

## **Amendments to the Australian Rules of Racing approved 12 November 2019**

### **AR 2 – Definition of “qualified veterinary surgeon”**

The term “qualified veterinary surgeon” is currently used in AR 34(3) (regarding horse registration) and AR 225 (regarding euthanasia).

It is also proposed the term is used in new draft rules which provide that:

- only a qualified veterinary surgeon can perform shockwave therapy on a horse – proposed AR 86(4);
- only a qualified veterinary surgeon can perform endoscopy of the respiratory tract on a horse – proposed AR 231(6); and
- a defence to blood doping offences exists where certain therapy is provided by a qualified veterinary surgeon – proposed AR 257A.

It has been suggested the term is defined in the Rules to provide clarity as to what constitutes a qualified veterinary surgeon.

In addition to having the relevant qualifications, it is also suggested the definition includes an additional requirement that the veterinarian be approved by the relevant PRA if required, given such a requirement applies under the Racing NSW Local Rules.

#### Approved rule

### **AR 2 Dictionary**

In the interpretation of these Australian Rules (and any race meeting held under them), unless the context requires otherwise, the words and phrases below have the meanings set out in this rule.

...

**qualified veterinary surgeon** means a veterinarian who is:

- (a) registered with the Veterinary Practitioners Board (or equivalent regulatory body) in a State or Territory of Australia; and
- (b) approved by the relevant PRA (including by way of permit, approval or licence) if required by a Local Rule of that PRA.

## **AR 86 – Shockwave therapy**

The Veterinary and Analysts Committee (VAC) advises:

- there is increasing evidence of the use of shockwave therapy by lay people and that this treatment is not being reported as required under the Rules; and
- there are increased risks of tissue injury in horses that are subject to shockwave therapy performed by untrained lay people.

Accordingly, VAC recommends that the Rules are amended to restrict the performance of shockwave therapy to qualified veterinarians only. This position is supported by the Chairmen of Stewards Committee.

Further, VAC notes that Equine Veterinarians Australia does not support shockwave therapy performed by lay people.

### Approved rule

#### **AR 86 Horses that have had shockwave therapy**

- (1) If a horse has undergone any form of shockwave therapy:
  - (a) the horse is ineligible for; and
  - (b) a trainer must not enter or start the horse in, any race, official trial, or jump-out for 7 clear days following midnight on the day of the therapy.
- (2) If a horse has been subjected to, or the Stewards reasonably suspect a horse has been subjected to, any form of shockwave therapy at any time during the 7 clear days prior to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.
- (3) If a horse has been nominated for a race, official trial, or jump-out, a person must not
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be a party to the administration of, any form of shockwave therapy to the horse at any time within 7 clear days of the race, official trial, or jump-out.
- (4) A person must not perform shockwave therapy on a horse unless he or she is a qualified veterinary surgeon.

## AR 87 – Intra-articular injections

The Veterinary and Analysts Committee (VAC) notes there is significant anecdotal evidence of the increasing use of anti-inflammatory and pain relieving medications – as an alternative to corticosteroids – being given by intra-articular (IA) injection, such as the opioid morphine or the non-steroidal anti-inflammatory drug (NSAID) ketorolac (Toradol), and IA desensitising substances such as ammonium sulphate (Nuromene) and polyacrylamide hydrogel which may have a neurotoxic mechanism of action.

VAC has expressed concern that the use of IA opioids and NSAIDs close to racing would promote significant analgesia (pain numbing effect) and compromise the welfare of the horse, and the safety of the rider, in at least the same way as a corticosteroid IA injection close to racing would. Substances such as P-block which have come to attention at recent inquiries are unregistered injections and as such should not be held by trainers under AR 252.

Accordingly, VAC has recommended that AR 87 be expanded to prohibit the IA administration of any substance at any time during the 8 clear days prior to a race, official trial or jump-out. The Chairmen of Stewards Committee supports VAC's recommendation.

### Approved rule

#### **AR 87 Horses that have had an intra-articular injection-corticosteroid treatment**

- (1) If a horse has been subjected to an intra-articular injection-administration of a corticosteroid preparation (whether the preparation is administered alone or in combination with other preparations):
  - (a) the horse is ineligible for; and
  - (b) a trainer must not enter or start the horse in, any race, official trial, or jump-out for 8 clear days following midnight on the day of the administration.
- (2) If a horse has been subjected to, or the Stewards reasonably suspect a horse has been subjected to, an intra-articular injection administration of a corticosteroid preparation (whether the preparation is administered alone or in combination with other preparations) at any time during the 8 clear days prior to the day of a race, official trial, or jump-out, the Stewards may order the scratching of the horse from the relevant event.
- (3) If a horse has been nominated and/or entered for a race, official trial, or jump-out, a person must not:
  - (a) administer;
  - (b) cause to be administered;
  - (c) attempt to administer; or
  - (d) be party to the administration of, an intra-articular injection administration of a corticosteroid preparation to the horse (whether the preparation is administered alone or in combination with other preparations) at any time within 8 clear days of the race, official trial, or jump-out.

### **AR 143 – Apprentices’ winning rides book**

To accord with the current practice of apprentices being required to hand their winning rides book to a Steward before weighing-out in a race, the Chairmen of Stewards Committee recommends that the Rules be amended to reflect this practice.

#### Approved rule

### **AR 143 Weight allowances for apprentice jockeys**

...

- (12) (a) A winning rides book must be issued to every apprentice jockey by a PRA.
- (b) It is the responsibility of the apprentice jockey and the apprentice jockey’s master to ensure that the apprentice jockey brings the winning rides book to each race meeting the apprentice jockey participates at and that winning rides are entered in that winning rides book and endorsed by a Steward before the apprentice jockey leaves the racecourse.

(c) An apprentice jockey must provide his or her winning rides book to a Steward before weighing-out in any race.

## **AR 231 – Endoscopy of the respiratory tract**

The Veterinary and Analysts Committee (VAC) advises there is increasing evidence of training establishments performing endoscopy of the respiratory tract without any veterinary involvement. Endoscopy is an invasive procedure with risks to horses and human handlers.

The act of introducing an endoscope into the respiratory tract is not itself considered an act of veterinary science within the relevant legislation where it is performed by a lay person on a horse in their care and without a fee for service being charged. However lay persons performing this procedure are by virtue of the action then accordingly making a diagnosis – which is considered an act of veterinary science – and, further, instigating some form of drug therapy as a result of that lay diagnosis (often without any veterinary consultation).

Accordingly, VAC is of the view that endoscopy of the respiratory tract on a horse should only be performed by a qualified veterinarian. The Chairmen of Stewards Committee supports this position.

### Approved rule

## **AR 231 Care and welfare of horses**

...

- (6) A person must not perform endoscopy of the respiratory tract on a horse unless he or she is a qualified veterinary surgeon.

## **AR 257A – Blood doping**

The Veterinary and Analysts Committee (VAC) has recommended that a new rule is introduced to mitigate the manipulation of normal blood parameters by infusing stored blood or blood products (commonly referred to as 'blood doping' in human sports).

This is because blood doping may be used to illegally increase the oxygen-carrying capacity of the blood. Accordingly, it represents a threat to both equine welfare and racing integrity.

The proposed rule contains a defence to any charge where blood doping was conducted for life-saving purposes and/or as part of certain veterinary regenerative treatment.

The Chairmen of Stewards Committee is of the view that a prohibition on blood doping should be introduced into the Rules in accordance with VAC's recommendation.

### **AR 257A Prohibition on blood doping**

- (1) A person must not:
  - (a) withdraw and re-infuse; or
  - (b) withdraw, manipulate and re-infuse, homologous, heterologous, or autologous blood, blood products or blood cells into the circulatory system of a horse.
- (2) A person must not administer any quantity of homologous, heterologous, or autologous blood, blood products or blood cells of any origin into the circulatory system of a horse.
- (3) Notwithstanding subrules (1) and (2), a PRA or the Stewards may find that it is a complete defence to a charge laid under subrule (1) or (2) if in their opinion:
  - (a) the relevant conduct was for life-saving purposes; and/or
  - (b) the relevant conduct was part of a veterinary regenerative therapy for the treatment of musculoskeletal injury or disease administered by or under the supervision of a qualified veterinary surgeon.

## **AR 270A – Breach of suspension restrictions**

When licensed or registered persons are suspended, they are subject to certain express restrictions under the Rules and may also be subject to other conditions imposed by the relevant PRA or Stewards.

In contrast to the rules regarding disqualifications (see AR 263(4)) – which expressly provide that a breach of any restriction while disqualified results in an automatic recommencement of the disqualification and possible further penalty (subject to PRA discretion) – the rules regarding suspensions do not specify the consequence of a breach of any restriction while suspended.

The Chairmen of Stewards Committee is of the view that a new rule should be introduced for breaching suspension restrictions while suspended, which is consistent with the rule in respect of disqualified persons. This will add a further deterrent for suspended persons who may be inclined to contravene the conditions of their suspension.

### **AR 270A Penalty for breach of terms of suspension**

- (1) Except with the consent of the PRA or the Stewards in whose territory a suspension was imposed, a suspended person must not during the period of the suspension contravene any of the Rules in respect of, or the terms or conditions of, the suspension.
- (2) Unless otherwise determined by the PRA or the Stewards in whose territory a suspension was imposed or adopted, if a person breaches subrule (1), the period of suspension imposed on that person must automatically restart from the most recent date of the breach, and the person may also be subject to further penalty.
- (3) The provisions of subrules (1) and (2) apply to any suspended person, regardless of when the suspension was imposed.