Maritime Provinces Harness Racing Commission

Rules of Standardbred Harness Racing
(Revised 2005)

The Commission may

- govern, regulate and supervise harness racing in all of its forms relevant and related to pari-mutuel betting;

- govern and regulate inter-track betting, separate-pool betting, foreign-race inter-track betting and foreign-race separate-pool betting in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada);

- govern and regulate the operation of betting theatres authorized by the Governor in Council in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada);

- govern, regulate and supervise the operation of race tracks;

- recommend home-market areas to the Canadian Pari-Mutuel Agency for the purpose of telephone-account betting and theatre betting in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada);

- establish uniform rules for the conduct of harness racing;

- license track operators and impose such terms and conditions on a licence as the Commission considers appropriate;

- licence betting theatres in accordance with the Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada) and impose such terms and conditions on a licence as the Commission considers appropriate;

- licence owners, trainers, drivers, grooms and such other persons in or about race tracks and impose such terms and conditions on a licence as the Commission considers appropriate;

- on written application to the Commission by the person affected, revoke, suspend or vary a term or condition imposed on a licence by the Commission;

- fix and collect fees or other charges for licences and prescribe the form of licences and the conditions under which licences may be issued;

- refuse the granting of any licence;

- make, adopt or incorporate by reference rules for the conduct of harness racing;

- fix, impose and collect fines, not exceeding five thousand dollars, and other penalties for the violation
• of any term or condition imposed by the Commission,

• of any rule made, adopted or incorporated by reference by the Commission, and

• of an order of the Commission, or of a harness-racing judge or Board to which the Commission has delegated powers pursuant to this Act;

- recruit, train, evaluate, license and employ harness-racing judges and such other officials and staff as the Commission considers appropriate to attend at harness-racing meets on behalf of the Commission;

- approve the appointment of race-track officials and employees whose duties relate to the actual running of harness races;

- require licensed track operators to keep books of account in a manner satisfactory to the Commission;

- inspect at any reasonable time books of account referred to in clause (m);

- investigate any action by a person licensed or required to be licensed by the Commission that allegedly constitutes conduct detrimental to harness racing and, for that purpose, engage the services of a licensed private investigator;

- hold hearings relating to the carrying out of the powers of the Commission;

- without limiting the generality of the power to hold hearings pursuant to clause (p), hold a hearing in respect of a person who is licensed or required to be licensed by the Commission or who participates in harness racing at any track when
  • a written and signed complaint is made to the Commission concerning any action of the person that may indicate conduct detrimental to harness racing, or
  • the Commission has reasonable and probable grounds to believe that the person has engaged in conduct detrimental to harness racing;

- at the conclusion of a hearing, suspend or revoke any licence;

- on written application to the Commission by the person affected, reinstate a licence that has been suspended or revoked and impose such terms and conditions on the reinstated licence as the Commission considers appropriate;

- when it delegates to a harness-racing judge or to the Board the power to hold a hearing, delegate to the judge or the Board any of its powers and duties in relation to hearings;
- intervene as a facilitator or mediator for the purpose of convening parties to attempt to bring resolution to matters in dispute where it deems it necessary for the governance, regulation and integrity of harness racing and delegate this power to any person;

- make by-laws for the conduct of the business of the Commission and for the control and direction of the work of the Commission, including for the conduct of hearings;

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

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

Amendment [www.gov.ns.ca/legi/legc/bills/58th_2nd/3rd_read/b083.htm](http://www.gov.ns.ca/legi/legc/bills/58th_2nd/3rd_read/b083.htm)
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PART 1 MANDATE AND PRELIMINARY

Rule 1. The following rules have been enacted and declared to be the official Rules of the Maritime Provinces Harness Racing Commission (to be referred to hereinafter as the Commission) and these rules shall apply to all standardbred track facilities and participants in New Brunswick, Nova Scotia and Prince Edward Island.

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

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

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

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

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

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

8. If any case occurs which is not or which is alleged not to be provided for by these rules, it shall be determined by the Judges or the Commission as the case may be, in such manner as they think is in the best interests of racing.

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

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

11. The Commission has authority, as it may deem proper, to make and, if necessary, to vary all arrangements for the conduct of a race meeting.
12. In the articulation of these Rules, the Commission is stating its position on given subjects. Any reference in these Rules to the phrase "as may be determined by the appropriate jurisdictional reference via decision of the Commission" means that the Commission may refer to and utilize the most appropriate guiding principle utilized by Standardbred Canada.

13. If necessary, any matter not covered by the enabling statues creating the Commission, or by these rules, shall be referred to the Commission for disposition.
PART 2 DEFINITIONS

Rule 14. In these Rules:

(1) "Act" means the Maritime Provinces Harness Racing Commission Act.

(2) "Added Money Event" means stakes, futurities, early closing events and late closing events.

(3) "Age" of a horse shall be reckoned from the first day of January of the year of foaling.

(4) "Authorized Agent" anyone who has been authorized by a member to accept responsibility and make decisions binding upon the member and has been designated as such in writing by the member.

(5) "Betting Theatre" means the physical premises, structure, and equipment used by an off-track betting location or off-track betting location licensee for the conduct of off-track betting. The betting theatre facility shall include, but not be limited to, the following: television display units, a display system for racing performance, odds, and payout prices; areas for viewing and seating, a food and beverage facility; and any other conveniences regularly provided at racetracks under the jurisdiction of the Commission.

(6) "Breeder" means the registered owner or lessee, subject to the terms of a lease agreement, of the dam at the time she conceived.

(7) "Chief Test Inspector" means the official approved pursuant to the Pari-Mutuel Betting Supervision Regulations of the Criminal Code and who is directly responsible to the Canadian Pari-Mutuel Agency and to the judges for the taking of official samples from the horses and for the handling and shipping of such samples.

(8) "Claiming Race" means a race in which any horse drawn therein may be claimed for a designated amount in conformance with the rules.

(9) "Classified Race" means a race to which declarations are selected on the basis of ability or performance.

(10) "Conditioned Race" means an overnight event to which eligibility is determined according to specified qualifications.

(11) "Commission" means the Maritime Provinces Harness Racing Commission.
(12) "Commission Veterinarian" means a graduate in veterinary medicine from a university of recognized standing, licensed to practice in New Brunswick, Nova Scotia or Prince Edward Island and whom the Commission appoints.

(13) "Coupled Entry" means two or more entries in a contest (race) that are treated as a single betting interest for pari-mutuel betting purposes.

(14) "Dash" means a race decided in a single trial.

(15) "Day" means 24 hours ending at midnight.

(16) "Days and Days Clear": Days means where a number of days not expressed to be clear days is prescribed, they shall be reckoned exclusively of the first day and inclusively of the last day. Clear Days means where a number of days are expressed to be clear days, they shall be reckoned exclusively of the first day and exclusively of the last day.

(17) "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.

(18) "Declaration" means the naming of a particular horse to a particular race as a starter.

(19) "Detention Barn" means a stabling area isolated and under direct supervision for a given period of time prior to racing.

(20) "Director" means the Chief Administrative Officer of the Maritime Provinces Harness Racing Commission.

(21) "Distanced" in a race means finishing more than twenty-five (25) lengths behind the winning horse.

(22) "Early Closing Event" means a race to which nominations close at least six weeks preceding the date of the race. All monies offered for the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments are forfeits.

(23) "Elimination Heats" means heats of a race split according to the rules to qualify the horses for a final heat.

(24) "Entry" means two or more horses in the same race, which are coupled as a common interest for racing of pari-mutuel betting purposes.
(25) “Feature Wagering” means wagering as approved by the Commission and as deemed pursuant to the Pari-Mutuel Betting Supervision Regulations of the Criminal Code.

(26) "Futurity" means a stake event in which the competing horse was nominated when its dam was in foal or during its year of foaling.

(27) "Handicap" means a race in which performance, claiming price, sex or distance allowance is made. The race secretary may assign post positions for a handicap.

(28) "Heat" means a single trial of a race to be decided by a series of heats.

(29) "Horse" means a horse, mare, colt, filly, gelding or ridgling.

(30) “Inter-track Betting” means pari-mutuel betting at one or more satellite tracks or in one or more places in one or more foreign countries on a race that is held at a host track, where the money bet on each pool at each satellite track or place is combined with the money bet on the corresponding pool at the host track to form one pool from which the pay-out price is calculated and distributed.

(31) "Judge" means a person licensed by the Commission to carry out all of the duties and responsibilities specified by the rules and the Commission.

(32) "Judges List" is a current list of horses that are refused declaration, and includes the Veterinarians’ List.

(33) "Late Closing Event" means a race to which nominations close less than six weeks, and more than five days before the date on which the race is to be contested. All monies offered to the race by a track or sponsor shall be in addition to all nomination, sustaining and starting payments to determine the purse. All payments, once made, are forfeits.

(34) "Length of Race and Number of Heats" means races or dashes shall be given at a stated distance in units not shorter than a sixteenth of a mile. The length of a race and the number of heats shall be stated in the conditions.

(35) "Maiden" means a horse that has never won a heat or race at the gait at which it is entered to start, and for which a purse is offered. Races or purse money awarded to a horse after the "official sign" has been posted shall not be considered winning performance or affect the status of a maiden. Should a Maiden finish first in a race for which a purse is
offered and is subsequently disqualified it shall not lose its maiden classification.

(36) "Masculine, Feminine" means words in the masculine shall also include the feminine and words in the feminine shall also include the masculine.

(37) "Match Race" means a race, which has been arranged, and the conditions thereof agreed upon between contestants.

(38) "Matinee Race" means a race where a horse’s performance shall not be considered an official start.

(39) "Nomination" means the naming of a horse (or in the event of a futurity the naming of a foal in utero), to a certain race or series of races, for a fee.

(40) "Official Chemist" means a graduate in chemistry from a university of recognized standing approved pursuant to the Pari-Mutuel Betting Supervision Regulations of the Criminal Code.

(41) "Official Sample" means a sample of blood, saliva, urine or other bodily substance that has, in accordance with the Pari-Mutuel Betting Supervision Regulations of the Criminal Code, been obtained from the horse, sealed and identified.

(42) "Overnight Event" means a race for which declarations close not more than three clear days before the date on which it will be contested, excluding statutory holidays.

(43) "Owner" means the full owner, part owner, lessor or lessee of a registered standardbred horse.

(44) "Participant" means any person, partnership, limited partnership, estate, registered farm and stable names, corporation or other legal entity participating directly in standardbred horse racing and who, under the rules, is required to be licensed by the Commission.

(45) “Person(s)” include a corporation and their heirs, executors, administrators or other legal representatives of a person, and for the purpose of these rules, shall also include a racing association.

(46) "Post Position" means the position assigned or drawn for a horse for the start of a race.

(47) "Post Time" means the time set for the arrival at the starting point of the horses in a race.
(48) "Qualifying Race" means a race in which a horse or driver must establish its or his ability to participate at a race meeting consistent with the qualifying standards established for both.

(49) "Race" means a contest of speed among registered standardbred horses racing at a trotting or pacing gait and conducted in accordance with these rules.

(50) "Race Meeting" is the specified period and dates each year during which a track facility is authorized to conduct racing cards and/or pari-mutuel wagering by approval of the Commission.

(51) “Racing Card” means a number of races scheduled to be run consecutively during a specified period on any one day at a track facility.

(52) "Raceway" means a track facility located in the Maritime Provinces conducting standardbred racing and classified and licensed annually by the Commission.

(53) "Registration" means that all matters relating to the registration of standardbred horses, unless otherwise provided for herein, shall be governed by the constitution and by-laws and regulations of the Maritime Provinces Harness Racing Commission and Standardbred Canada.

(54) "Retention Area" means that area within the grounds of a raceway designated for the purpose of obtaining and securing official samples.

(55) "Rules" means the Commission Rules or any incorporation by reference the Commission may choose to utilize, and any track rules adopted by the Commission.

(56) "Sex" means gender, which includes mare, filly, spayed mare or filly, colt, stallion, ridgling or gelding.

(57) "Singular, Plural" means words in the singular number include the plural, and plural numbers include the singular.

(58) "Stable Area" includes, but is not limited to, those places within the property of a track facility wherein the stables, track kitchen, racing offices, training areas, paddock and winner's enclosure are located.
"Stable or Multiple Ownership Manager" means the operating executive of a racing stable or multiple ownership who is not otherwise licensed by the Commission as an owner, trainer or driver.

"Stake" means a race, which will be contested in a year subsequent to the closing of nominations.

“Start” means only those performances in a purse race. Each dash or heat shall be considered as a separate “start” for the purpose of condition races.

"Sulky" means a dual shaft and dual hitch racing vehicle (bike) having two shafts which must be parallel to, and securely hitched on each side of the horse with a safety hookup. No point of hitch or any part of a shaft shall be above a horizontal level equal to the lowest point of the horse’s back.

"Sustaining Fees" means fees or payments made subsequent to the acceptance of nomination for an added money event.

"Theatre Betting" means pari-mutuel betting that is conducted in a betting theatre in accordance with Pari-Mutuel Betting Supervision Regulations made pursuant to the Criminal Code (Canada).

“Track Facility” means a facility at which racing of standardbred horses is conducted and including the person, association or corporation conducting the racing of standardbred horses.

"Track Rules" means rules posted by a track facility to govern the conduct of racing and participants at that track facility's raceway.

"Trainer" means a licensed person to whom responsibility accrues and lies, at all times, for the condition of all horses under his or her care whether such care be direct or indirect.

"Walk Over" occurs when only one entry starts in a Futurity or Stake race and travels the required distance. In a Stake or Futurity, a Walk Over is entitled to all the advertised money.
PART 3 COMMISSION ADMINISTRATION

Rule 15. For the purposes of the Rules of Standardbred Racing, the Commission Administration comprises the following:
(1) The Director of Racing
(2) Secretary and Accounting Clerk
(3) Such other individuals as the Commission may designate from time to time.

16. Under the delegation of the Commission the Administration is responsible for the supervision of Standardbred Racing in the Provinces of Nova Scotia, Prince Edward Island and New Brunswick and its duties shall include:
(1) The issuing of orders in the name of the Appeal Board and the Commission;
(2) The making of reports to the Commission as the Commission requires and/or as the Administration deems fit;
(3) The conducting of investigations into the conduct of racing and of the participants in racing;
(4) The delegation to judges or to other persons the right to conduct investigations, searches, seizures and hearings;
(5) The interrogation of any licencee with respect to any suspected crime or violation of the Rules. The Administration may require a licencee to make a statutory declaration or a statement in writing and/or to produce documents, evidence of any agreements or transactions, financial or otherwise, relating to any suspected crime or violation of the rules or to any matter which in the opinion of the Administration is not in the best interests of racing.

17. The Commission shall create and maintain four committees, which shall include:
(1) Finance Committee (comprised of two (2) Commissioners)
(2) Rules Committee (comprised of two (2) Commissioners)
(3) Training and Education Committee (comprised of two (2) Commissioners)
(4) Senior Judges Group is comprised of 5 senior judges licensed by the Commission and appointed to the Group by the Director of Racing.

18. The Director of Racing is responsible for the discharge of all Commission matters including the keeping of Journals, Minutes of Commission meetings and the keeping of Commission files. In addition, he/she shall be the Administrative Co-ordinator, Recording Secretary for and advisor to all Appeal Boards and Commission in the conduct of hearings. The Director of Racing as may be referenced, specifically herein, may delegate these functions, and such other responsibilities.
19. In the name of the Commission, the Director of Racing may charge any licencee of the Commission or any person with a violation of the rules and impose or recommend a penalty or penalties for any violation of the Rules on any matter deemed not to be in the best interest of racing, subject to appeal in accordance with the rules.

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

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

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

23. A rule may be created, amended, or rescinded by the Commission at any time with appropriate and adequate notice.
PART 4 LICENCING

4.1 GENERAL

Rule 24. The Commission may grant annual licences, in accordance with the approved fee schedule for the following categories: track facility, officials, officials apprentice, commission veterinarians, horse owners, trainers, grooms, drivers, stable, inter-track betting and betting theatres.

25. Licences granted by the Commission shall be under the hand of the Chairperson and/or the Director of Racing on forms prescribed and approved by the Commission.

26. The Commission reserves the right to establish, review and modify licence fees and categories of licencees at any time.

4.2 TRACK FACILITY

4.2.1 Race Meeting Licence

Rule 27. No owner or owners of any track facility shall hold or conduct a pari-mutuel meet without first obtaining a Race Meeting Licence from the Commission.

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

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

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

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

32. The Commission has authority to revoke, cancel or suspend the licence of any track owner or operator who conducts any race meet contrary to the conditions of the track facility licence granted or for any infraction of these Rules.
33. The licensing fee shall be One Hundred Dollars ($100.00) for the first racing date and Five Dollars ($5.00) for each additional racing date in the calendar year to a maximum of Five Hundred Dollars ($500.00) per licence. No track facility shall hold or race in any one racing card more than twelve (12) dashes in any one day without the expressed permission of the local horseman’s association or representative body consistent with Rule 37(4) in existence with said licensed track facility.

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

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

4.2.2 Filing Requirements

Rule 36. All applications for licence shall be made to the Commission on a prescribed form and shall indicate the number and requested proposed calendar dates of the race meeting to be held or conducted during the calendar year.

37. Prior to the issuance of a licence by the Director the following documents shall be filed with the Commission by each track facility:
(1) Race Meeting Licence Fee
(2) The annual financial statements of the track facility or previous year which shall be filed on or before the expiration of six (6) months of the relevant track facility’s financial year-end
(3) Track Rules and Proposed Amendments
(4) A current contract between a track facility and a Horsemen’s Association that contain provisions that include the following:
   (a) The sharing with the horsemen’s association of the total pari-mutuel handle of the respective track facility;
   (b) A specific percentage of the pari-mutuel handle to be paid to a purse pool account on at least a monthly basis;
   (c) A purse account separate and apart from the track facility’s and the horseowner’s association’s financial and accounting management;
(d) Provide to the parties to the agreement or contract and the Commission on a monthly basis summaries showing total wagering, gross commission revenue, monies accruing to horsemen, total purses paid, the amount of any underpayment or overpayment of purses for the year to date;
(e) All purses earned shall be issued from the purse account within fifteen (15) calendar days after the race event;
(f) Monies from other sources deposited to the purse account and the accounting to show those deposited monies separate from the monies derived from the pari-mutuel handle;
(g) Monies deposited to the account shall not be used for any other purpose other than for payment of purses.
(h) Agreed upon number of Race Dates in a race meeting.

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

39. The Director of Racing may not issue a Race Meeting Licence when
(1) The applicant track facility has not completed the filing of all relevant documents in Rule 36 and Rule 37;
(2) The applicant track facility cannot demonstrate to the satisfaction of the Commission that it has the financial stability to carry out the proposed race dates; or
(3) The relevant horse owners’ association fails to comply with Rule 38.

4.2.3 Procedure for Approval

Rule 40. For purposes of the consideration of applications and issuance of Race Meeting Licences including applications for amendment of issued licences the following shall constitute the procedure of the Commission:
(1) Track facility submit to the Commission applications for Race Meeting Licences that include requested race dates or amendments to licences.
(2) The Director reviews all applications or amendments for variation in schedules from the year before, special requests and conflicts.
(3) The Director identifies the applications/amendments in conflict and if necessary invites the relevant track facility and other necessary parties to attempt to resolve any conflicts. Such identification may be based on submissions by tracks or relevant parties and the findings.
(4) In the case of annual applications, all applications, supporting documentation and resolutions reached shall be distributed to all applicant
tracks and relevant parties. In regards to amendments such documentation is distributed to relevant parties.

(5) A joint working session to consolidate a Schedule of Race Dates shall be initiated and facilitated by the Director.

(6) A Schedule of Race Dates is submitted to the Commission for consideration and approval.

(7) The Commission may require a hearing and the attendance of relevant track facility and affected parties in the following circumstances:
   (a) Where the consultation or mediation process has been unable to resolve outstanding matters;
   (b) Where applications result in a significant decrease or increase in live race dates;
   (c) Where the Commission deems it necessary to hear representations from tracks and relevant parties.

(8) The Director issues Race Meeting Licences, on or before December 31, annually.

(9) Once final approval is given to the Schedule of Race Dates and Race Meeting Licences are issued, only minor amendments shall be permitted during the Race Meet. Such amendments shall be issued at the discretion of the Director who shall report all amendments to the Commission.

### 4.2.4 Track Rules

Rule 41. Track facility must apply to the Commission for approval of or amendments to their Track Rules. A copy of the proposed Track Rules must accompany the application and no Track Rules may be implemented unless and until approved by the Commission. The Commission shall receive annual submission of Track Rules indicating amendments to such rules no later than October 1st of each year.

42. Track Rules cannot be contrary to the Rules of the Commission nor at variance with the general principles or the enabling statutes that created the Commission and must be developed in consultation with the Horsemen’s Association, Officials and Track Management at said licensed track facility.

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

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

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

Rule 46. Any betting theatre shall require a licence from the Commission to operate. The Commission on an annual basis may issue applications for licence renewal.

47. Applications are required for the following:
   (1) Establishment of a new betting theatre;
   (2) Modification to or relocation of a licensed betting theatre;
   (3) Annual renewal of an existing licence.

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

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

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

51. Additional information deemed relevant, including, but not limited to:
   (1) The number of simulcast racing programs to be displayed;
   (2) The amount and source of revenue necessary to acquire and construct the off-track betting facility;
   (3) The accommodations available to the public.

52. The Commission shall consider every completed application for a licence to conduct off-track betting at an off-track betting facility at a hearing before the Commission. At the discretion of the Commission, such a hearing may be in the form of written or oral submissions. The Commission shall approve or deny the application.
53. Each licence shall specify the person to whom it is issued, the dates on which wagering is permitted, the tracks or location where the wagering is to be conducted, and confirmation that all wagering under the licence is subject to the *Pari-Mutuel Betting Supervision Regulations* of the Canadian Pari-Mutuel Agency, the rules of the Commission and any requirements imposed by the Commission as a condition for the exercise of the licence. The Commission may impose any condition on a licence and the exercise of that licence which it determines to be in the interests of harness racing.

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

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

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

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

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

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

### 4.3 OFFICIALS

#### 4.3.1 Standards and Requirements

**Rule 60.** Racing officials are prohibited from racing horses they own wholly or in part or wagering on any horse at tracks where they are officiating for the race card.

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

Rule 62. Officials at a race meeting must include the following:
(1) JUDGES
(2) RACE SECRETARY
(3) OFFICIAL STARTER
(4) PADDOCK JUDGE
(5) OFFICIAL TIMER
(6) PATROL JUDGE (Refer to Rule 74)
(7) CHART MAKER
(8) COMMISSION VETERINARIAN (Refer to Rule 77)
(9) TEST INSPECTORS

63. Other than Test Inspectors, to qualify as a Racing Official the individual must be a licensed member of the Commission and accredited in that capacity by Standardbred Canada after a determination that he:
(1) is of good character and reputation;
(2) is experienced and knowledgeable of harness racing;
(3) is familiar with the duties to which he is appointed and the Commission Rules;
(4) possesses mental and physical capacity to perform;
(5) is not under suspension or expulsion by any racing jurisdiction; and
(6) submit to a written examination and achieve a passing grade.

64. Racing Officials shall not engage in any of the following activities while serving in an official capacity at a race meeting:
(1) participate in the sale or purchase or own any horse racing at the meeting;
(2) wagering on any horse at tracks where they are officiating for that race card;
(3) sell or solicit horse insurance on any horse racing at the meeting;
(4) be licensed in any other capacity without permission of the Commission; and
(5) refuse to take a breath test when directed by the Judge or the Commission.

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

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

4.3.3 Judges

Rule 67. The Judges have the following duties and responsibilities:

(1) The Judges shall be responsible to the Commission for the conduct of the racing meeting in accordance with the laws of its jurisdiction and these Rules.
(2) Judges authority includes supervision of all racing Officials, Licensed Personnel, and other persons responsible for the conduct of racing, and patrons, as necessary.

(3) The Judges have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with these Rules.

(4) Purses, Prizes and Awards shall be redistributed if the Judges order a change in the official order of finish.

(5) The Judges have the authority to interpret the Rules and to decide all questions of racing including a change in the official time of a race or fractions thereof if a majority of the Judges panel believe the Official Timer is in error in the official timing of a race or fractions thereof. (Also see Part 5, Section 5.12)

(6) The Judges have authority to charge any licencee for a violation of these Rules, to conduct Hearings and to impose disciplinary action in accordance with the Commission Rules.

(7) The Judges may compel the attendance of witnesses and the submission of documents or potential evidence related to any investigation or hearing.

(8) The Judges may, where they deem necessary, inspect licence documents, registration papers, including lease and other documents related to horse racing.

(9) The Judges have the power to administer Oaths and to examine, under Oath, all parties connected with a race as to any wrong or complaint. Any person required to appear before the Judges for a hearing or examination who shall fail to appear, without just cause or reasonable excuse, after due notice, written or oral, shall be subject to a fine of not less than One Hundred Dollars ($100.00).

(10) The Judges shall submit a written report of every inquiry and hearing to the Director of Racing.

(11) The Judges may impose, but are not limited to, any of the following sanctions, or a combination thereof, upon a licencee for a violation of these Rules:

(a) Forfeiture or re-distribution of Purse or Award;
(b) Suspend licence or racing privileges;

(12) The Judges may make a formal recommendation to the Commission calling for the revocation of a Licencee’s licence, or prohibit from entering upon grounds of a track facility under the jurisdiction of the Commission.

(13) All fines levied for a violation of these Rules that have been imposed by the Judges shall be paid to Standardbred Canada Field Representative at the track facility.

(14) The Judges may refer any matter to the Commission and may include recommendations for disposition. The absence of a Judge's referral does not preclude the Commission from acting upon the matter or matters.

(15) The Judges shall investigate every protest, objection and complaint made to them in the proper manner. They shall maintain a record of all protests, objections and complaints.

(16) The Judges shall determine the official order of finish.
(17) It shall be the duty of one of the judges to call out every break made and have them duly recorded in the judges official race reports.

(18) The decision of the Judges as to the order of finish, including disqualification of a horse or horses as a result of any event occurring during the race, shall be final for purposes of distribution of the pari-mutuel wagering pool.

(19) The Senior Judge shall maintain a log of the Judges' official activities. The log shall be available at all times for inspection by Members of the Commission and the Director of Racing.

(20) Not later than seven (7) days after a race card, the Senior Judge shall submit to the Commission a written report regarding the race card. The report shall contain the Judges' observations and comments regarding the conduct of the race card and any recommendations for improvement or action by the Commission.

(21) The Judges shall maintain a list of the racehorses, which are ineligible to be entered.

(22) The Judges may place a horse on the Judges’ List when there exists a question as to the exact identification, management or ownership of said horse.

(23) The Judges may place a horse on the Judges’ List because of inconsistent performance or behavior.

4.3.4 Race Secretary

Rule 68. The Race Secretary has the following duties and responsibilities:

(1) setting conditions for each race of the race meeting, regulating the nomination of entries and determining the amounts of purses and to whom they are due;

(2) familiarizing him with the age, class, sex and competitive ability of all horses racing at the meeting;

(3) classifying horses in accordance with these rules and list horses in the categories in which they qualify;

(4) examining all entry declarations to verify information set forth therein and provide the listing of the horses for the daily program;

(5) examining nominations and declarations of early closing events, late closing events and stakes events to verify the eligibility of all declarations and nominations and compile lists thereof for publication;

(6) establishing conditions and eligibility for entering races and cause them to be published and communicated to Owners, Trainers and the Commission and such conditions are to be published and posted in the Race Secretary's office;

(7) completing the draw each day, the Race Secretary shall post a list of entries in a conspicuous place at the track facility’s grounds accessible during and after regular business hours;

(8) for purposes of establishing conditions, winnings shall be considered to include all monies and prizes won up to the time of declaration for the race
and winnings during the year shall be calculated from the preceding January 1st.

4.3.5 Starter

Rule 69. The Starter has the following duties and responsibilities:

(1) Providing a fair start for each race and reporting violations of these rules occurring at the start of a race to the Judges and he shall have authority to assess fines and to suspend the licence of drivers for any violation of these rules from the formation of the post-parade until the word "Go" is given.

(2) Controlling of the horses from the formation of the post parade until a start has been determined. For purposes of this rule, the determination of the start is when the horses have passed the starting point and have been released by the starter.

(3) Bringing the horses to the starting gate as near one quarter of a mile before the start as the track will permit.

(4) Causing the gate to move towards the starting point, gradually increasing the speed of the gate to maximum speed.

4.3.6 Paddock Judge

Rule 70. The Paddock Judge shall be under the direction and supervision of the Judges and shall have complete charge of all paddock activities.

71. The Paddock Judge shall be responsible for:

(1) Having fields on the track for post parade in accordance with the schedule determined by the Judges;

(2) Having an equipment inspector keeping a record of the equipment and harness worn by every horse racing at the meeting. The equipment and harness worn by every horse shall be checked in the paddock against such records before each race. All changes from the previous race shall be noted and the Judges notified if a written authorization or the prescribed form is not presented for any change of equipment;

(3) Inspecting of horses for changes of equipment, broken or faulty equipment, head numbers and saddle pads;

(4) Supervising of the paddock security personnel;

(5) Checking horses in and out;

(6) Ensuring the providing of a paddock blacksmith and directing his activities;

(7) Immediately notifying the Judges of anything that could in any way change, delay or otherwise affect the race program;

(8) Permitting only properly authorized persons to enter the paddock;

(9) Identifying of horses in a race, including verification of lip tattoo or freeze brand numbers;

(10) Having necessary extra equipment available in the paddock so as to avoid undue delays to the race program;
(11) Notifying the Judges of horses returning to the paddock after having entered the track for the post parade and before the start of a race;
(12) Notifying the Judges of drivers, trainers or grooms leaving the paddock in an emergency;
(13) Maintaining cleanliness in the paddock;
(14) Supervising the conduct of persons in the paddock and reporting any abuses or rule violations to the Judges;
(15) Reporting to judges any observed acts of cruelty towards a racehorse;
(16) Submitting paddock reports and attendance records to the Judges when requested and retaining such reports for at least twelve (12) months;
(17) Ensuring that all entrances and exits to the racing surface are closed before the Starter calls the field to post.

4.3.7 Official Timer

Rule 72. In accordance with Section 5.12, the Official Timer is responsible for recording the time elapsed between the start and finish of each race and time shall be recorded from the instant that the first horse leaves the point from which the distance is measured until the first horse reaches the finish line.

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

4.3.8 Patrol Judge

Rule 74. The Patrol Judge is responsible for observing the race and reporting information concerning the race to the Judges. If the Commission deems the track’s video replay system adequate, the use of Patrol Judges is optional.

75. Under the supervision of the Judges the Patrol Judges shall:
(1) Observe and report to the Judges on all activity in their areas of the track at all times during the races programmed, giving particular attention to violation of the rules of decorum, lameness and fitness of horses and any lack of proper equipment or faulty equipment;
(2) Communicate constantly with the Judges during the course of every race and advise them immediately of rule violations, improper acts or unusual occurrences which could affect the outcome of a race;
(3) Prepare and submit any reports requested by the Judges; and,
(4) Attend hearings or inquiries and testify thereat when requested by the Judges.

4.3.9 Chart Maker
Rule 76. The Chart Maker shall be responsible for properly and accurately completing the official chart of each race in accordance with the requirements under Section 5.13 - Charting the Race.

4.3.10 Commission Veterinarian

Rule 77. The Commission may deploy a Commission Veterinarian who shall:
(1) Be a graduate Veterinarian and be licensed in the Commission's jurisdiction;
(2) Recommend to the Judges any horse deemed unsafe to be raced or a horse that it would be inhumane to allow to race;
(3) Place horses on the Veterinarian's List, if necessary;
(4) Report to the Commission the names of all horses humanely destroyed or which otherwise expire at the meeting and the reasons therefore; and
(5) Be available to the Racing Secretary and/or Judges prior to scratch time each racing day at a time designated by the Judges, to inspect any horses and report on their condition as may be requested by the Judges and make recommendations to the Commission.

4.3.11 Field Representative

Rule 78. A Standardbred Canada Field Representative shall:
(1) represent Standardbred Canada during at least two consecutive hours, prior to post time to provide services to racing participants; and
(2) input and maintain accurately the Standardbred Canada database, including:
(a) adding U.S. horses to the database when racing for the first time at a track facility under the jurisdiction of the Commission;
(b) inputting changes of ownership to the database, necessitated by claims and transfers and recording whether a hard copy or electronic registration is required;
(c) inputting electronic claiming authorization information to the system when provided, which includes minimum claiming price and signature acknowledgment for all owners or their authorized agents, or all prospective claimants or their agents;
(d) inputting change of sex information for horses to the database;
(e) inputting all race results and printing reports for all types of races to the database as soon as they become available, and providing reports to the Judges to ensure that information input to the database is correct before completion of the race card;
(f) collecting memberships for Standardbred Canada and the Commission and providing delinquent reports to the Judges when applicable;
(g) inputting Coggins’ Test information from laboratory certificates and removing horses from the Judges’ List if required, immediately upon receipt of such test results;
(h) collecting fines and upon receipt of a fine updating the list of fines;
(i) updating and maintaining the Judges’ List on the written instruction of a Judge;
(j) ensuring eligibility of first-time starters by adding same to electronic eligibility system;
(k) if applicable, maintaining a list of all horses enrolled in the Exercise Induced Pulmonary Hemorrhage Program (EIPH);
(l) maintaining a daily remittance on the Standardbred Canada database indicating all fees collected.

4.3.12 Additional Official Positions

Rule 79. The Commission may create additional Racing Official positions, as needed. Persons selected for these positions shall be considered Racing Officials and shall be subject to the general eligibility outlined in these Rules.

4.3.13 Paddock Blacksmith or Farrier

Rule 80. A licensed track facility must retain the services of an accredited blacksmith or farrier at the paddock during a race card.

4.3.14 Declaration of Racing Officials

Rule 81. Each licensed track facility is required, on or before the 1st day of May, to declare annually all persons employed or to be employed for a race meeting in the capacity of any racing official as described in Rule 62 excepting senior and associate judges and test inspectors. Declarations shall be made on forms prescribed by the Commission.

4.3.15 Officials’ Fines and Suspensions

Rule 82. An official may be fined, suspended, or disciplined by the Director of Racing for cause. When such action is taken, the Director of Racing shall make a report to the Commission. (Refer to Rule 21 for sanction.)

4.4 OWNER

4.4.1 Licence

Rule 83. No owner, lessee or stable member shall have an interest whatsoever in any horse declared to qualify or race without first having obtained a licence for the current year.

84. The membership of every owner under 16 years of age is valid for racing purposes only when,
(1) an authorized agent as defined in these Rules, has been appointed by such owner, and
(2) the authorized agent has accepted in writing all the responsibilities and liabilities of the owner.

4.5 TRAINER

4.5.1 Licence

Rule 85. A person shall not train horses, or be programmed as Trainer of Record at extended meetings, without first having obtained a trainer licence valid for the current year from the Commission. The holder of a driver’s licence issued by the Commission is entitled to all privileges of a trainer and is subject to all rules respecting trainers.

86. A trainer’s licence shall not be issued until the candidate has met application and testing requirements approved by the Commission or its delegate.

87. Licensing of Trainers – There shall be the following categories of trainers’ licences:
(1) “A”, a licence valid for operation of a public stable and training of horses at all race meetings; and
(2) “F”, a licence restricted to training only horses wholly owned by the holder or his immediate family at all race meetings. Immediate family shall include spouse including common law, son, daughter, son-in-law, daughter-in-law, father, mother, grandchild, grand-parent, adopted son, adopted daughter, stepson, stepdaughter, sister, brother, or person to whom the affected licence stands in loco parentis.

88. First Time Applicant “F” Trainer Licence – To be eligible for an “F” category trainer licence for the first time, the applicant must:
(1) have attained 16 years of age;
(2) be licensed as an owner by Standardbred Canada for one full year;
(3) submit a completed application;
(4) submit to a physical and eye examination, the cost of which is the responsibility of the applicant or show proof of one within the last year;
(5) submit to a written examination and achieve a passing grade.

89. First Time Applicant “A” Trainer Licence – To be eligible for an “A” category trainer licence for the first time, the applicant must:
(1) have attained 16 years of age;
(2) have been licensed as a Commission groom for two full years, or licensed by Standardbred Canada as a groom for one full year and an “F” trainer for two full years, or has provided proof that he has been licensed by a provincial or state racing commission as a groom for two full years;
(3) submit a completed application;
have two favourable recommendations from licensed drivers, “A” trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada;
(5) submit to a physical and eye examination, the cost of which is the responsibility of the applicant;
(6) submit to a written examination and achieve a passing grade.

90. Upgrading to “A” Trainer Licence – To be eligible for an “A” category trainer licence, the applicant must:
(1) have completed two full years as an “F” trainer or two full years as a groom and “F” trainer combined;
(2) submit a completed application;
(3) have two favourable recommendations from licensed drivers, “A” trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada; and
(4) submit to a written examination and achieve a passing grade if a trainer exam has not already been written.

91. Holders of USTA Trainer Licences – A person who is not a Canadian resident, holding a trainer licence granted by the United States Trotting Association shall be eligible for the equivalent category of licence upon application to the Commission provided that the applicant;
(1) has attained 16 years of age;
(2) has submitted a completed application; and
(3) submits evidence acceptable to the Commission of current trainer licence granted by the United States Trotting Association.

92. Licences of Foreign Jurisdictions Other Than USTA– The holder of a trainer licence granted by a foreign jurisdiction other than the United States Trotting Association applying to the Commission for a trainer licence must:
(1) have attained 16 years of age;
(2) submit a completed application;
(3) submit evidence acceptable to the Commission of current trainer licence granted by his foreign jurisdiction; and
(4) fulfill other such requirements that may be specified by the Commission.

93. Renewal of Trainer Licences – Renewal of trainer licences will be granted in each category subject to the following provisions:
(1) if the applicant has not renewed his trainer licence for any period of less than three years, a completed application must be submitted;
(2) if the applicant has not renewed his trainer licence for a period of three years or more, the applicant must:
   (a) submit a completed application;
   (b) have a minimum of two (2) favourable; recommendations from licensed drivers, “A” trainers or race officials in response to confidential reference inquiries provided by Standardbred Canada;
(c) submit to a satisfactory physical and eye examination, the cost of which is the responsibility of the applicant, and
(d) achieve a passing grade on a written examination.

94. Applicants who have previously been licensed as drivers will be eligible to be licensed as “A” category trainers upon receipt of completed application for such licence.

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

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

4.6 Groom

4.6.1 Licence

Rule 97. No person shall groom a registered horse(s) on the grounds of a track facility without being licensed by Standardbred Canada.

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

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

4.7 Driver

4.7.1 General

Rule 100. Drivers must have a valid driver licence and be properly insured in accordance with Rule 121 in order to be eligible to drive at any extended pari-mutuel track. A person shall not drive a horse in any race or performance against time, other than an exhibition race, without having first obtained a driver licence valid for the current year by meeting the standards as laid down by Standardbred Canada or the United States Trotting Association and being licensed by the Commission. The licences shall be presented to the judges prior to participating for the first time at any race meeting.

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

Rule 102. There shall be the following categories of driver licences:

(1) “A”, a general licence valid for all meetings;
(2) “B”, a provisional licence valid for all meetings subject to satisfactory performance;
(3) “C”, a licence valid for fairs and for qualifying races subject to first having driven an agreed upon rated mile to the satisfaction of the Judges, and for overnight races at all pari-mutuel meetings, subject to the approval of the Judges subject to Rule 107;
(4) “F”, a licence valid for Fairs, and for non-extended pari-mutuel meetings, subject to the approval of the Judges;
(5) “P”, a probationary licence valid for all meetings in accordance with the terms of the probation. A probationary licence may be revoked should the holder thereof commit more than one violation or one major violation.

103. Repeated rule violations or other indications of lack of qualifications shall be considered grounds for refusal to grant or grounds for suspension or revocation or change of category of any driver licence.

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

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

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

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

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

107. Upgrading Category of Driver Licence – To be eligible to have a category of driver licence upgraded, the holder must fulfill the following requirements:
(1) The holder of an “F” category of driver licence will be eligible to upgrade to a “C” licence:
   (a) after having held an “F” driver licence for a minimum of one full year;
   (b) after having completed an application for a “C” driver licence; and
   (c) after having driven in at least five races.

(2) The holder of a “C” category of driver licence will be eligible to be upgraded to a “B” category licence:
   (a) after having driven a satisfactory rated mile;
   (b) after having accumulated 50 points in Qualifying races;
   (c) after having accumulated 75 points in Overnight events in accordance with Rule 107(7); and
   (d) is recommended, in writing, for a “B” driver licence by a Judge licensed for extended meetings.

(3) The holder of a "B" category of driver licence will be eligible to be upgraded to an "A" category driver licence:
   (a) after having held a “B” licence for a minimum of one full year;
   (b) after having driven satisfactorily in at least forty (40) purse races during the prior eighteen (18) months; and
   (c) is recommended, in writing, for an "A" driver licence by a Judge licensed for extended meetings.

(4) For purposes of obtaining a recommendation under Rule 107(3)(c) or formulating a recommendation in accordance with Rule 107(3)(c) the following factors, among others, shall be considered:
   (a) competitiveness and safety;
   (b) tenure and experience driving in premier and/or stake events shall be considered an asset;
   (c) frequency of starts;
   (d) overall demeanor with officials and judges;
   (e) leadership qualities and overall competence;
   (f) overall driving record that includes:
      (i) Actions that may be detrimental to the sport of harness racing;
      (ii) Incidence of positive tests as a trainer;
      (iii) Careless driving infractions.
   (g) overall record of infractions and the nature of those infractions.
(5) The procedure shall be as follows:
(a) The applicant driver is required to declare to a local judge his/her desire to upgrade his licence from “B” to “A”.
(b) The applicant driver will deliver to the local judge a written request accompanied by five (5) video replays of individual races that he thinks best demonstrate his qualifications and driving skills to warrant an “A” licence.
(c) If prepared to do so, the local judge will make a recommendation through the Director of Racing to the Senior Judges’ Group.
(d) The Director of Racing will submit to the Senior Judges’ Group:
   (i) the driver’s record
   (ii) the recommendation of the local judge
   (iii) the five (5) official video race replays.
(e) The Senior Judges’ Group will jointly consider:
   (i) the application and the driver’s record,
   (ii) the recommendation of the local judge and the video replays.
(f) The Senior Judges’ Group will reach a consensus on whether or not a recommendation is made to Standardbred Canada.
(g) If the recommendation is positive, the Director of Racing will forward the recommendation to Standardbred Canada.
(h) If it is negative, the consensus of the Senior Judges’ Group will be conveyed to the applicant driver with reasons as to why the licence will not be upgraded. In addition, the applicant will be informed as to what he needs to focus on before re-applying.

(6) In the determination of whether a driver is satisfactory, the Judges shall evaluate the driver’s performance:
(a) while coming to and while at the starting gate;
(b) while leaving the gate and positioning the horse;
(c) when confronted with situations during the race;
(d) while in the homestretch and during the finish of the race; and
(e) his overall performance and conduct during the race.

(7) One point shall be credited for satisfactory performance in each of the five areas specified in the foregoing. The holder of a “C” category licence must attain 50 points, in qualifying races before being permitted to drive in overnight events, and 75 points in overnight events to be eligible to be upgraded to a “B” category licence. Points awarded for each category of area shall be duly recorded in electronically maintained official performance records.

(8) With respect to Qualifying and “C” Drivers:
(a) A rated mile must be successfully completed within three (3) attempts or the applicant will be required to wait a period of three (3) full months before attempting again. The time of the rated mile must be
(b) All qualifying drivers and “C” drivers qualified for overnight races must present themselves to the judges, before every qualifying race or overnight drive, thus affording not only the judges, but the driver the opportunity to discuss their previous drive or any other questions or problems that they may have, which in turn will afford a better working relationship between drivers and officials.

(c) All qualifying drivers and “C” drivers qualified for overnight races who are inactive for one (1) full year from their last recorded drive will lose all of their accumulated points and will be required to start at zero (0) points, but may remain with the same category of driver licence.

(d) All qualifying drivers and “C” drivers qualified for overnight races who are inactive for two (2) full years or more from their last recorded drive must reapply and fulfill all requirements of a participant applying for a driver licence for the first time. (e.g. references, medical, exam).

(e) All qualifying drivers and “C” drivers qualified for overnight races must complete all requirements of the point system within three (3) years of their “first” recorded drive in an overnight race or will be required to start again in overnight races at zero (0) points.

(9) Holders of USTA Driver Licences – A person who is not a Canadian resident, holding a driver licence granted by the United States Trotting Association who maintain their residency in the United States shall be eligible for the equivalent category of licence upon application to Standardbred Canada provided that the applicant;
(a) has attained 18 years of age;
(b) has submitted a completed application; and
(c) submits evidence acceptable to Standardbred Canada of a current driver licence granted by the United States Trotting Association.

(10) Licences of Foreign Jurisdictions Other Than the United States Trotting Association – The holder of a driver licence granted by a foreign jurisdiction other than the United States Trotting Association applying to the Commission for a driver licence must:
(a) have attained 18 years of age;
(b) submit a completed application;
(c) submit evidence acceptable to the Commission of current driver licence granted by the foreign jurisdiction; and
(d) submit to a written driver examination and achieve a passing grade. Upon satisfactorily fulfilling the foregoing requirements, the applicant will be granted a “C” category driver licence and must drive in one or more qualifying races at the discretion of a Judge licensed for extended meetings and be approved by said Judge to be eligible to
drive in overnight events. The applicant must then fulfill the requirements of Rule 107(2) to be eligible to be upgraded to a “B” category driver licence.

(11) Renewal of Driver Licences – Renewal of driver licences will be granted in each category subject to the following provisions:
(a) Drivers who hold “A” and “B” licences and who have renewed their licences annually, but have amassed less than ten (10) drives during a period of three (3) or more years, will be flagged by Standardbred Canada to this effect and will be required to fulfill any and all conditions of the Commission to retain such A or B Categories.
(b) If the applicant has not renewed his driver licence for any period of less than five years, such applicant will be eligible to be licensed in the same category as granted previously when:
   (i) a completed application is submitted to Standardbred Canada; and
   (ii) if the applicant has not been licensed as a driver within the prior three years, a satisfactory physical and eye examination is submitted to Standardbred Canada.
(c) If the applicant has not renewed his driver licence for a period of five or more consecutive years, such applicant will be eligible to be licensed as a “C” category driver when:
   (i) a completed application is submitted to the Commission; and,
   (ii) a satisfactory physical and eye examination report is submitted to the Commission.
(d) Applicants for renewal of drivers licences must submit a satisfactory eye examination report every five years before renewal of the licence will be granted.
(e) Applicants for renewal of driver licences who have been hospitalized or under medical care during the prior year shall, upon demand of the Commission or Standardbred Canada, submit a satisfactory physical and eye examination report before renewal of licence will be granted.
(f) In cases where physical and/or eye examinations are required as a condition for renewal of a driver licence, the cost of same is the responsibility of the applicant.

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

Rule 108. Racing farm, corporate or stable names, hereinafter referred to as "stable names", may be used by owners or lessees provided the names are first registered with Standardbred Canada. A name that is the same as or similar to one registered with Standardbred Canada or the United States Trotting Association may not be used. Standardbred Canada may reject a name considered to be confusing, unbecoming to the sport or which exceeds twenty-five (25) letters or spaces.

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

(1) in the case of a corporation with less than ten (10) shareholders,
   (a) every director, and
   (b) every shareholder;
(2) in the case of a corporation with ten (10) or more shareholders, but less than fifty (50),
   (a) every director, and
   (b) every shareholder holding or controlling a certain number of shares giving him or her five (5) percent or more of the voting rights in the corporation;
(3) in the case of a corporation with fifty (50) or more shareholders or which is registered with a Canadian stock exchange,
   (a) every director or, where applicable, every member of the executive committee of the board of directors,
   (b) every person acting as chairman, secretary or holding a similar office,
   (c) the person responsible within the corporation for the activities for which the registration is required, and
   (d) every shareholder holding or controlling a certain number of shares giving him or her five (5) percent or more of the voting rights in the corporation;
(4) in the case of a limited partnership,
   (a) the limited partnership
   (b) the general partner and where the general partner is a corporation or a general partnership, the persons covered by the foregoing provisions of this section, and
   (c) the manager of the general partner or any person holding a similar office.

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

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

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

4.9 Refusal & Revocation of Licence and General Sanctions Related

Rule 113. Notice by the Commission or to the Commission, or by any other authority or Standardbred Canada that an application for a licence or membership is refused, or that a licence for membership has been revoked shall be in writing and shall contain a concise statement of the reason or reasons for such refusal or revocation.

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

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

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

117. Where any licensed track facility permits without consent from the Commission, a person not a member or accredited to act in any official capacity listed in Rule 116, the Commission may impose a fine upon such
track facility of not more than Five Hundred Dollars ($500.00) for each violation.

118. After due notice and hearing an official holding a Commission licence and or membership in any of the following capacities:
   (1) Senior Judge
   (2) Timer
   (3) Associate Judge
   (4) Race Secretary
   (5) Starter
   (6) Patrol Judge
   (7) Paddock Judge
   (8) Veterinarian
   (9) Chart Maker
may be fined a sum not to exceed Five Hundred Dollars ($500.00), suspended or have such licence or membership revoked or denied by the Director of Racing for incompetence, failure to follow or enforce the Rules or any conduct detrimental to the sport. The Director shall report any suspension, revocation or denial to the Commission.

119. Suspension, refusal or revocation of a licence by another standardbred racing authority shall be recognized by the Commission.

120. Any licencee of the Commission found to be incapable of performing the duties associated with his licence by virtue of use of illegal substances, or such substance abuse, commits a violation of these Rules and is subject to a penalty. All test results conducted in accordance with Section 6.8.2 shall be forwarded to the Director of Racing.

4.10 Insurance Coverage

Rule 121. The Commission adopts the requirements of Standardbred Canada governing the insurance of members. All members shall be insured under a group insurance policy administered through Standardbred Canada subject to eligibility requirements being met or capable of being met.
PART 5  HARNESS RACES

5.1  Participants

5.1.1  Owners, Lessees and Stables

Rule 122. Owners or lessees having an interest in a horse shall be entitled to enter the paddock on days in which their horse is racing. Upon challenge to entry to the paddock, such owner(s) or lessee(s) must provide proof of propriety interest in the horse to the Paddock Judge or his delegate.

5.1.2  Trainers and Grooms

Rule 123. A trainer shall be responsible at all times for the condition of all horses trained by him. The trainer must safeguard, from tampering, each horse trained by him and must exercise all reasonable precautions, in guarding or causing any horse trained by him to be guarded, from the time of entry of that horse until the conclusion of the race. No trainer shall start a horse or permit a horse in his custody to be started if he knows, or, if by the exercise of a reasonable degree of care having regard to his duty to safeguard his horse from tampering or have cause to believe that the horse was not in a fit condition to race, or received any drug that could result in a positive drug test. Every trainer must guard, or cause to be guarded by the exercise of all reasonable standards of care and protection, each horse trained by him so as to prevent any person from obtaining access to the horse in such a manner as would permit any person not employed by or not connected with the owner or trainer from administering any drug or other substance resulting in a pre-race or post-race positive test. Every trainer must also take all reasonable precautions to protect the horse and guard it against wrongful interference or substitution by anyone in connection with the taking of an official sample.

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

125. When the judges determine that someone other than the officially named trainer of record is actually in charge, has custody or care of a horse, the judges shall have the right to hold such person responsible instead of, or in addition to, the person named as trainer of record.

126. A person shall not represent himself to be the trainer of a horse unless he is actually training that horse.
127. If an owner changes his trainer the new trainer must immediately notify the Race Secretary. The Race Secretary shall cause a notation in the race program of the trainer change. If the program is printed, the judges shall announce the change.

128. The trainer of record of a horse shall be responsible to:
   (1) ensure that any person he permits to take the horse on the track for a warm-up before a race is capable and competent to do so; and
   (2) notify a catch driver he is to drive.

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

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

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

132. It shall be the responsibility of a trainer to have the horses under his care, and which are programmed to race, properly equipped and in the paddock at the time prescribed by the track facility.

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

134. It is the responsibility of the trainer that all horses racing in his custody have a negative Coggins Test Certificate, in accordance with Rule 150.

5.1.3 Drivers

Rule 135. (1) No person shall drive a horse in any race or performance against time, without having first obtained a driver licence valid for the current year.
(2) A driver shall not drive for any other person in a race in which one of the horses he/she trains or owns has been declared into race, except where such horses are coupled as an entry.

136. Drivers must have their licence available at all times while participating in racing.
137. Drivers must report to the Paddock Judge at least one hour before post time of any race in which they are programmed to drive, unless excused by the Judges.

138. Drivers must wear distinguishing colours, and shall not be permitted to drive in a race or other public performance unless, in the opinion of the Judges, they are properly dressed, their driving outfits are clean, they are well groomed, and they are fit and able. During inclement weather conditions, drivers must wear rain suits either of their colours or made of a transparent material through which their colours can be distinguished.

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

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

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

5.1.4 Pari-Mutuel Betting Prohibited

Rule 142. An owner, trainer, driver, agent, employee or groom shall not have pari-mutuel tickets in his possession, or bet or cause any other person to bet on his behalf, on any other horse in any race in which a horse owned, trained, or driven, in which he in any way represents or handles as a starter; except in the case of feature wagering events where any owner, trainer, driver, agent, employee or groom may bet, or cause any other person to bet on his or her behalf only on combinations in which his or her horse or entry is selected in the "Win" position. A breach of this rule may result in suspension.

5.1.5 Physical Examination

Rule 143. Not withstanding the requirements of Standardbred Canada, in the event any participant is involved in an accident on or off the track, the judges may order such participant to submit to a physical examination if the judges feel it is in the best interest of harness racing.
5.2 Eligibility to Race

Rule 144. No horse shall be eligible to race if it is not registered with Standardbred Canada and/or the United States Trotting Association or its eligibility fees are outstanding.

145. Notwithstanding any other rules relevant to eligibility of a horse to race, no horse shall be permitted to race unless:
   (1) it has been properly identified with its assigned number by freeze branding or tattooing;
   (2) Standardbred Canada is notified by the owner, trainer or veterinarian that a mare has been spayed or a horse has been gelded.

146. Notwithstanding Section 6.1 Judges’ List, a horse programmed to race and subsequently scratched by the trainer or owner shall be eligible to race provided five days have elapsed since the race in which the horse was scratched. If the horse is scratched by the trainer or owner from two consecutive races the horse is required to qualify before re-entering.

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

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

149. Any Also Eligible horse shall not start if the Race Secretary or Judges does not declare the said horse in to race at least one (1) hour prior to post time of the first race of a Race Card or prior to opening of the pari-mutuel betting.

150. Coggins Test Certificates are a prerequisite for eligibility.
   (1) It is the responsibility of the trainer that all horses racing in his custody have a negative Coggins Test Certificate. A laboratory approved by Canadian Pari-Mutuel Agency must issue the certificate, properly identifying the horse and certifying that within the prior 2 years the horse has been tested negative for equine infectious anemia (EA). For racing purposes, proof of a negative Coggins Test may be one of the copies of the stamped and signed serum test reports presented to the Race Secretary before the horse is declared in to start. A horse will be permitted to start in one race with an expired Coggins Test Certificate. Following that one
start, no horse will be permitted to race without a new Coggins Test Certificate being provided to the Race Secretary.

(2) A horse shall be placed on a Judges’ List if proof of a valid negative Coggins' Test is not provided to Standardbred Canada.

(3) If a horse is claimed and tests positive for equine infectious anemia, the ownership of the claimed horse shall revert to the owner from whom the horse was claimed and the claiming monies shall be returned to the person or persons who claimed the horse.

5.3 Qualifying Races

Rule 151. The Race secretary shall establish qualifying standards. The standards shall be filed with the judges and posted for inspection by participants at all times.

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

153. Where a horse is required to qualify, either by virtue of the operation of these rules, by order of the judges, or for any other reason whatsoever, the Judges may establish standards relating to an individual horse's performance.

154. Any horse that chokes or bleeds while warming-up for a race or during a race and/or that is suspended in accordance with these rules, the horse shall be placed on the Judges’ List and required to go a qualifying race and perform to the satisfaction of the judges.

155. No horse:
   (1) wearing hopples may start in a race, other than a qualifying race, without those hopples unless it has qualified to do so, or
   (2) racing without hopples, may start in a race, other than a qualifying race, wearing hopples unless it has qualified to do so. (Refer to Rule 200)

156. A horse making a break in or off a qualifying, matinee or schooling race must qualify again unless the break was an equipment break or caused by interference.

157. (1) A horse making a break in each of two consecutive races must qualify unless the breaks were equipment breaks or caused by interference. A charted line containing only a break or breaks caused by interference or an equipment break shall be considered a clean-charted line.
   (2) The judges may require to qualify a horse placed on the judges list, in accordance with Rule 302, off a race where the horse did not chart a clean line for reasons other than interference on the horse or an equipment break.
158. A horse making its second consecutive break in an elimination heat will be allowed to race in the final or consolation.

159. A horse that falls to the track surface during a race must qualify.

160. If the judges scratch a horse at the request of the owner or trainer, in accordance with Rule 302 (12), or is scratched by an accredited veterinarian, from two (2) consecutive races, the horse is required to qualify before declaring in to a pari-mutuel race.

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

162. Within thirty (30) days of being declared in, a horse that has not raced previously at the gait chosen must go a qualifying race under the supervision of a judge holding a Senior or Associate Judge's licence for pari-mutuel meetings and acquire at least one charted line by a licensed chart maker.

163. Notwithstanding Rule 162, where a licensed track facility is dark for thirty (30) days or more for purposes of accommodating major race meets hosted by another licensed track facility and such closure for more than thirty (30) days results in a horse being required to qualify, the thirty (30) days referred to in Rule 162 shall read forty-five (45) days.

164. The following provisions shall apply to the setting up and carrying out of any qualifying race(s):
   (1) All qualifying races shall be held according to the demand as determined by the Director of Racing.
   (2) For purposes of holding qualifying races, a schedule for qualifying races shall be submitted to the Director of Racing by the licensed track facility and such closure for more than four (4) weeks prior to the opening of a racing meet.
   (3) Such schedule shall contain information including the name of the track facility, dates and time the qualifying races will be held.

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

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

167. Qualifying Races shall be presided over by licensed Commission officials and shall include:
   (1) A Senior or an Associate Judge
(2) A Race Secretary
(3) A Timer
(4) A Chart Maker
(5) A Paddock Judge/Identifier
(6) A Starter

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

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

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

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

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

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

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

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

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

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

(1) Except for a qualifying event held immediately prior to pari-mutuel racing, each and every qualifying event shall have no less than a total of four (4) horses.
(2) The Judge(s) may permit a horse to qualify by means of a timed workout consistent with the time of the races in which it will compete separate and apart from the others in the qualifying event.

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

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

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

5.4 Conditions and Stake Conditions

Rule 182. At extended meetings, condition sheets must be available to participants at least 24 hours prior to closing declarations to any race program contained therein. At other meetings, conditions must be posted and available to participants at least 18 hours prior to closing declarations. This also applies to overnight and added money events. Conditions may be based only on:
(1) horses’ money winnings in a specified number of previous races or during a specified previous time;
(2) horses’ finishing positions in a specified number of previous races or during a specified period of time;
(3) age;
(4) sex;
(5) number of starts during a specified period of time;
(6) special qualifications for foreign horses that do not have a representative number of starts in the United States or Canada;
(7) the exclusion of schooling races; or
(8) any one more combinations of the qualifications herein listed.

183. Conditions shall not be written in such a way that a horse is deprived of an opportunity to race in a normal preference cycle. Where the word preference is used in a condition, it shall not supersede date of preference as provided for in the rules.
184. (1) Not more than three also eligible conditions shall be used in writing conditions of overnight events.

(2) If a posted race condition has a number of declarations sufficient for (2) two or more divisions of such condition, the declarations must be electronically drawn for the classification as well as for post position of the declarations. (Also see Rule 203)

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

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

187. Eligibility – Winning Dollars

(1) For the purposes of eligibility, a racing season or racing year shall be the calendar year. All races based on winnings will be programmed “non-winners of $.…” or “winners over $.…”. Additional conditions may be added.

(2) Gross winnings shall be used and cents shall be disregarded when recording winnings.

(3) Winnings in the United States of America are deemed at par with Canadian funds.

(4) Winnings earned outside of North America will be calculated in U.S. dollars based on the conversion rate as of January 1st of the year the foreign earnings were amassed, or recognized as recorded by the United States Trotting Association, whichever comes first.

188. Horses must be eligible when declarations close, not withstanding that:

(1) Wins and winnings on or after the closing date of declarations shall not be considered.

(2) Age allowances shall be given according to the age of the horse on the date the race is contested.

(3) In mixed races, trotting and pacing, a horse must be eligible under the conditions for the gait at which it is stated on the declaration form the horse will perform.

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

190. Added money events include stakes, futurities, early closing events and late closing events and for the setting of conditions the following applies:

(1) all sponsors and presenters of added money events must comply with the rules and must submit annually to the Commission the conditions, any
amendment to the conditions for the event or events and any other information pertaining to the conditions;
(2) unless approved by the Commission any conditions contrary to the provisions of these rules are prohibited; and
(3) before any sponsor or presenter issues conditions, approval must first be received from the Commission.

5.5 Declarations and Drawing of Post Positions

Rule 191. If any owner, trainer or driver threatens to join with others in threatening not to race, or not to declare in because of the declaration of a certain horse or of a particular stable, thereby compelling or trying to compel the Race Secretary to reject certain eligible declarations, it shall be immediately reported to the Judges and, if found guilty, the offending parties may be suspended, fined or both.

192. The track member shall specify the time for closing of declarations. The time must be published on condition sheets.

193. A declaration received after the specified time of closing shall not be accepted except those omitted due to error or negligence by an official or employee of the track facility, in accordance with Rule 210.

194. The track facility shall provide a locked box with an aperture through which declarations shall be deposited. Participants shall deposit their declarations in the declaration box, except as provided in Rule 196.

195. Declarations to be made for one horse to races scheduled for the same day at different track facilities are prohibited. A declaration for a horse that is ineligible to race because it has been placed on the Judges’ List or Veterinarians’ List and not removed there from is prohibited. Violation of these restrictions will subject the person making the declaration to a fine not to exceed $50.00.

196. (1) Declarations made by mail, electronic mail, facsimile or telephone are acceptable. Such declarations shall be subject to the same terms and conditions as written declarations, provided evidence of same is deposited in the declaration box before the time specified for declarations and, provided that adequate program information is provided, including current ownership, and if known, whether the declaration may cause any entry due to common ownership is furnished by the declarer. The Race Secretary or his licensed delegate is responsible for depositing such declarations. A mail, facsimile or telephone declaration must state the name of the horse, the event it is to be declared to and be signed by the person who received and deposited it.
(2) A horse shall not be entered in a class without the permission of the owner, trainer, driver or authorized agent of that horse. No person shall declare a horse using more than one (1) declaration form, however, the person may enter on the form a preferred condition and a second preference. Regardless of preference (Rule 203), the Race Secretary will only enter the horse in the class of second choice, if that class does not fill with horses which originally were declared into that class as the preferred class and the horse is competitive.

197. Race Secretaries and Race Office Staff who receive entry declarations by telephone shall be responsible for ensuring that the person declaring in the horse provides all information requirements of the entry declaration form. The Race Secretary shall verify all information provided.

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

199. The Race Secretary shall check the official performance of each horse declared and certify to the Judges the eligibility of each horse.

200. Notwithstanding Rule 155, any horse that has raced with hopples and qualified to race without hopples may race without hopples in one pari-mutuel race and then go back to hopples for its next start without qualifying. Any horse that has raced without hopples and qualified to race with hopples may race with hopples in one pari-mutuel race and then go back to without hopples for its next start without qualifying. However, the trainer of the horse must decide, before declaration into the second programmed pari-mutuel race after qualifying, whether the horse will race without hopples or with hopples in any subsequent races.

201. At the time specified, one of the Judges, or in the event of their inability to be present, the race secretaries, or licensed delegate shall unlock the declaration box. The race secretary will be responsible to see that at least one licensed participant is present to witness the draw. An owner or agent of a horse with a declaration in the declaration box shall not be denied the privilege of being present. Declarations shall be listed, the eligibility verified, preference ascertained, starters selected, and post positions drawn. If it is necessary to reopen any race, public announcements shall be made at least twice and the box reopened to a definite time.

202. A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race.
203. Starters and also eligibles for overnight events shall be drawn electronically from the horses properly declared to start, except that preference shall be given according to a horse’s last previous start in a purse race, other than races designated as “Schooling Races” at the gait for which it is declared. In addition, preference shall be governed by the following: (Also see Rule 184)

1) If more than the required number of horses is declared in with the same preference date, the previous eight (8) preferences shall apply. If there are more than eight (8) identical previous preference dates, the starter or also eligible will be determined by lot.

2) When a horse is racing for the first time at the gait declared, it shall have preference over other horses regardless of their preference dates.

3) If declaration is made for a horse that has already been drawn in to start in a race that has not yet been contested, the date of that uncontested race shall be its preference date.

4) The declarant shall be responsible for providing acceptable evidence of exact preference dates governed by eligible declaration or starts in uncontested races made at other track facilities.

5) When a race has been reopened for additional declarations, preference shall be given those horses eligible and declared at the time declarations closed originally.

6) If conditions so specify, preference can be given two year-olds regardless of preference date.

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

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

206. In the event there are two tiers of horses, the withdrawing of a horse that has drawn or earned a position in the front tier shall not affect the position of the horses that have drawn or earned positions in the second tier. Whenever a horse is drawn from any tier, horses on the outside move in to fill up the vacancy.
207. Not more than two horses may be drawn as also eligibles, except for races on which triactor, superfecta, etc. wagering is conducted in which case more than two also eligibles are permitted in accordance with the following provisions:
(1) Notwithstanding Rule 203, also eligibles shall be drawn from horses having the best preference except priority may be given to horses stabled on the grounds.
(2) No horse shall be added to the race as an also eligible unless it was drawn as such at the time declarations closed or omitted in error by an official, provided that its inclusion does not exceed the maximum allowable number of also eligibles.
(3) No horse shall be drawn as an also eligible if the required program information cannot be published in the official program.
(4) No horse may be barred from another race to which it is eligible and has preference due to the fact that it has been drawn as an also eligible.
(5) Also eligible horses moved into races shall be posted in the office of the Race Secretary and their owners or trainers shall be so notified at once.
(6) All also eligible horses not moved into a race by 9:00 a.m. of the day of the race shall be released.
(7) If an also eligible horse is moved into a race it shall be scratched from any subsequent race it has been drawn into unless preference allows it in.
(8) In the event one or more horses are excused by the judges, the also eligible horse or horses shall race and take the post position drawn by the horse that it replaces, except in handicap races. In handicap races the also eligible horse shall take the place of the horse that it replaces 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 handicap.

208. (1) Horses shall be coupled as an entry for pari-mutuel purposes where:
(a) a person is the owner or part owner of two or more horses in a race; or
(b) the spouse, including common law, of a person who is the owner or part owner of one horse in a race is the owner or part owner of another horse in that race; or
(c) the judges consider it in the public interest to do so.
(2) Notwithstanding Rule 208(1)(a)(b) or (c), where the horses are split into elimination heats or divisions in accordance with Rule 209(1) and Rule 208 subsection (a) or (b) would normally apply, the horses shall not be coupled as an entry for pari-mutuel purposes unless the judges consider it in the public interest to do so. A notation shall be made in the official race program that the relevant entries are not coupled for pari-mutuel betting purposes.
209. The following shall apply to the splitting of entries into divisions or eliminations and the assignment of postpositions:

(1) For any added money event split into divisions or elimination heats, horses entered shall be separated into divisions or elimination heats by electronic draw only. No other method of splitting shall be used. Post positions for each and every horse in each division or elimination heat shall be randomly assigned by electronic draw.

(2) Unless the conditions for an added money event provide otherwise, the judges shall draw by lot the post positions to determine which of the two elimination events, i.e. they shall draw positions to determine which of the two elimination heat winners shall have the pole, and which the second positions; which of the two horses that were second shall start in the third position, and which in the fourth, etc. The trailing position shall be determined as the 4th best post position provided there are no other trailers.

210. The drawing of postpositions shall be final, except:

(1) When there is conclusive evidence that a horse was properly declared, but omitted due to error or negligence by an official or employee of the track facility; then:

(a) If the horse omitted by error was declared to an overnight event, it may be added to the race and given the last post position, providing its addition does not exceed the maximum number of starters allowed in a single field and provided the error is discovered prior to the printing of the program. Otherwise, such horse shall not be permitted to start;

(b) If the horse was omitted by an error in calculating preference date and the horse is carded as an also eligible, it may move in and the programmed horse with the most recent date shall be scratched. In the event that two or more horses programmed have identical dates more recent than the also eligible, the horse to be scratched shall be determined in accordance with Rule 203 (1). The post position of the horse moving in shall be determined in accordance with Rule 207(8); or

(c) If the horse omitted by error was declared to a stake, futurity, early closing event or late closing event, the race shall be re-drawn provided the error is discovered prior to the printing of the program.

(2) When it is found that horses, which constitute an entry have been properly declared to an added money event, which has split into more than one division or elimination in accordance with Rule 209, then time permitting, the event shall be redrawn electronically. If time does not permit the redrawing, the event shall go as drawn.

211. A horse properly declared and drawn to start, or as an also eligible, shall not be withdrawn or scratched from the race without the permission of the Judges. A fine not to exceed $500.00, or suspension may be imposed when this requirement is violated, and the horse may be suspended. Where the person
making the declaration fails to honor it, and there is not opportunity for a hearing by the Judges, this penalty may be imposed by the Director of Racing.

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

213. After having been drawn to start in any race, or also eligible and not released, a horse shall not be sold prior to the racing of that particular race.

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

5.6 Types of Races Permitted

Rule 215. In presenting a program of racing the Race Secretary shall use exclusively the following types of racing.

(1) Overnight events which include:
   (a) Condition Races
   (b) Claiming Races
   (c) Preferred, Invitational, Handicap, Open or Free-For-All Races
   (d) Schooling Races
   (e) Matinee Races

(2) Added money events which include:
   (a) Stakes
   (b) Futurities
   (c) Early Closing Races
   (d) Late Closing Races

(3) Match Races

5.6.1 Overnight Events

Rule 216. For the purposes of this rule overnight events shall include condition, claiming, preferred, invitational, handicap, open, free-for-all, schooling, or matinee races or a combination thereof.

217. The track facility must specify the number of declarations required and when this condition is fulfilled the event must be contested on the day it was offered unless it is postponed in accordance with Rule 298.
218. A fair and reasonable racing opportunity shall be afforded both trotters and pacers in reasonable proportion from those available and qualified to race. Claiming races may be carded to the proportion of each week’s racing program based on the number of hard copy or electronic claiming authorizations on file with the Race Secretary or Standardbred Canada data base that bears to the total number of horses which are qualified and available for racing.

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

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

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

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

223. In overnight events, not more than two (2) trailers shall be permitted, regardless of the size of the track. At least eight feet per horse must be provided to the starters in the front tier. In added money events, the maximum size of fields permitted shall be:
   (1) for races, which go in one (1) division, no more than two (2) trailers;
   (2) for races, which go in more than one (1) division, a maximum of two (2)
trailers. A track facility may elect to go with less than the number of trailers specified in (1) above.

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

5.6.2 Claiming Races

Rule 225. (1) Unless a horse is currently on the electronic claiming authorization system, no horse shall race in a claiming race unless the owner or his authorized agent has provided written authorization to the Race Secretary one (1) hour prior to post time of the race in which the horse is entered. If the horse is owned by more than one party, all parties must sign the authorization. Any questions relating to the validity of such authorization shall be referred to the Judges who shall have the authority to disallow a declaration or scratch the horse if they deem the authorization to be improper.

(2) Unless a horse is on the electronic registration system, the Canadian registration certificate in current ownership, duly endorsed by all registered owners, must be filed with Standardbred Canada for all horses claimed within forty-eight (48) hours after the race from which the horse was claimed. All horses that have been claimed out of a claiming race will automatically be put on electronic registration by Standardbred Canada. The requirement of a Canadian registration certificate will be waived in the case of horses claimed by members who are not Canadian residents from other members who are not Canadian residents.

226. The price allowances that govern claiming races are as follows.

<table>
<thead>
<tr>
<th>Age</th>
<th>Colt, Stallion, Gelding, Spayed Mare</th>
<th>Fillies and Mare</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-year-old</td>
<td>75%</td>
<td>100%</td>
</tr>
<tr>
<td>3-year-old</td>
<td>50%</td>
<td>75%</td>
</tr>
<tr>
<td>4-year-old</td>
<td>25%</td>
<td>50%</td>
</tr>
<tr>
<td>5 year-old and over</td>
<td>20%</td>
<td></td>
</tr>
</tbody>
</table>

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

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

228. Subject to the following provisions of this section, a horse must start in the event to which it was declared to be eligible to be claimed. For the purposes of
this rule, a horse shall be deemed to have started if it is behind the starting
gate when the field is released at the starting point by the starter

(1) A horse that is scratched from a claiming race or a horse that is
programmed to start in a claiming race, but is declared ineligible to the
race by the Judges, shall not be eligible to be claimed.

(2) Subject to the provisions of subsection (3) of this section, if a horse that
has been drawn in to start in a claiming race is scratched for reasons other
than being ineligible or the horse was determined a non-starter in
accordance with this section, the scratch or the refund shall be recorded in
the official performance record. If such a horse starts within a period of
thirty (30) clear days from the date of the claiming race from which it was
scratched or determined a non-starter, that horse shall be subject to claim,
regardless of the type or conditions of the race, or ownership, at a claiming
price not greater than the amount for which it could have been claimed in
the race from which it was scratched or determined a non-starter.

(3) Where a horse drawn in to start in a claiming race has been declared to
start in a subsequent race, the successful claimant, if any, of the horse in
the first race shall have the option of scratching the horse from the
subsequent race and the 30 day provision of Rule 244 will not apply.

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

230. Persons licensed in the following categories are eligible to claim horses:
(1) Owners and lessees
(2) Drivers
(3) Trainers
(4) A person desirous of becoming an owner can become an owner by
effecting the claim of a horse, provided that application for membership
has been submitted to the head office of Standardbred Canada and a
“Licence” has been issued to such person. An authorized agent may claim
on behalf of a person eligible to claim. Any member eligible to claim a
horse, or his authorized agent, shall be allowed access to the grounds of
the track facility in order to effect a claim at the designated place for
making claims and to take possession of the horse claimed.

231. Prohibitions on Claims:
(1) A person shall not claim directly or indirectly his own horse or a horse
trained by him or cause such horse to be claimed directly or indirectly for
his own account.
(2) A person shall not directly or indirectly offer, or directly or indirectly
enter into an agreement, to claim or not to claim or directly or indirectly
232. A person shall not tender more than one (1) claim on any one horse in any claiming race.

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

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

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

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

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

238. The original owner, his trainer or authorized representative shall deliver a claimed horse immediately to the paddock to the successful claimant upon authorization of the Judges. The horse's halter must accompany the horse. Altering or removing the horse's shoes will be considered a violation.

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

240. A post race urinalysis test shall be taken from any horse claimed out of a claiming race. The original trainer of the horse shall be responsible for the claimed horse until the post race urine sample is collected. The successful claimant shall have the right to void the claim if the analysis be positive for any prohibited substance, provided the claimant notifies the Judges or the Commission within 48 hours of receiving notification of the positive test result.

241. If a sample for a post race urinalysis test is unable to be obtained the claimant shall decide immediately whether or not to void the claim. The Claimant shall execute, on the claim form, an indication that upon failure to obtain a urine sample that blood be drawn at his expense and tested.

242. In the event that the sex of a claimed horse has been inaccurately described in the racing program, the claimant or his authorized representative must notify the Judges of the error within 30 minutes from the time that the horse is physically retrieved by the claimant or his authorized representative, whether he wishes to retain the horse. If the claimant or his authorized representative fails to notify the Judges of the error within this prescribed time, the claimant shall be deemed to have accepted the horse so claimed.

243. A claimed horse shall not be eligible to start in any race in the name or interest of the original owner for 30 days, unless reclaimed out of another claiming race. Nor shall such horse remain in or be returned to the same stable or care or management of the first owner or trainer for the same period of 30 days, unless reclaimed out of another claiming race.
244. A claimed horse, regardless of ownership, shall race only at a track facility or facilities licensed by the Commission for the next thirty (30) days unless the track facility where the horse was claimed is closing for more than thirty (30) days. In the case of a track facility closing for more than thirty (30) days, the horse is released from provisions of this rule. Any person who violates this rule shall be subject to a fine of ten (10) percent of the claiming price of the horse for each start of the horse, which violates this rule to a maximum of $500.00 per start.

245. Any mare which has been bred shall not be declared into a claiming race for at least thirty (30) days following the last breeding of the mare, and thereafter such a mare may not be declared into a claiming race after a veterinarian has pronounced the mare to be in foal. Any mare pronounced in foal shall not be declared into a claiming race.

Where a mare is claimed out of a claiming race and subsequently proves to be in foal from a breeding which occurred prior to the race from which she was claimed, the claim may be voided by the Judges at the option of the claimant provided the mare is subjected to a pregnancy examination within eighteen (18) days of the date of the claim, and is found to be pregnant as a result of that pregnancy examination. A claimant seeking to void the claim must file a petition to void the claim with the Judges within ten (10) days after this pregnancy examination and shall thereafter be heard by the Judges after due notice of the hearing to the parties concerned.

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

5.6.3 Added Money Events

Rule 247. For the purpose of this rule, added money events include stakes, futurities, early closing events and late closing events as defined in Part 2 – Definitions.

248. Conditions for Added Money Events are contained in Rules 182 and 183 as well as:
   (1) All sponsors and presenters of added money events must comply with the rules and must submit annually to the Commission the conditions and other information pertaining to such events.
   (2) Any conditions contrary to the provisions of any of these rules are prohibited.
   (3) Conditions for added money events must specify:
       (a) which horses are eligible to be nominated;
(b) the amount to be added to the purse by the sponsor or presenter, should the amount be known at the time;
(c) the dates and amounts of nomination, sustaining and starting payments;
(d) whether the event will be raced in divisions or conducted in elimination heats,
(e) the distribution of the purse, in percent, to the money winners in each heat or dash, and the distribution should the number of starters be less than the number of premiums advertised; and
(f) whether also eligible horses may be carded prior to the running heats or legs of added money events.

(4) Sponsors or presenters of stakes, futurities or early closing events shall make available a list of nominations to each nominator or owner and to the track facility concerned within 60 days after the date on which nominations close, other than for nominations payable prior to January 1st of a horse’s two-year-old year.

(5) In the case of nominations for futurities payable during the foaling year, such lists must be forwarded out prior to October 15th of that year and, in the case of nominations payable in the yearling year, such lists must be forwarded out not later than September 1st of that year.

(6) Sponsors or presenters of stakes, futurities or early closing events shall also provide a list of horses remaining eligible to each owner of an eligible horse within 45 days after the date on which sustaining payments are payable. All lists shall include a resume of the current financial status of the event.

(7) The Commission may require the sponsor or presenter to file with the Commission a surety bond in the amount of the fund to ensure faithful performance of the conditions, including a guarantee that the event will be raced as advertised and all funds will be segregated and all premiums paid. Commission consent must be obtained to transfer or change the date of the event, or to alter the conditions. In any instance where a sponsor or presenter furnishes the Commission with substantial evidence of financial responsibility satisfactory to the Commission, such evidence may be accepted in lieu of a surety bond.

(8) Dates for nomination payments:
(a) Stakes: The date for closing of nominations on yearlings shall be May 15th. The date for closing of nominations to all other stakes shall fall on the fifteenth day of a month.
(b) Futurity: The date of closing of nominations shall be August 15th of the year of foaling.
(c) Early Closing Events: The date for closing of nominations shall fall on the first or fifteenth day of a month. Nominations on two-year-olds shall not be taken prior to February 15th.
(d) Late Closing Events: The date for closing of nominations shall be at the discretion of the sponsor or presenter.

(9) Dates for sustaining payments:
(a) Stakes and Futurities: Sustaining payments shall fall on the fifteenth
day of a month. No stake or futurity sustaining fee shall become due prior to February 15th of the year in which the horses nominated become two years of age.

(b) Early and Late Closing Events: Sustaining payments shall fall on the first or fifteenth day of a month.

(10) The starting fee shall become due when a horse is properly declared to start and shall be payable in accordance with the conditions of the added money event. Once a horse has been properly declared to start, the starting fee shall be forfeited, whether or not the horse starts. Should payment not be made sixty (60) minutes before the post time of the event, the horse shall be scratched and the payment shall become a liability of the owner who shall, together with the horse or horses, be suspended until payment is made in full, providing the track facility notifies the Commission within 30 days after the starting date.

(11) Failure to make any payment required by the conditions constitutes an automatic withdrawal from the event.

(12) Notwithstanding conditions that eliminate horses by points earned in a series of legs leading to a final, conditions that will eliminate horses nominated to an event, or add horses that have not been nominated to an event by reason of performance of such horses at an earlier meeting, are invalid. Early and late closing events shall have not more than two also eligible conditions.

(13) The date and place where early and late closing events will be raced must be announced before nominations are taken. The date and place where stakes and futurities will be raced must be announced as soon as determined but, in any event, such announcement must be made no later than March 30th of the year in which the event is to be raced.

(14) Deductions may not be made from nomination, sustaining and starting payments or from the advertised purse for clerical or any other expenses.

(15) All nominations to added money events must be made in accordance with the conditions.

(16) Every nomination shall constitute an agreement by the person making the nomination of the horse and shall be subject to these rules. All disputes and questions arising out of such nomination shall be submitted to the Director, whose decision shall be final.

(17) Nominations and sustaining payments must be received by the sponsor or presenter not later than the hour of closing, except those made by mail must bear a postmark placed thereon not later than the hour of closing. In the event the hour of closing falls on a Saturday, Sunday, or legal holiday, the hour of closing shall be extended to the same hour of the next business day. The hour of closing shall be midnight of the due date.

(18) If conditions require a minimum number of nominations and the event does not fill, the Commission and each nominator shall be notified within 20 days of the closing of nominations and a refund of nomination fee shall accompany such notice to nominators.

(19) If conditions for early or late closing events allow transfer for change of
gait, such transfer shall be to the lowest class the horse is eligible to at the adopted gait, eligibility to be determined at the time of closing nominations. The race to which the transfer may be made must be the one nearest the date of the event originally nominated to. Two-year-olds, three-year-olds, or four-year-olds, nominated in classes for their age, may only transfer to classes for the same age group at the adopted gait to the race nearest the date of the event they were originally nominated to, and entry fees to be adjusted.

(20) A nominator is required to guarantee the identity and eligibility of nominations, and if this information is given incorrectly he 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.

(21) Minimum declarations required to race:
(a) Early or late closing events must be contested if five or more betting interests are declared to start. If fewer horses are declared to start than required, the race may be declared off, in which case the total of nominations, sustaining and starting payments received shall be divided equally to the horses declared to start. Such distribution shall not be credited as purse winnings.
(b) Stake or futurity finals must be contested if one or more horses are declared to start. In the event only one horse, or only horses in the same interest start, it constitutes a walk-over. In the event no declarations are made, the total of nomination and sustaining payments shall be divided equally to the horses remaining eligible after payment of the last sustaining payment, but such distribution shall not be credited as purse winnings.

(22) A track facility shall provide acceptable stable space for each horse declared.

(23) In the event more horses are declared to start than allowed in one field, the race will be conducted in divisions or eliminations, as specified in the conditions.

(24) In added money events conducted in divisions:
(a) the track facility shall contribute at least 75% of the track facility’s advertised added money to the purse in each division. To this amount shall be added the contributions by sponsors other than the track facility and the total of nomination and sustaining fees, and the revised total purse shall be divided equally between or among the divisions. Each starting fee shall be added to the division in which the horse starts.
(b) Notwithstanding the provisions of Rule 248 (24)(a), where a track facility is adding $10,000 or more to the added money event, and the event is conducted in divisions, the track facility may divide the purse equally between or among the divisions, provided however, that no division shall be contested for less than the track facility’s added money.
(25) In added money events conducted in eliminations, starters shall be divided by lot. Sixty (60) percent of the total purse will be divided equally among the elimination heats. The final heat will be contested for forty (40) percent of the total purse. Unless the conditions provide otherwise, all elimination heats and the final heat must be raced on the same day. If the conditions provide otherwise, elimination heats must be contested not more than seven (7) days prior to the date of the final heat. The winner of the final heat shall be the winner of the race. If the estimated value of the purse for the event is $10,000 or more, the division of the purse between elimination heats and the final may be other than the formula above; however, the purse for an elimination heat shall not be less than $2,000 and the distribution must be contained in the printed conditions of the event.

(26) The number of horses allowed to qualify for the final heat of an event conducted in elimination heats shall not exceed the maximum number permitted to start in accordance with the rules.

(27) The judges’ decisions in arriving at the official order of finish of elimination heats on the same program shall be final.

(28) Notwithstanding Rule 248(27) such decision is appealable.

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

5.7 Warming Horses Up

Rule 249. If a horse is to warm up it must go its last warm-up mile on the same racing surface as it will compete on unless excused by the judges.

5.8 Reporting to Paddock

Rule 250. 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 least one hour before the scheduled post time or by the time prescribed by the track.
5.9 Starting the Race

Rule 251. All races must be started with a mobile starting gate of approved design. No person shall be allowed to ride in the starting gate except the starter, the driver and a patrol judge without the permission of the Judges. The starting gate must be equipped with two-way communications to the judges’ stand and a mechanical loudspeaker to be used for the sole purpose of communicating instructions to drivers. Other use of the loudspeaker is a violation. Notwithstanding the foregoing the Judges may, in exceptional circumstances, allow races to be started without a starting gate.

252. The starting point will be the point marked on the inside limit of the racing strip a distance of not less than 200 feet from the first turn. The starter shall release the horses at the starting point.

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

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

255. If, in the opinion of the judges or the starter, a horse is unmanageable or liable to cause accidents or injury to any other horse or to any driver, it may be sent to the barn. When this action is taken, the starter will notify the judges who shall scratch the horse.

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

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

258. The starter shall endeavor to get all horses away in position and on the gate. The starter shall only sound a recall when the starter notices any one of the following:
(1) A horse scores ahead of the starting gate.
(2) There is interference before the horses have reached the starting point.
(3) A horse has broken equipment.
(4) A horse falls before the starting point.
(5) A horse coming to the starting gate in the wrong position.
(6) A malfunction of the starting gate or in the interests of safety.

259. The starter may, before the horses are released at the starting point, order a recall and restart the race. In the event a second recall is sounded for the same horse in the same race, that horse shall be scratched. There shall be no recall for a breaking or refusing horse.

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

261. Fair Start Pole
(1) All licensed track facilities shall erect and maintain a pole inside the inner limit of the racing surface and no less than 300 feet before the starting line. The Fair Start Pole shall be yellow in colour and shall protrude at least 2 feet above the pylon marker.
(2) If a horse has not reached the Fair Start Pole when the starter releases the horses at the starting point, the Judges shall cause the inquiry sign to be displayed immediately and shall request the horse be scratched from the mutuels.

262. A fine not to exceed $500.00 and/or a suspension not to exceed five days may be applied by the starter or by the Judges for any of the following violations:
(1) Delaying the start.
(2) Failure to obey the starter's instructions.
(3) Allowing a horse to pass the inside or the outside wing of the gate.
(4) Coming to the starting gate in the wrong position.
(5) Crossing over before reaching the starting point.
(6) Interference with another horse or driver during the start.
(7) Failure to come into position or remain in position on the gate.

5.10 Race Finish

Rule 263. The wire or finish line is a real line established with the aid of a surveyor’s transit, or an imaginary line running from the centre of the Judge’s stand to a point immediately across and at right angles to the track.

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

5.11 No-Contest

Rule 265. If, in their opinion, the Judges are unable to properly judge the running or finish of a race they may declare the race to be “No Contest”. When a race has been declared “No Contest” by the Judges, all monies wagered on that race will be distributed in accordance with the provisions of the Pari-Mutuel Betting Supervision Regulations of the Criminal Code. No purse distribution is to be made to any of the horses that started in such race except as provided for in Rule 266 or with the approval of the Commission. The line for the race will be charted by the charter to the best of his ability to indicate the performance of each horse in the race; however, such charted line shall not be used for the determination of preference dates or eligibility to any future race. In the event that the race that is declared “No Contest” is a claiming race the provisions of Section 5.6.2 Claiming Races of these rules are applicable, and notwithstanding a determination that the race is “No Contest”, to the horse shall be deemed to have passed to the claimant if the claimed horse is behind the gate when the field is released at the starting point by the starter.

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

5.12 Time, Timing the Race and Records

Rule 267. A record will be the fastest time made by a horse in a heat or dash, which it won, or in a performance against time.

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

269. The time of each heat or dash shall be accurately taken by two Timers or an approved electric timing device, in which case there shall be one Timer, and placed in the record in minutes, seconds and fifths of seconds, and upon the decision of each heat, the time thereof shall be publicly announced or admitted to the record. When the Timers fail to act, no time shall be announced or recorded.

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

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

272. The leading horse shall be timed and its time only shall be announced. No horse shall obtain a win-race record by reason of disqualification of another horse unless a horse is declared the winner by reason of the disqualification of the breaking horse on which it was lapped. If a horse takes a win-race record in a qualifying race, or schooling race, such record must be prefaced with the letter "Q", except in a case where the race was subject to a urine test or other officially recognized test. The judges shall note on the official race reports for each qualifying race whether or not the race was subject to such a test.

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

274. 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.

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

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

277. Time Trial performances are permitted subject to the following:
   (1) Official samples are required for all horses starting for a time performance.
   (2) An approved electric timer is required for all time performances. In the event of a failure of a timer during the progress of a time performance, no time trial performance record will be obtained.
   (3) Time trial performances are permitted only during the course of a regular meeting with the regular officials in the Judges' stand.
   (4) Time trial performances are limited for two-year-olds who go to equal or beat 2:10, and three-year-olds and over who go to equal or beat 2:05.
(5) In any race or performance against time, excessive use of the whip shall be considered a violation.
(6) Time trial performances shall be designated by preceding the time with two capital T's.
(7) When a horse performs against time, it shall be proper to allow other horses to accompany it in the performance but not to precede it, or be harnessed with it or in any way attached to it.
(8) A break during a Time Trial is a losing effort, and a losing performance shall not constitute a record.

5.13 Charting the Race

Rule 278. Every race shall be accurately charted and such charts shall include the following:
(1) The date, place and size of the track if other than one-half mile;
(2) Symbol for free-legged pacers and hoppled trotters;
(3) Track condition, distance and type of race. Under the supervision of the Judges, the Chart Maker shall record any time allowances granted for track or weather conditions and this shall be recorded in the official performance records for all races, including qualifying races. These allowances shall be increments of full seconds and shall appear beside the track condition;
(4) Post positions and positions at the quarter, half-mile, three-quarters and at the head of the homestretch with lengths behind the leader;
(5) Driver and/or Trainer changes;
(6) Standard symbols for breaks and park outs and interference, where applicable;
(7) Finishing positions as determined by the Judges, beaten lengths and individual times; and
(8) Closing dollar odds.

5.14 Placing and Money Distribution

Rule 279. Unless otherwise provided in the conditions, all purses shall be distributed on the dash basis with the money awarded according to a horse’s position in each separate dash or heat of the race. Purse money distribution in overnight events shall be limited to five monies.

280. Licensed track facilities, in agreement with their local horsemen’s association, may set the percentages for purse money distribution in overnight events subject to Commission approval. Purse distribution percentages for stake events shall be determined by stake organizations subject to Commission approval and included in the published stake conditions.
281. If there are any premiums for which horses started but were unable to finish due to an accident or interference, all unoffending horses that did not finish shall share equally the premiums they would have been entitled to had they finished, and any remaining premiums shall be paid to the race winner.

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

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

284. In elimination heats, the total purse shall be distributed in accordance with the provisions of Rule 248(25) and the purse for each heat shall be distributed in accordance with these rules.

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

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

287. When a horse is disqualified as the result of being ineligible to a race or as the result of a positive test, the finishing position of that horse shall be adjusted and all other starters in such race shall remain unchanged, but purse monies shall be adjusted accordingly.

288. Purses earned outside of North America will be calculated in U.S. dollars based on the conversion rate as at January 1st of the year the foreign earnings are amassed. Winnings in the United States will be deemed to be at par with Canadian funds.
289. All races shall be bona fide contests with the winner receiving the largest share of the purse and the balance of the purse distribution made according to the order of finish. No arrangement for equal distribution of the purse money is permitted.

290. Any track facility that defaults in the payment of a premium that has been raced for shall stand suspended, together with its officers. No deduction, voluntary or involuntary, may be made from any purse, nomination, sustaining or starting payments, except those deductions made from purse monies for overnight events and paid to recognized participants’ organizations through agreements with the track facility.

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

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

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

5.15 Access to Grounds, Paddock and other Facilities

Rule 294. If determined by the Commission, a track facility may be required to limit access in the paddock to licencees and a record shall be maintained indicating the names and times of entry and departure of all persons admitted to the paddock. The persons entitled to admission to the paddock area are:

(1) owners, lessees, trainers, drivers or grooms of horses which have been summoned to the paddock;

(2) officials whose duties require their presence in the paddock; and

(3) other persons authorized by the judges or the Commission.

295. Staff of the Commission and duly appointed officials of the Commission shall be permitted access to all grounds, barns, paddocks, trailers and vehicles of and at licensed and member track facility’s premises.
296. Owners, lessees, lessors or stable members of horses competing on the date of the race shall be entitled to admission to the paddock subject to the Rules relating to the administration of the paddock and any specific instructions or restrictions conveyed by the Judge or the Paddock Judge.

297. Any other matter relating to paddock and grounds not specifically addressed in these rules shall be governed via decision a Directive of the Commission.

5.16 Cancellation of Race Cards

Rule 298. In case of unfavourable weather or other unavoidable cause, a track facility with the consent of the Judges may postpone or cancel races if the race card has not commenced. The track facility has the right to conduct the same card within 72 hours and if not conducted within 72 hours a new card shall be rescheduled within the race meeting. Horses programmed in the postponed or cancelled card may not be withdrawn without reasonable cause and judges’ consent.

299. Once a Race Card has been commenced and if track conditions are questionable for the warming up or racing of horses, the Judges shall convene a meeting with representatives of the track facility's management, horsemen’s representatives, the starter and paddock judge to determine whether racing shall continue. If, as a result of this meeting, it is determined to continue racing then trainers will be allowed to withdraw horses without penalty. In the event that the starting vehicle is unable to be used because of unsafe track conditions, the race card will be cancelled.

300. Rules 298 and 299 do not preclude the track facility’s management from canceling the races due to track or weather conditions without consultation with a Horsemen's Representative.

301. The Commission may decrease inter-track and simulcasting privileges when race dates are cancelled without rescheduling.
PART 6  RACING, CONDUCT AND PENALTIES

6.1  Judges’ List

Rule 302. A horse shall be placed on the Judges’ List if:

(1) a horse is declared unfit to race by an accredited veterinarian because it is sick, lame or otherwise physically unfit to race. This will be known as the Short Term Veterinarian’s List and horses placed on the list shall come off the list after seven (7) clear days unless a veterinarian certificate is issued to the Judges that declares the horse fit to race.

(2) a horse is placed on the Long Term Veterinarian’s List by an accredited veterinarian due to chronic physical or health problems. The horse may come off the list after seven (7) clear days from the date of being placed on the Long Term List and upon receipt of a veterinarian certificate declaring the horse fit to race;

(3) a horse is declared dangerous or unmanageable by the judges;

(4) proof of negative coggins test required in accordance with Rule 150 is not presented;

(5) a valid eligibility certificate is not presented in accordance with Rule 144;

(6) exact identification, management or ownership of the horse is not presented;

(7) inconsistent behavior, performance or time;

(8) a horse that falls to the track;

(9) a horse that refuses to start;

(10) a horse scratched due to a transportation problem and unless determined otherwise by the Judges’, no horse shall be suspended for reasons of transportation for the first occurrence. Notwithstanding this, a horse that has a second Judges’ scratch due to a transportation problem within twelve (12) months of the first occurrence will not be eligible to race for (7) seven clear days from the date the horse was scratched.

(11) a horse is scratched due to a violation of Rule 387; and

(12) a veterinarian is not available, the judges order scratched from a race any horse that is, in his opinion, or the opinion of the owner or trainer, sick, lame or otherwise physically unfit to race.

303. The Judges may scratch a horse at the request of the trainer or owner but such horse shall not be eligible to race for five (5) clear days from the date the horse was scratched.

304. When a horse is placed on the Judges’ List, the owner or trainer shall be notified by written notice posted in the area of the race office accessible to participants. The reason for such action must be stated in the notice. Also, the Judges shall report that a horse is on the Judges’ List with reasons on the Standardbred Canada Official Chart.
305. No horse that is on the Judges’ List either by virtue of the operation of this Section, or any other rule shall be eligible to compete in any added money event or overnight event until it has been removed from the Judges’ List. Only Judges at an extended meeting shall have the authority to remove a horse that is on the judges’ list. Refer to Section 5.3 Qualifying Races for qualifying requirements of horses placed on the Judges’ List.

6.2 Racing Rules

Rule 306. The pari-mutuel manager shall establish post time for each race and the judges shall call the horses onto the track in time to allow the horses to parade and be exhibited before the public but to preclude an excessive delay before the start.

(1) The time between separate heats of a single race shall be no less than 40 minutes.

(2) Horses called for a race shall have the exclusive right of the course, and all other horses shall vacate the racing strip as soon as possible.

(3) In the case of accidents, only so much time shall be allowed as the judges may deem necessary and proper.

(4) All sulkies must be equipped with mudguards at all extended meetings when deemed necessary by the judges. Only sulkies shall be permitted to be used in a race and every sulky used in a race must be equipped with uniform coloured or colourless wheel discs on the inside and the outside of each wheel.

(5) Horses are required to parade in programmed order. All horses must remain in proper order until the parade has passed in front of the grandstand. The judges may impose a penalty for a violation of this rule.

(6) All horses must be exhibited at least once before the public. Horses may be held on the backstretch not to exceed two minutes awaiting post, except when delayed by the judges.

(7) When there is only one trailer, it may start from any position in the second tier. When there is more than one trailer, they must start from inside any horse with a higher post position, however, all trailers must assume their starting position before the recall pole.

307. When, before a race starts:

(1) Horses that fall to the track during warm-up, post parade or when going to the gate shall be scratched from their race and required to qualify. This rule applies to overnight and added money events. For purposes of this rule the word “fall” does not include “faltering or stumbling”.

(2) A driver is unseated and appears to have been injured; the horse that was being driven by that driver may compete with a substitute driver of comparable ability, approved by the judges.

(3) If for any other reason there must be a driver change after betting has begun on that race, the horse that was being driven by that driver may compete with a substitute driver of comparable ability, approved by the judges.
(4) If a comparable driver cannot be found, the horse may compete but will be barred from betting.

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

(1) Change either to the right or left during any part of the race when another horse is so near him that in altering his position he compels the horse behind him to shorten his stride, or causes the driver of such other horse to pull him out of his stride.
(2) Jostle, strike, hook wheels, or interfere with another horse or driver.
(3) Cross sharply in front of a horse or cross over in front of a field of horses in a reckless manner, endangering other drivers.
(4) Swerve in and out or pull up quickly.
(5) Crowd a horse or driver by "putting a wheel under him".
(6) Carry a horse out.
(7) Take up or slow up in front of a horse or take up abruptly in front of other horses so as to cause confusion or interference among trailing horses.
(8) Let a horse pass inside needlessly or otherwise help another horse to improve his position in the race.
(9) Commit any act, which shall impede the progress of another horse or cause him to break.
(10) Change course after selecting a position in the home stretch or swerve in and out, or bear in or out, in such a manner as to interfere with another horse or cause him to change course or take back.
(11) To drive in a careless or reckless manner.
(12) Driving within the inside perimeter of the race course except, where so provided, the designated passing lane.
(13) Fail to set or maintain a pace comparable to the class in which he is racing considering the horse’s ability, track conditions, weather and circumstances confronted in the race. Maximum fine for a slow fraction regardless of purse is $500. For a first time offence in a calendar year, the penalty is 5% of purse, for the 2nd offence in a calendar year, the penalty is 10% of purse, and for a 3rd offence or additional offences, in a calendar year, the penalty is 10% of the purse plus a suspension of two (2) racing days.
(14) Laying off a normal pace and leaving a hole when it is well within the horse's capacity to keep the hole closed.
(15) Back off from any position and subsequently come on when challenged.
(16) Fail to properly contest an excessively slow pace.
(17) Continual verbal communication among drivers from the forming of the post parade until released by the Starter.
(18) Blatantly examining the tote board at any time from the commencement of the official post parade until the starter releases the horses to start the race.
(19) Driving in a _ in _ out position or taking up two (2) driving lanes.
309. Violations of the following rules shall make drivers liable to penalty as a Type 1 Offence:
   (1) failure to drive when programmed without having been excused by the judges;
   (2) failure to participate in, or being late for a post parade without permission of the judges.

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

311. In the event the homestretch is expanded pursuant to Rule 310, the following shall apply on 1/2 mile and 5/8 mile tracks:
   (1) no horse shall pass on the extended inside lane entering the stretch the first time,
   (2) the lead horse in the homestretch shall maintain as straight a course as possible while allowing trailing horses full access to the extended inside lane, and
   (3) horses using the open stretch must first have complete clearance of the pylons. Any horse or sulky running over the pylons and/or going to the inside of the pylons to clear shall be subject to Section 6.5 – Pylons.

6.3 Devices and Whipping

Rule 312. Drivers’ whips shall not be made of rawhide, and shall not exceed four feet and eight inches in length plus a snapper not to exceed six inches in length.

313. The use of any goading device, chain, spur or mechanical devices or electrical device other than a whip as allowed in these rules, upon any horse, shall constitute a violation.

314. The possession of any mechanical or electrical goading device on the grounds of a track facility shall constitute a violation.

315. Brutal, or indiscriminate use of a whip, flagrant use of the whip causing visible injury, or striking a horse with the butt end of the whip shall be a TYPE II offence, while striking a wheel disc of a sulky with a whip is a TYPE I offence.

316. Whipping shall be allowed provided that:
   (1) The use of the whip shall be confined to an area above, inside and between the sulky shafts. Drivers shall keep a line in each hand and a hand in each holder from the start of the race until the seven eights finishing the race.
   (2) There shall be no blatant or exaggerated movements of the whipping arm, which may result from raising the elbow above the driver's shoulder height
and/or allowing the hand holding the whip to reach behind the driver during the whipping of the horse.

(3) Whipping is permitted provided the horse appears to be advancing through the field. There shall be no whipping after the finish of the race.

317. No horse shall be whipped while backing up through the field.

318. The penalty for any offence against Rules 316 and/or 317 within the same calendar year shall be assessed in accordance with the following penalty schedule:

(1) For the first offence assess a $25.00 fine and a suspension of three (3) days;
(2) For the second offence within the calendar year assess a $50 fine and suspension of seven (7) days;
(3) For the third offence within the calendar year assess a $100 fine and a suspension of ten (10) days.

(4) For purposes of this section, after each 100 drives within the same calendar year his next offence shall be assessed as if it is the first in accordance with the above penalty schedule. Upon the expiration of the calendar year penalties shall be assessed starting with the first offence.

(5) After any driver commits more than three (3) offences within 100 drives in the same calendar year the Commission shall review the matter and an appropriate penalty may be assessed in accordance with the Maritime Provinces Harness Racing Commission Rules and Regulations.

319. Whipping under the arch of the sulky, is a **TYPE II** offence, for which the penalty shall be no less than 10 days suspension.

### 6.4 Racing Violations

**Rule 320.** A complaint by a driver of any 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. A driver entering an objection or other complaint of violation of the rules, shall make this known to the nearest patrol judge /starter and shall proceed forthwith to the paddock telephone to communicate immediately with the judges. The judges shall not cause the official sign to be posted until the matter has been dealt with.

321. A driver shall have committed a violation for failure to report interference or any other infraction that occurred during a race, or for lodging an objection or complaint, which the Judges deem to be frivolous. Drivers shall notify the Starter of any objection or violation of the racing rules immediately upon completion of the race.
322. If a person commits a violation driving a horse coupled as an entry, the judges shall set both horses back if, in their opinion, the violation affected the finish of the race, otherwise penalties may be applied to each entry.

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

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

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

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

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

328. If, in the opinion of the judges, a driver is for any reason unfit or incompetent to drive, or is reckless in his conduct and endangers the safety of horses or other drivers in a race, he shall be removed and another driver substituted at any time and the offending driver may be fined, suspended or expelled. (See Rule 307)

329. A driver must be mounted in the sulky at the finish of the race or the horse must be placed as not finishing.
(1) A horse shall be placed as not finishing where the driver at any time during the running of the race was not mounted in the sulky but was mounted in the sulky at the finish of the race.

330. If, during the preliminary scores or during a race a driver is unseated in such a manner that falls to the ground, the judges may direct the driver to report to the infirmary or to the emergency department of the nearest hospital for examination and receive written clearance to continue with driving assignments on that day of racing.
331. Loud shouting or other improper conduct in a race is forbidden.

332. 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 earplugs and once pulled, the foot must be placed back into the stirrup. The penalty for a violation of this rule for a first time violation in a calendar year is a **TYPE I** offence, a second violation in a calendar year is a **TYPE I** offence for which the penalty to be assessed is to be more severe than for the first offence and the third offence and any additional violations in a calendar year is a **TYPE II** offence.

333. During a race no driver shall kick a horse or hit a horse with his foot in any manner. (**Type II Offence**)

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

335. When a horse breaks from its gait in a race the driver shall:
   (1) take the horse to the inside or outside of other horses where clearance exists;
   (2) properly attempt to pull the horse to its gait; and
   (3) lose ground while on the break.

336. The judges may set any horse back one or more places if:
   (1) In their judgment, any of the following violations have been committed:
       (a) At the finish of a horse race no horse shall be set back unless a contending horse is lapping on the hindquarter of a breaking horse or horses. Lapped on means being within the hindquarter of the breaking horse at the finish of the race.
       (b) If interference caused by another driver(s) or horse(s) has caused a horse to be on a break at the finish, the judges may, in their discretion, determine not to set the horse back even if a contending horse on its gait is lapped on the hindquarter of the breaking horse at the finish.
   (2) Notwithstanding the above, the judges may set any horse back if the horse goes on an extended break.
   (3) The driver may also be assessed a penalty.

337. If, in the opinion of the judges, a driver allows a horse to break for the purpose of losing a race, he shall be in violation of Rule 324.

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

6.5 Pylons

Rule 339. Any horse or part of the horse's sulky that leaves the race course by going inside the pylons, when not forced to do so as a result of the actions of another driver and/or horse or without being interfered with by another driver and/or horse, shall be placed as follows:

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

340. Racetracks with pylons shall meet the following criteria regarding pylon location, design standards and angles:
(1) thirty (30) feet apart on the straight away
(2) twenty (20) feet apart on the turns
(3) pylons leading into the passing lanes to be 15 feet or less apart
(4) thirty inches in length above ground
(5) effective April 4, 2004 pylons shall be angled 22.5 degrees to 30 degrees inward to the racetrack surface

341. Pylons - Seasonal
(1) The Pylon Rule shall not apply during the period of the racing year where it is determined jointly, in writing, by the Senior Judge and the relevant track facility’s management or committee that the climatic conditions and the condition of the race surface and inner limits of the racing track cannot reasonably accommodate pylons for purposes of applying Rule 339. Notwithstanding the foregoing, every effort should be made to ensure pylons are in place for purposes of enforcement of this rule. The written documentation shall be submitted to the Director of Racing.

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

343. Notwithstanding Rule 339 drivers who in the opinion of the judges, deliberately leave the racing strip for the safety and protection of the participating horses and drivers and who immediately returns to the racing strip once the circumstances of the race permits him to do so, may not be assessed a fine or suspension for leaving the racing strip.
6.6 Broken Equipment – Recall

Rule 344. When the Starter sounds a recall for a horse that has broken equipment, the Starter will notify the judges who will in turn notify the public. The Starter, Patrol Judge or Paddock Judge will immediately verify the broken equipment. The driver who declares the horse he or she is driving has broken equipment shall be responsible for the statement. If verification of broken equipment cannot be made, the official shall report to the Judges that it cannot be verified and the Judges shall assess the person who declared "broken equipment" an appropriate penalty.

6.7 Equipment

Rule 345. The Judges shall have the authority to disallow the use of any equipment or harness that they feel is unsafe or not in the best interest of harness racing.

346. Safety Helmets

(1) A safety helmet, meeting the Snell Foundation standards for protective helmets, shall be worn by any person involved in the driving, training or exercising of a racehorse including the getting to and from the barn, the paddock area, the winner’s circle and the racetrack surface at any licensed racetrack within the jurisdiction of the Commission.

(2) Any licensed racetrack shall adopt the above rule provision in its track rules.

(3) The track rule shall include a provision for enforcement of the safety helmet rule in the following manner:

(a) After due and proper notice issued by track management anyone violating this rule shall be subject to the following penalties:

(i) 1st offence – the Commission or its delegate, which may be track management, shall issue to the offender a $25.00 fine;

(ii) 2nd offence – the Commission or its delegate, which may be track management, shall issue to the offender a $50.00 fine;

(iii) 3rd offence – the Commission or its delegate, which may be track management, shall expel the offender from driving, training or exercising of any racehorse at the relevant racetrack for a period of time determined by the Commission;

(iv) 4th offence – the matter be referred to the Commission and after a hearing it may issue a fine or suspension. Such suspension may be effective for only the racetrack where the offence occurred or all licensed racetracks within the jurisdiction of the Commission.

(4) In the circumstance where the offender is not a licensed member of the Commission the Trainer of Record of the horse being driven, trained or exercised at the time of the offence shall be responsible for the person’s violation of the safety helmet rule and therefore be subject to fine or suspension.
347. The Saddle Pads in use at licensed track facilities conducting Race Meetings shall be standardized with a format to be established by the Commission.

348. Sulky & Sulky Standards
   (1) Every sulky used in a race shall have uniform coloured or colourless wheel disks on the inside and outside of each wheel.
   (2) The sulky shall attach to both sides of the harness.
   (3) The sulky shall not create either by design or manufacture any interference or hazard to any driver or horse in a race.
   (4) All components of the sulky shall be attached to one another in such a way that they remain attached during normal use and testing.
   (5) The Judges may order an inspection of a sulky at any time and order that sulky replaced that does not meet normal standards.

6.8 Conduct

6.8.1 General

Rule 349. Any attempt to violate any of the Rules of the Commission falling short of actual accomplishment shall constitute an offence.

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

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

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

353. Any person shall be deemed to have violated Rule 324 for attempting to or succeeding to affect the outcome of any race, either individually or in concert with another.

354. No licencee shall:
   (1) commit assault or battery against any person;
   (2) threaten to do bodily injury to any participant;
   (3) use insulting, offensive or improper language to any official or licencee;
If a licensee so does it shall constitute a violation of these rules.

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

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

357. The judges may impose any or all of the following penalties for conduct detrimental to the best interests of racing, or for violation of the rules:
(1) refuse an offender admission to the grounds of a track facility;
(2) expel an offender from the grounds of a track facility;
(3) impose a fine or a suspension or both; or
(4) impose conditions on a licence.

358. The following violation(s) shall make offenders liable to penalty as a Type I Offence:
(1) use of offensive or profane language;
(2) smoking on the track within one (1) hour of post time of the first race on the programme;
(3) failure to wear racing colours when warming up a horse prior to racing;
(4) failure to have proper saddle cloth on a horse when warming up for a race;
   or
(5) failure to have proper head number and saddle cloth on a horse when racing.

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

6.8.2 Alcohol Screening and Drug Control—Human
Rule 360. When directed, the judges, racing officials, trainers and drivers, shall be required to submit to a breath analysis test at any program at which they officiate or participate. When such a test results in a reading of .03 percent or more of alcohol in the blood the operator shall report such finding at once to the judges. A licensed official, driver, trainer or any other person carrying out official duties integral to a race card or meet showing a reading of .03 percent or more shall be subject to the following penalties:

1) If the reading is .03 percent or more, he shall be suspended from performing the duty or duties for which he is licensed for that day and shall be fined $100.00 for a first offence, and fined $300.00 and suspended for a period of 15 days for the second offence committed within a 12 month period. Further offences shall be referred to the Commission.

361. When a participant fails a breath analysis and is referred to the judges, the judges shall adjourn the hearing long enough to enable them to ascertain whether or not such person has previously been penalized for a similar offence.

362. The Commission shall provide to all licensed tracks an Alcohol Screening Programme at a fee for service. The fee shall be an amount determined by the Commission.

363. The Commission shall approve the device used in the Alcohol Screening Programme, for use.

364. If the Senior Judge or Paddock Judge have reasonable grounds or belief that a driver and/or trainer and/or groom is impaired by way of alcohol abuse the provisions of Rule 360 apply with equal force and effect as an order to subject oneself for alcohol ingestion testing.

365. Refusal to submit to testing as contemplated in Rule 360 is a violation of this rule and is governed by Rule 360(1).

366. Where breath analysis testing equipment is or is not available and, if due to alcohol or drug impairment, a licensee is unfit to drive or carry out his/her licensed duties or whose conduct may reflect adversely on the sport of harness racing, he/she shall, forthwith, be suspended for cause for the remainder of that race date and may be subject to a further suspension and fine as the Presiding Judge or the Maritime Provinces Harness Racing Commission deems appropriate.

367. Any licensed Maritime Provinces Harness Racing Commission official who fails to report a licensee or participant, whom he/she might reasonably determine to have consumed alcohol beverages or consumed and or administered drugs or controlled substances, to the Presiding Judge or Associate Judges, shall be culpable for an act of omission and a violation of
this Section that is tantamount to conduct detrimental to the sport of harness racing and shall be suspended and/or fined as determined by the Maritime Provinces Harness Racing Commission.

368. For purposes of the Maritime Provinces Harness Racing Commission Rules and this section, the following definitions shall apply:
(1) Controlled Substance -- means cannabis sativa, its preparations, derivatives and similar synthetic preparations and the drug cocaine, and its derivatives.
(2) Laboratory -- means an approved testing laboratory within the meaning of the Federal Pari-Mutuel Betting Supervision Regulations.
(3) Licensee -- means Driver, Trainer, Groom, Judges of every category, Starting Gate personnel and Alternates, if required.
(4) Positive Test Result -- means a certified Laboratory Report indicating that a controlled substance was present in the sample analyzed, save and except in the case of cannabis sativa and its derivatives where a laboratory result indicating a level of less than 50 mg. per ml. shall be deemed to be a negative result with respect to that substance.

369. The Director of Racing, or authorized Agent of the Commission, shall order any of the aforementioned licensees, chosen at random, to provide a sample of urine to determine whether a controlled substance is being used or has been ingested by such licensee or licensees. The Director of Racing, or authorized Agent of the Commission, shall determine the method by which the licensees shall be selected, at random, and may convey that method, confidentially, to the Test Administrator of the Commission for field utilization. Random testing of licensees shall be the primary determination of those licensees subject to testing, however, in the case of a licensee who has provided a determined and confirmed positive test result within any twenty four (24) month period, such licensee shall be deemed to reflect a probable cause to the Commission, the Director of Racing or the authorized Agent of the Commission to require said licensee to be subject to future testing which shall be directed to be carried out at the sole discretion of the Director of Racing.

370. A licensee with respect to whom a positive result is obtained when said licensee has been tested at random shall become subject to future testing, as aforesaid, at the sole discretion of the Director of Racing and shall provide a urine sample in the manner herein described in Rule 369.

371. In the event of a positive test result relating to a controlled substance for which a licensee does not have a valid medical prescription for use, said licensee shall be, mandatorily, subject to the following penalties:
(1) if the positive test report is the first positive test report for any controlled substance within twenty-four (24) months of the taking of the test, the licensee shall be suspended for 30 days and assessed a $500 fine, the licensee shall be suspended immediately from all licensed activities, duties
and responsibilities and shall be barred from the premises of all MPHR Commission licensed Race Tracks; and the suspension and bar shall remain in effect, after the 30 days, until such time as the licensee provides a urine sample for testing purposes at his/her own and total expense and wherein such test result indicates a complete absence of a controlled substance from his/her metabolism.

(2) An approved laboratory shall conduct the urine analysis and the licensee so tested, if test is positive, shall turn his/her MPHR Commission license over to the Director of Racing. The licensee is financially responsible for the complete cost of the taking of the urine sample and testing thereof. Testing reports shall be forwarded from the approved Laboratory to the Director of Racing.

(3) If a controlled substance positive result is a second or further violation of the Human Drug Testing Rule within any twenty-four (24) month period of initial positive test finding, said licensee shall, forthwith, be referred to a special Hearing before the full Maritime Provinces Harness Racing Commission. Said Hearing shall be conducted within fifteen (15) calendar days of determination of the second or further violation of this Rule and licensee shall be suspended from all licensed activities, duties and responsibilities and barred from attendance at any Maritime Provinces Harness Racing Commission licensed Race Track pending final disposition by the Commission.

(4) Said Hearing shall be for the sole purpose of determining the future status of the licensee which may include a lifetime ban from the sport and industry of harness racing.

(5) The Maritime Provinces Harness Racing Commission established and adheres to, without exception, what is commonly referred to as the "3 Strike Doctrine" which means if any licensee tests positively on a third (3rd) occasion, regardless of when tested, such licensee shall automatically be levied a lifetime ban from the sport and industry of harness racing without review by the banning Commission or any successor Commission.

(6) Any licensee who refuses to provide a urine sample as provided for in these Rules when requested to do so is deemed to have contravened the Rules in the same manner and effect as a finding of a positive test result and said licensee shall, forthwith, have their Commission license suspended indefinitely. Such suspension shall remain in effect until said licensee complies with the request for urine testing in the manner prescribed in this Section of Rules and a negative laboratory report is in the possession of the Director of Racing. Penalty is governed by Rule 371.

(7) At any Hearing conducted under this Section of Rules, a licensee shall be entitled to have Counsel or his/her representative attend and represent his/her interests at such Hearing.
372. Notwithstanding the foregoing Rule and subsections, the Director of Racing may refer any matter arising from this Rule and subsections to the Commission and the Commission may determine and conduct a special Hearing and summons licensees and other required persons to such Hearing.

6.8.3 Equine Medication Control

Rule 373. Unauthorized administration of drugs to racehorses is prohibited. The Trainer of Record of every racehorse shall protect the horse from unauthorized administration of any drug or foreign substance.

374. Where any test taken under the Pari-Mutuel Betting Supervision Regulations reveals a positive presence of a restricted drug as described in such regulations, the uniform classification guidelines for foreign substances and recommended penalties and rules shall apply.

(1) Rule On Drug Classifications—Upon finding of a violation of these medication and prohibited substances rules, the senior judge shall consider the classification level of the violation as currently established by the Uniform Classification Guidelines of Foreign Substances as promulgated by the Association of Racing Commissioners International, Inc., and impose penalties and disciplinary measures consistent with the recommendations contained therein. Provided, however, that in the event a majority of the judges panel determine that mitigating circumstances require imposition of a lesser penalty they may impose a lesser penalty. In the event of a majority of the judges panel wishes to impose a greater penalty or a penalty in excess of the authority granted them, then, and in such an event, they may impose the maximum penalty authorized and refer the matter to the Commission with specific recommendations for further action.

(2) Penalty in the absence of mitigating circumstances, the penalties contained in Table 1 shall apply.

(a) Table 1

<table>
<thead>
<tr>
<th>Class</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
<th>Loss of Purse</th>
<th>Horse Suspension</th>
</tr>
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<td>Fine</td>
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</tr>
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<td>3-4 Years</td>
<td>$3000-$4000</td>
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<tr>
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</tbody>
</table>

(b) For purposes of clarification, if a licencee regulated and under the jurisdiction of these rules incurs a 2nd offense and that offense is for a drug/medication classification different than his 1st offense, the Class of the 2nd offense shall determine the sanction range and the financial penalty. (i.e. If a 1st offense is proven a Class 1 violation for which a licencee is sanctioned an eighteen (18) month suspension and a $1200
fine and the 2nd offense is a Class 4 proven violation the sanction for the 2nd offense shall be a suspension of between 31 and 45 days and a $200 fine.)

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

(4) All other horses under the care and control of the person responsible for the horse having tested positive under Rule 374(1) shall not be eligible for declaration or entry purposes for a period of five (5) calendar days. Further, when so permitted under this Rule, the horse having tested positive must re-qualify to a time within three (3) seconds of its last official start. For a third offence, the person responsible shall be suspended indefinitely and the matter referred to the Commission.

(5) Where a racehorse has, after two consecutive post-race tests, failed to provide a satisfactory urine sample, the owner, trainer or other authorized person in charge of the racehorse shall submit the racehorse to a blood or urine or saliva test to determine the presence of drugs, stimulants, depressants or sedatives. The provisions of the Pari-Mutuel Betting Supervision Regulations apply except that such sample shall be taken by a Veterinarian or a qualified Technician designated by the Commission. All costs associated with such a test shall be borne by the owner of the racehorse.

375. A licencee holding an owner-trainer-driver Commission licence found culpable under Rule 374 is not permitted to participate at any Commission licensed and member raceway.

376. Where a licencee refuses to submit a racehorse to pre or post test or tests as required under this rule or by direction of the Judges’ panel, the following shall apply:

(1) The racehorse shall not be permitted to race in a qualifying or pari-mutuel race for a minimum period of thirty (30) days; and

(2) Upon due notice of a charge of failure to submit a race horse to a pre or post test and after an opportunity to respond to the charge before a judges panel, the owner and/or trainer and/or other authorized person in charge of the horse found guilty of the charge shall be assessed an automatic six (6) month suspension and a $1,000 fine for each and every horse so refusing to submit to testing; and

(3) For purposes of this rule, the filing of a bona fide appeal shall not effect a stay on any penalty or penalties assessed by the Judges for refusal to submit to testing.
377. The provisions of Section 6.8.3 do not preclude the Commission from revoking the licence of the person responsible for the horse if there is a repeat positive test finding in a calendar year.

378. Any horse having or alleged to have tested positive for a prohibited substance shall not race during the investigation, appeal or the suspension period of the horse and must re-qualify for eligibility to participate in a pari-mutuel race. The horse may be tested after the qualifying race.

379. Whenever a Trainer is suspended under Section 6.8.3, any horse trained by him or under his care, but not owned wholly or in part by him or her, with the consent of the Commission or its designates, may be released to the care of another licensed trainer and may race. (Refer to 374(4).)

6.8.4 Blood Gas Analysis (TCO$_2$)

Rule 380. The Maritime Provinces Harness Racing Commission shall have a standard method of checking total carbon dioxide (TCO$_2$) in racehorses scheduled to race in the Maritime Provinces.

381. Following proper identification, a veterinarian, or qualified technician shall take a blood sample from the horse(s) randomly selected for blood gas analysis at the time the horse(s) arrives at its designated stall in the paddock prior to its designated race.

382. Each sample shall be centrifuged, and forwarded to the Atlantic Veterinary College within a 24-hour period for testing.

383. If the total carbon dioxide (TCO$_2$) is equal to 37 mml/litre or higher, said horse will be considered to have a positive test.

384. In the event a horse has a positive test, the judges shall impose a penalty on the horse's trainer of not less than (6) six months suspension from racing. All purses paid shall be returned and re-distributed. Prior to re-instatement, the trainer shall be required to appear before the Commission. The horse showing the positive test shall be excluded from racing for a period of not less than 30 days. Any trainer receiving a second positive test within twelve months from receiving the first shall be subject to a suspension of not less than 12 months with a Commission review before possible re-instatement. All purses paid shall be returned and re-distributed.

385. In the event a horse registers a second excessive TCO$_2$ concentration, the horse shall be scratched from the racing program. In addition, for any such offence, the judges may fine the horse's trainer the maximum amount permitted by these rules and suspend him for the maximum amount of time permitted by these
rules and refer the case to the Commission for violation of Maritime Provinces Harness Racing Commission Rules and Regulations.

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

387. An excess level of total carbon dioxide (TCO$_2$) in a racehorse is deemed to be adverse to the best interests of harness racing, and adverse to the best interests of the horse in that such condition alters its normal physiological state. Accordingly, a person designated by an approved TCO$_2$ laboratory may obtain venous blood samples from the jugular vein of a horse for the purpose of the testing of said samples by that laboratory for TCO$_2$ levels.

388. Should an owner or trainer wish to contest a blood gas analysis test which results in a positive test, he must, at their expense, arrange to have the horse in question quarantined at the Atlantic Veterinary College in Charlottetown, Prince Edward Island, for the purpose of being re-tested under a controlled environment. The horse shall be quarantined for a period not to exceed ten (10) days, during which time blood samples from the horse shall be tested at least one (1) time each day until a staff veterinarian determines that the (TCO$_2$) total carbon dioxide concentration in the horse has returned to its proper level.

6.8.5 Commission Review

Rule 389. The Commission will review all decisions made by the judges pertaining to positive tests and may, at its discretion, reopen any case to rehear and rule on the evidence.

6.8.6 Needles, Syringes and Searches

Rule 390. No person except physicians, Commission Veterinarians or Official Veterinarians or veterinarians licensed by the Commission, shall have in their possession while on the grounds of a track facility:

(1) any hypodermic needle or any other device which could be used for the injection or infusion into a horse of any substance; or

(2) any injectable, which might be administered by a hypodermic needle, or device without first securing written permission from the judges or Director of Racing.

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

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

393. A fine may be imposed in addition to, but not in lieu of, a suspension for a violation of Rule 390(1) and/or (2). Reference must also be made to Rule 392.

6.9 PENALTIES

6.9.1 Type I Offence

Rule 394. Minor infractions of these rules, enabling legislation or, where applicable, the Rules and Regulations of the Commission by Licencees are considered as **Type I Offences** for which a fine of not less than $25.00 or more than $200.00 and/or suspension from Commission licensed activity for a period not to exceed five (5) calendar days unless otherwise specified under the rule.

6.9.2 Type II Offence

Rule 395. Major infractions of these rules, enabling legislation or, where applicable, the Rules and Regulations of the Commission are considered **TYPE II Offences** for which a fine of not less than $200.00 or more than $5000.00 and/or suspension for a period not to exceed 240 days, revocation of Commission licence and/or expulsion for life unless otherwise specified under the relevant rule.

6.9.3 Fines and Suspensions

Rule 396. When a suspension is prescribed it shall be construed to mean an unconditional exclusion from the grounds of all track facilities where a licence is required and disqualification from any participation, either directly or indirectly, in racing unless otherwise specifically limited when such suspension is imposed.

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

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

399. During an inquiry conducted pursuant to Rule 398, the Judges may inquire into, and require the submission of documentary evidence to establish that the transfer is a bona fide transaction. Such documentary evidence may consist of, but not limited to, a statutory declaration relating to the following:
(1) whether the transferee and transferor maintain separate books and records relating to the racing of horses;
(2) whether the transferee maintains separate books and records relating to the racing of horses;
(3) whether money earned from racing or used for the payment of debts relating to racing is either deposited to, or paid from, an account held jointly with the transferor;
(4) whether the transferee is responsible for his own obligations and liabilities relating to racing and pays such obligations from his own separate and independent account;
(5) whether the transferee contracts independently of the transferor with any trades people, entity or track facility;
(6) whether the transferee maintains a wholly independent business relating to the racing of standardbred horses and is not influenced by the transferor in any matter relating thereto.

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

401. Whenever the penalty of suspension is prescribed in these rules it shall be effective from the time that notice is given. It shall mean exclusion and disqualification from any participation, direct or indirect, in the privileges and uses of any track facility, unless otherwise specifically limited, and from participating in any racing of standardbred horses.

402. A three (3) day driving suspension means the driver is suspended from driving for three (3) days including qualifying and pari-mutuel races that occur on those race days.
403. Notwithstanding Rule 376 or a positive test as a consequence of blood, blood gas analysis, urine or saliva, fines imposed in accordance with these rules are payable forthwith upon their imposition and before the participant races again unless an appeal has been filed. A licencee who fails to pay such fine may be suspended until the fine is paid, and such suspension will result in a penalty of not less than $25.00.

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

405. (1) The timely filing of any appeal shall suspend the payment of any fines or the serving of any calendar days in a Judges' ruling, except for a fine and any other sanction associated with Rule 376 or a positive test analysis result as a consequence of blood, blood gas analysis, urine or saliva sample analysis.

(2) The timely filing of a Notice of Intent to Appeal or a formal appeal shall not suspend the payment of any fines or the serving of any calendar days or any other sanction in a Judges’ ruling for a positive test result in any testing of MPHRC licensees for alcohol or illegal drugs or controlled substances outlined in the Criminal Code of Canada where such testing is by way of analysis of a urine sample of said licensee(s) when such sample was taken by a person so authorized to take such samples by the Commission.
PART 7  JUDGES’ HEARINGS, APPEALS, COMPLAINTS AND INVESTIGATIONS

7.1  Protests

Rule 406. A protest is an objection charging that a horse is ineligible to a race, alleging improper nomination or declaration of a horse, or citing any act of an owner, trainer, driver or official prohibited by the rules and which, if true, would exclude the horse or driver from the race.

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

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

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

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

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

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

Rule 413. Any participant charged with a violation of these rules shall be notified by an official of the alleged rule violation and the place and time of a hearing to be held by the Judges. In the event the violation occurs during the course of a race meeting, no hearing shall take place without the consent of the person charged, until at least twenty-four (24) hours have elapsed to give the person charged time to prepare a defense, summon witnesses, and arrange to be represented by legal counsel or any other person of his choice.

414. Notwithstanding the foregoing, any person charged with a violation of these rules may waive the right to a hearing by signing a Waiver of Hearing form. The signing of the waiver shall constitute a plea of guilty to the alleged violation, but shall not deny the person the right to appeal any sanction, which is imposed.

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

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

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

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

7.3 Appeals

Rule 419. Any person who is aggrieved by a decision or ruling of the judges or delegated official in respect of placings, penalties, interpretation of the rules, or the conduct of a race may appeal to the Commission by filing a Notice of
Intent to Appeal with the Director of Racing within 48 hours of being notified of the decision or ruling.

420. Within eight (8) days of filing a Notice of Intent, the licensee/appellant shall file a Notice of Appeal with the Director of Racing on a form prescribed by the Commission setting out the particulars of the decision or ruling being appealed, the parties to the appeal and the grounds for the appeal.

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

422. Pending disposition of an appeal, all penalties imposed shall continue in full force and effect except when stayed by order of the Commission.

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

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

425. The official performance records shall reflect the Judges’ decision in all cases until all appeal procedures and remedies are exhausted. The eligibility of horses to the conditions of races will be in accordance with the Judges’ decision as shown in the official performance records and will not be subsequently affected by the outcome of the appeal process. Whatever the final outcome of the appeal, the horse cannot be retroactively declared ineligible to races already contested prior to the appeal decision.

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

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

428. In the conduct of a Maritime Provinces Harness Racing Commission Appeal as contemplated by these Rules the following protocols are mandatory.

1. The Appeal Hearing shall be conducted adhering to the principles of natural justice and the Commission shall have power to subpoena and summons witnesses and order the production and submission of necessary documents. The Commission shall not be bound by the strict rules of evidence but every attempt will be made to eliminate hearsay testimony and observations from the record.

2. The following persons will, where required, or may, with consent of the Appeal Panel of the Commission, be present at the Appeal Hearing.
(a) The Appellant, his/her Counsel and any witness he/she might wish to subpoena.

(b) The members of the Maritime Provinces Harness Racing Commission other than those that comprise the Appeal Panel, the Executive Director of Racing for the Commission, the Administrative Assistant for the Commission, the Respondent and any licensed Maritime Provinces Harness Racing Commission Officials directly or indirectly involved in said Appeal as well as any potential witnesses the Commission may wish to summons to the Appeal Hearing.

(c) No person, other than the aforementioned, will be permitted to attend an Appeal Hearing. However, if an individual who is a licensee of the Commission feels he/she is an interested party to the Appeal or who feels they may benefit by being an Observer at the Appeal Hearing, such individual shall formally direct correspondence to the Director of Racing enunciating the reasons for the request. The Appeal Board will evaluate the merits of the request and determine whether Observer or Interested Party status will be granted by simple majority vote of the Appeal Panel.

(3) The Appellant shall provide the Director of Racing with a list of witnesses he/she plan on utilizing at the Appeal and the sequential order in which they are to be called.

(4) The Senior Judge or Commission licensed official associated with the decision appealed from shall provide the Director of Racing with a list of witnesses he/she/they plan on utilizing at the Appeal and the sequential order in which they are to be called.

(5) Prior to the commencement of the Appeal Hearing, the Director of Racing shall provide all persons properly involved with the Appeal with the full list of Witnesses and the order in which they will give testimony before the Appeal Board.

(6) All witnesses so listed shall be excluded from the venue in which the appeal proceedings take place until such time as they are required to testify at said Appeal Hearing.

(7) At the commencement of an Appeal Hearing the persons properly present are the Maritime Provinces Harness Racing Commission Appeal Panel, other MPHR Commission Members, the Director of Racing, the Administrative Assistant to the Maritime Provinces Harness Racing Commission, the Appellant and his/her Counsel, if required and the Respondent(s) and his/her/their Counsel, if required, only.

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

430. The Commission shall be bound by prior decisions or rulings of the Commission.
431. The Appeal Process including the issuance of a decision by the Commission shall not exceed sixty (60) days except by ruling of the Commission.

432. If after holding the hearing the Commission is of the opinion that the appeal was frivolous or vexatious, it may order a penalty against the person filing the Appeal in an amount not to exceed $1,000 in addition to any other penalty for which the person may be liable.

7.4 Complaints

Rule 433. Any person having a formal complaint may file such complaint with the Director of Racing. All complaints must be specific and filed on the appropriate form prescribed by the Commission. All complaints must be legible and signed by the Complainant.

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

7.5 Investigations

Rule 435. (1) The judges, the Commission or its authorized agent, may question any licensee or member and may require him to make statutory declarations or statements in writing and provide documentary evidence of any agreements or transactions, financial or otherwise, respecting to any suspected violation of these rules, or any matter which, in the opinion of the Commission or the judges, is not in the best interest of racing.

(2) Any licensee ordered to appear before a Commission Hearing of any kind by way of summons, subpoena, written directive or written instruction, or by way of verbal demand of the Commission Chair, shall comply with such summons, subpoena, written directive or written instruction, or verbal demand. Failure to do so, without written permission of the Commission Chair to be relieved from so appearing, may result in such license being suspended, forthwith, from all licensee activities for a period of up to two (2) years and a fine of not less than Five Hundred Dollars ($500.00) nor more than Five Thousand Dollars ($5,000.00), or both for such violation of this Type II Offense.

436. Whenever reasonable grounds exist for a belief that any participant can give material evidence that would aid in the detection or exposure of any fraud or wrongdoing concerning racing, such participant shall, on the order of the judges or other authorized official, be compelled to testify.
PART 8  SUNDRY & MISCELLANEOUS

8.1   Equine Post Mortem

Rule 437  (1) A post mortem, to determine the cause of death, is required on any horse programmed to race in a pari-mutuel event that dies within the time period 48 hours prior to the time of the race and 48 hours after the time of the race.

(2) The Trainer of Record or his delegate is responsible to immediately report the death of the horse to the Senior Judge of the relevant race program, the race office of the relevant track facility or the Director of Racing.