.
- 51 (4) Where the administration of a drug to a horse is not reported as required by this rule, the person who administered the drug and all other persons having care or custody of the horse shall not be entitled to the protection of this rule.

DRUG TESTS

- 52 (1) Any horse on the race track may, at any time, be subjected to any tests or inspections that the Commission Veterinarian or the Judges consider necessary or desirable.
- 52 (2) An official sample shall be taken from the winning horse of every race and from such other horses as the Judges or Commission veterinarian shall direct; provided that in a qualifying race the Judge or veterinarian may choose any horse or horses from such race and need not include the winning horse necessarily.
- 52 (3) All official samples shall be taken and analyzed in the

- manner prescribed in Part V of the Canadian Pari-mutuel Agency Regulations and any amendments thereto.
- 52 (4) When an official sample is to be taken from a horse after the race nothing shall be given or administered to the horse other than pure drinking water, except with the express permission of the Judges and in the presence of the Commission veterinarian, until after the official sample has been taken.
- 52 (5) The owner, trainer, or a representative of the owner of the horse being tested shall be present in the retention area when an official sample is taken and shall sign the tag attached to the official sample; but the refusal or neglect of such person to be present or to sign shall not in itself invalidate the sample nor prevent same from being accepted in evidence of a positive test.
- 52 (6) The Commission veterinarian may take a sample of body fluids of any horse that dies on the grounds of the track as soon as it is practical to do so. The Commission veterinarian shall not be required to take the sample of body fluids in the presence of the owner, trainer or representative of the owner of the dead horse.
- 52 (7) The Commission veterinarian shall sign the tag attached to the sample of body fluids taken from a dead horse in the absence of the owner, trainer or representative of the owner of the dead horse.
- 52 (8) The Commission veterinarian shall deliver the sample of body fluids to the Chief Test Inspector of the Race Testing Service or the designate of the Chief Test Inspector.
- 52 (9) A sample of body fluids taken from a dead horse by the Commission veterinarian shall be deemed to have been taken in the manner prescribed in the Canadian Pari-mutuel Agency Regulations.
- 52 (10) Where the official chemist secures a positive analysis from an official sample he shall forthwith notify the Commission by telephone or facsimile and this notification shall be taken as prima facie evidence of a positive test.
- 52 (11) When the Commission receives notification from the official chemist that an official sample has been found positive, the authorized person or the Judges shall summon the trainer of the horse in question, or his representative, and such security officers of the Racing Association as they deem necessary and inform them that a positive test has occurred.

- 52 (12) The authorized person or Judges shall direct the Commission veterinarian, director of security, any security officers employed by the association, or any other person they deem necessary or desirable to accompany the trainer to his stable, and to conduct in the presence of the trainer or his representative a thorough search of the trainer's barn, automobile, any other vehicle he may have in his possession or custody, or under his control, and his living quarters where those living quarters are situated on the grounds of an association, provided the refusal or failure of the trainer or his representative to accompany or remain with the Commission representative shall not invalidate any such search.
- 52 (13) While the judges are carrying on an investigation under this rule they may:
- (a) suspend the license of the trainer of the horse from which the official sample was obtained and deny starting privileges to all horses in that trainer's custody unless they are turned over to other trainers approved by the Judges; or
 - (b) permit the trainer to carry on his business subject to the restriction that the horse from which the positive analysis was obtained shall not be allowed to start without the permission of the Judges or the Commission.
- 52 (14) Where a positive analysis is obtained from a horse after a race:
- (a) that horse shall be disqualified and the order of finish altered accordingly;
 - (b) any purse, prize, trophy, or sweepstakes awarded as a result of the race shall be returned to the association within 48 hours and distributed on the basis of the revised order of finish; and the actual time established in the race by the horse from which the positive test was obtained shall be null and void and the horse shall be credited with the start and given the finishing position;
 - (c) that horse may be suspended from racing for a specified period of time by the Board of Judges after a hearing on the matter, in addition to any penalty imposed on the owner or trainer of the horse as a result of the positive sample.

- 52 (15) Where a horse is disqualified as a result of a positive test after a race, the eligibility of any other horses which ran in that race and which started in a subsequent race before the announcement of the disqualification shall not be affected.
- 52 (16) The owner of a horse that is disqualified as a result of a positive analysis of an official sample shall pay his driver on the basis of the actual and not the revised order of finish.
- 52 (17) The purse money of each race shall not be paid for those horses tested until at least 72 hours have elapsed from the concluding time of the race.
- 52 (18) Licensees or participants acting in any capacity at a race meeting approved by the Commission shall, by so participating, consent to the examinations, searches and inspections referred to in the rules, and to the seizure of any hypodermic syringe, hypodermic needle or any other device or paraphernalia described or implied in the rules, and all drugs and medicants of any kind which might be in the participant's or licensee's possession.
- 52 (19) An article, device, paraphernalia, drug or medicant or other item prohibited by these rules that is seized during a search conducted under these rules or that comes into the possession of the Commission by any other means shall be forfeited to the Commission, and may be destroyed or disposed of by the Commission whether or not a licensee or other person is charged or convicted with a violation of these rules in connection with any of the items, and whether or not any person charged is found not to have violated these rules in respect of the items, and neither the Commission nor any of its officials or employees is responsible or liable for loss or damage occurring to a person as a result of the forfeiture, destruction or disposition.
- 52 (20) A written report of the official chemist stating that the official chemist has made an analysis of an official sample and stating the result of that analysis is evidence of the facts alleged in the written report without proof of the signature or the official character of the person appearing to have signed the written report.

MEDICATIONS AND PROHIBITED SUBSTANCES

- 53 (1) Upon a finding of a violation of any medication and prohibited substance rules, the judges shall consider the classification level of the violation as listed at the time of the violation by the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International and impose penalties and disciplinary measures consistent with the recommendations contained therein. The judges shall also consult with the official veterinarian to determine the nature and seriousness of the laboratory finding or the medication violation. Provided, however, that in the event a majority of the judges determine that mitigating circumstances require imposition of a lesser penalty they may impose the lesser penalty. In the event a majority of the judges wish to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such event, they may impose the maximum penalty authorized and refer the matter to the Commission with specific recommendations for further action.
- 53 (2) Penalty Recommendations (in the absence of mitigating circumstances)
1. Class 1 One to five years suspension and at least \$5,000 fine and loss of purse.
 2. Class 2 Six months to one year suspension and \$1,500 to \$2,500 fine and loss of purse.
 3. Class 3 Sixty days to six months suspension and up to \$1,500 fine and loss of purse.
 4. Class 4 Fifteen to 60 days suspension and up to \$1,000 fine and loss of purse.
 5. Class 5 Zero to 15 days suspension with a possible loss of purse and/or fine.

CLAIMS OF FOUL

- 54 (1) A driver who desires to enter a claim of foul, violation of the rules, or other complaint shall notify the nearest Patrol Judge accordingly and shall proceed forthwith to the paddock telephone to communicate immediately with the Board of Judges.
- 54 (2) A complaint by a driver of any foul, violation of the rules or other misconduct during a race shall be made immediately after the race to which it relates, unless the driver is prevented from doing so by an accident or injury or other reasonable excuse.

- 54 (3) Where no communication facilities to the Board of Judges are available, drivers desiring to lodge claims of foul, violation of the rules or other complaints shall so indicate to the Board of Judges when being dismissed and shall, without delay, proceed to the judge's stand.
- 54 (4) The Board of Judges shall not cause the official sign to be posted until the matter of a claim of foul, violation of the rules or other complaint has been dealt with by the Board of Judges.
- 54 (5) The Board of Judges may determine the extent of disqualification in the case of a foul and may place the offending horse:
- (a) behind the horses that in their judgement were interfered with; or
 - (b) last in the field.
- 54 (6) A driver shall be guilty of a violation for failure to report any infraction that occurred during a race, or for lodging a complaint which the judges deem to be frivolous.

PART XVIII - PROTESTS

- 55 (1) Protests may be made by an owner, authorized agent, trainer or driver of one of the competing horses not later than 48 hours following competing in the race to which the protest applies and shall be made in writing, signed by the complainant, and shall contain at least one specific charge which, if true, will prevent the horse protested from winning purse money or competing in the race.
- 55 (2) Every protest shall be determined 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 association pending the judges' decision.
- 55 (3) A protest that has been duly made shall not be withdrawn or surrendered without the approval of the Board of Judges.
- 55 (4) If the placings of a race are altered as the result of a protest, purse money for the race shall be distributed accordingly to the decision made on the protest.
- 55 (5) The eligibility of horses involved in protests that may participate in subsequent races pending a decision on the protest is not affected.
- 55 (6) Decisions on protests that affect purse money or order of

finish after a race is declared official have no effect on the distribution of pari-mutuel pools.

- 55 (7) Any person found guilty of making a protest falsely or without cause shall be liable to a fine, or suspension, or expulsion.
- 55 (8) Before considering a protest, the judges may require a deposit of \$100.00 which shall be forfeited to the Commission if they consider the protest to be frivolous or vexatious.

PART XIX - APPEALS TO COMMISSION

- 56 (1) Any person affected by a decision or ruling of the judges may appeal that decision to the Commission where such a decision or ruling results in a suspension, revocation or probation of that person's license or in a fine being imposed on the person. No appeal is allowed from a finding of fact made by the board of judges during the running of a race where the finding leads to a ruling in which a horse is disqualified or set back or is found not to have violated a racing rule, except when the appellant claims the finding was the result of bias or not made bona fide or was contrary to the rules of procedural fairness or natural justice. The onus of proving bias, lack of bona fides, procedural unfairness or breach of the rules of natural justice is on the person alleging it, and the onus shall be satisfied on a balance of probabilities.
- 56 (2) The Commission may in its discretion:
- (a) overturn, change or confirm any decision or penalty previously made or imposed by the judges; and
 - (b) assess costs against any unsuccessful appellant.
- 56 (3) The Commission or the authorized person may institute an appeal to the Commission from any decision of the board of judges.
- 56 (4) A person who desires to appeal a decision or ruling of the judges shall file a statement of appeal in writing with the Commission within 48 hours of receipt of the decision or ruling being appealed, excluding only those days during which the offices of the Commission are officially closed.
- 56 (5) A statement of appeal shall be delivered to the office of the Commission or sent to the office of the Commission by prepaid registered mail or may be delivered to any Commission judge or other authorized person.

- 56 (6) The statement of appeal shall set out:
- (a) the name and address for service of the appellant;
 - (b) the nature of the decision being appealed, including the amount of any fine which may have been assessed or the length of any suspension which may have been imposed;
 - (c) the date on which the decision was made; and
 - (d) whether the appellant desires to be present in person on the hearing of the appeal;
 - (e) whether the appellant intends to be represented by, and if so, the name of the representative.
- 56 (7) The appellant shall deposit with his Statement of Appeal the sum of \$100⁰⁰. with the Commission, such sum to be disposed of as the Commission sees fit.
- 56 (8) Upon filing of a statement of appeal with the requisite \$100⁰⁰, the chairman shall fix a time and place for the hearing of the appeal and shall give five days notice of the hearing to the appellant and any other party affected by the appeal. Such notice shall be in writing and shall set out the time and place of the hearing and the issues to be dealt with at the hearing and may be served in person or by registered mail, postage prepaid, addressed to the person being served at the address for service indicated in the statement of appeal in the case of the appellant, and at the last known address of any other affected party being served.
- 56 (9) When the Commission or the authorized person commences an appeal pursuant to subsection 56 (3), a Notice of Appeal shall be sent to each person affected by the appeal by prepaid registered mail addressed to his place of residence at least 14 days prior to the hearing of the appeal.
- 56 (10) A Notice of Appeal by the Commission or the authorized person shall set out:
- (a) the decision being appealed;
 - (b) the date on which the decision was made;
 - (c) the grounds of the appeal; and
 - (d) the date on which the Commission proposes to hear the appeal.
- 56 (11) Any notice served by registered mail pursuant to this Part shall be conclusively deemed to have been received by the

person to whom it is addressed two days after the date of such posting.

- 56 (12) The appellant and any other person or persons affected by the appeal have the right:
- (a) to request that the Commission issue a subpoena to a witness;
 - (b) to be present throughout the hearing of the appeal;
 - (c) to be represented;
 - (d) to call evidence and cross-examine witnesses called by the Commission or any other party;
 - (e) to be heard through a representative or in writing; and
 - (f) to present argument regarding the issues dealt with at the appeal.
- 56 (13) The appellant or anyone affected by the appeal shall have the right to request a private hearing.
- 56 (14) The Commission:
- (a) may proceed with the appeal in the absence of the appellant where he has indicated that he does not wish to be present or where the appellant does not attend after having been notified of the date, time and place of the appeal, in accordance with these rules;
 - (b) subject to these rules, shall determine its own rules of evidence at any hearing and is not bound by the rules of evidence applicable to judicial proceedings; and
 - (c) may determine the procedure at a hearing where the same is not provided for in these rules.
- 56 (15) The Commission may have the proceedings recorded by a court reporter or by a Commission employee, which shall form a part of the official record of the hearing, but any failure to record the hearing shall not invalidate same.
- 56 (16)
- (a) a transcript of the hearing shall be prepared at the Commission's expense only if it is requested by the chairman;
 - (b) anything presented to the Commission in writing or as an exhibit shall become the property of the Commission, and may be disposed of following the hearing as the Commission deems fit or just; and
 - (c) the Commission may provide any party to a hearing with a copy of any transcript prepared hereunder upon application by that party to the Commission and upon

payment by that party of the fees prescribed by the Commission for such transcript.

- 56 (17) All evidence of which the Commission avails itself shall become part of the record and subject to subsection 56 (18), no other evidence shall be considered by the Commission.
- 56 (18) The Commission may take notice of judicially cognizable facts and of general technical or scientific facts within its specialized knowledge. Parties shall be notified either before or during the hearing of the material so noticed. There shall be afforded an opportunity to contest the facts so noticed.
- 56 (19) Subject to rule 56 (13) all appeals shall be open to the public unless otherwise directed by the Commission.
- 56 (20) Where the decision being appealed resulted in the appellant's license being suspended, the appellant may, after filing the statement of appeal and depositing the requisite sum of \$100⁰⁰. therewith, apply in writing to the Commission to have the suspension stayed until the hearing of the appeal, and:
- (a) the chairman, or such other person as the chairman may designate, may, in his sole discretion, with or without conditions attached, stay the suspension until a date certain, from time to time, or until an appeal can be heard or may refuse the stay with or without written reasons;
 - (b) once a hearing has begun the Commission has sole discretion as to whether or not a stay of suspension should continue in effect or be dissolved;
 - (c) there is no presumption arising from the granting or refusal of a stay of suspension; and
 - (d) the chairman or designated person may make any stay so granted subject to conditions to be met by the appellant.
- 56 (21) In the hearing of any appeal, the Commission may appoint counsel to present the hearing.
- 56 (22) The hearing of all appeals shall be in the form of a new hearing.
- 56 (23) Decisions shall be based on a balance of probabilities.

PART XX

COMMISSION DISCRETIONARY POWERS

- 57 (1) The Commission or its designee may refuse to issue or may deny a license to an applicant, or may suspend or revoke a license issued, or may order disciplinary measures, if the applicant:
- (a) has been convicted of a felony or indictable offence;
 - (b) has been convicted of violating any law regarding gambling, a controlled dangerous substance, moral turpitude, or cruelty to animals;
 - (c) has pending criminal charges; or
 - (d) is unqualified to perform the duties required of the applicant;
 - (e) has failed to disclose or states falsely any information required in the application;
 - (f) has been found in violation of statutes or rules governing racing in this jurisdiction or other jurisdictions;
 - (g) has racing disciplinary charges pending in this jurisdiction or other jurisdictions;
 - (h) has been or is currently excluded from association grounds by a recognized racing jurisdiction;
 - (i) has had a license denied, suspended or revoked by any racing jurisdiction;
 - (j) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting.
 - (k) demonstrates financial irresponsibility by accumulating unpaid obligations, defaulting in obligations or issuing drafts or cheques that are dishonored or payment refused;
 - (l) has violated any of the alcohol or substance abuse provisions outlined in these rules; or
 - (m) has been associated or consorted with an individual who has been convicted of a crime in any jurisdiction.
- 57 (2) A license suspension or revocation shall be reported in writing to the applicant, the USTA/SC, NAPRA, and the RCI, whereby other racing jurisdictions shall be advised.
- 57 (3) The Commission may impose, in its absolute discretion, any or all of the following penalties for conduct prejudicial to the best interests of racing, or for a violation of the rules:
- (a) refuse an offender admission to the grounds of an association;

- (b) expel an offender from the grounds of an association;
 - (c) revoke, refuse to issue or renew a license, or suspend or place on probation, with or without conditions, any Commission licensee for any length of time it may deem proper;
 - (d) impose whatever fine it feels is suitable or justifiable; and
 - (e) rule an offender off for any length of time it may deem proper.
- 57 (4) When there is no specified penalty for violations of the rules or of the regulations of the association, the Commission has power to disqualify, fine, suspend, expel from the track, rule off or otherwise punish.
- 57 (5) If any case occurs which is not, or which is alleged not, to be provided for by the rules, it shall be determined by the judges or the Commission, as the case may be, in such manner as they think just. In addition thereto, the Commission in its absolute discretion may waive the breach of any of the rules, which breach the Commission does not consider prejudicial to the best interests of racing.
- 57 (6) Fines imposed by the Commission, judges and the starter are payable within 96 hours upon their imposition unless there has been an appeal filed, or the judges have granted an extension. A licensee who fails to pay such a fine within 96 hours may become suspended and he shall remain suspended until the fine is paid.
- 57 (7) Penalties other than fines are effective forthwith or as of the date stated in the ruling except when stayed by authority of the Commission.
- 57 (8) When an owner is suspended, all his horses are likewise suspended from participation in racing and such suspensions will be rescinded automatically upon the expiration of the suspensions or by the Commission if such horses are sold with the consent of the judges or Commission in good faith to a private purchaser or at public auction.
- 57 (9) Any service required or permitted under these rules may be made on any day of the week, including Sunday and holidays, excluding only those days during which the offices of the Commission are officially closed.

PART XXI - AUTHORIZED PERSON

- 58 (1) The Commission may appoint an authorized person who when so appointed shall be the representative of the Commission on the grounds of an association when it is conducting a race meeting and who shall
- (a) in the performance of duties, have unrestricted access to all buildings, stables, rooms and all other places within the grounds of any association;
 - (b) issue orders in the name of the Commission, effective unless and until countermanded by the Commission;
 - (c) attend Standardbred Race Meetings licensed by the Commission;
 - (d) make such reports to the Commission as he or she may see fit and supervise, in the performance of their duties, all Commission and association officials and employees;
 - e) attend meetings of the Commission as required; and
 - (f) act as advisor for the Commission, when so required, in any investigation it may hold.
- 58 (2) The Commission may designate the supervisor of racing, executive director, veterinarian, any judge, or any Commission member including the chairman to be the authorized person referred to in subsection 58 (1) hereof.

PART XXII - TRADESMENS' ACCOUNTS

- 59 Any participant who shall accumulate, in connection with his racing activity, unpaid obligations or default in such obligations, or issue drafts or cheques that are dishonoured, or payment refused, or otherwise display financial irresponsibility reflecting on the sport, may be denied a license or may be suspended by the Commission.

PART XXIII - SAFETY AND SECURITY

- 60 (1) Each racing association shall take every reasonable precaution to make its premises safe for the protection of the persons and property of patrons and licensees.
- 60 (2) Each association shall police its grounds at all times in such a manner so as to prevent the admission of any person in and around the stables excepting those having valid business and who are duly licensed by the Commission.

- 60 (3) All associations shall before appointing any track police officer, gateman or watchman, secure approval of such appointment from the Commission.
- 60 (4) No Commission licensee shall race, jog, parade, train or warm-up a horse on the grounds of any race track or training track unless he is wearing a safety helmet, with a chin strap secured, of a type approved by the judges.
- 60 (5) Each association shall have in attendance at each race track at which horses are being raced or exercised adequate human-ambulances and horse-ambulances, staffed with adequate personnel to render first aid and transport injured persons or horses to the closest place available for medical or veterinary treatment, as the case may be; such ambulances shall be placed at an entrance to the racing strip.
- 60 (6) The authorized person or an association may designate areas on the grounds as no parking zones or restricted parking zones. The owner of any vehicle found parked in such a no parking or restricted parking zone is liable to a fine of \$10.00 for a first offence.
- 60 (7) No person shall smoke in a shed row or stall on the grounds of an association, and any person found smoking is liable to a minimum fine of \$25.00 for a first offence.
- 60 (8) The authorized person, or the judges or the Director of Security may conduct a thorough search of licensees on the grounds of an association. The power to search includes the right to search a licensee's personal effects, barn, automobile, or any other vehicle that he may have under his care or control, and his living quarters if the living quarters are situated on the grounds of an Association. The refusal or failure of a licensee to permit a search authorized pursuant to this section shall be deemed to be in violation of these Rules.

SCHEDULE A

(Subsection (23) 38)

**MANITOBA HORSE RACING COMMISSION
NOTICE OF VIOLATION**

TO:

TAKE NOTICE that you have been charged with violating the following provisions of the rules of Standardbred Racing:

Date of Alleged Violation: _____

Place of Alleged Violation: _____

A HEARING into the alleged violation will be held before the Judges on _____, at _____ o'clock at _____.

At this hearing you will have the right:

- (a) to be present throughout the hearing;
- (b) to be represented by counsel;
- (c) to call evidence and cross-examine witnesses called against you;
- (d) to make oral submissions.

IF YOU FAIL TO ATTEND AT THE TIME AND PLACE INDICATED, A PENALTY MAY BE IMPOSED ON YOU IN YOUR ABSENCE.

DATED THE _____ day of _____, 20____.

Judge _____

WAIVER OF HEARING

I, _____, acknowledge that I have received this Notice of Violation. I hereby, waive my right to a hearing in this matter and agree to accept a penalty of:

SIGNED the _____ day of _____, 20____.

Witness _____

Signature of Person Charged _____

SCHEDULE B

(Subsection 23 (44))

MANITOBA HORSE RACING COMMISSION NOTICE OF PENALTY

TO:

Take notice that the Judges have found that on the _____ day of _____, 20 ____ you violated the following Rules of Standardbred Racing: and have imposed the following penalty:

If you wish to appeal from this decision to the Commission, you may do so by filing a Notice of Appeal within 48 hours from the date of receipt of this Notice. The Notice of Appeal must be accompanied by a deposit of \$100⁰⁰. The Notice of Appeal and deposit must be delivered or sent by prepaid, registered mail to the office of the Commission at:

PO BOX 46086 RPO Westdale
Winnipeg, Manitoba
R3R 3S3

If you fail to pay the fine hereby imposed on you within 96 hours of receiving this Notice, your licence will be suspended until the fine is paid and will remain suspended for a further period of _____ after the fine has been paid.

DATED the _____ day of _____ 20 ____ .

Judge _____

I acknowledge that I recieved a copy of this Notice on the _____ day of _____, 20 ____ at _____ p.m./a.m. o'clock.

Licensee