



AMENDMENT TO AUSTRALIAN RULES OF RACING

Party to stomach-tubing of a horse

Summary:

Racing Australia is fully supportive of AR.64G which includes the offence of being a party to the attempted stomach tubing of a horse and support the application of the mandatory penalty rule AR.196(5).

However, Racing Australia has concerns over a person being subjected to the minimum penalty, simply as a result of being a party to the stomach-tubing.

AR.64G(2)(d) requires the establishment of the elements of AR.64G(1) for an offence to be created and a person to be penalised. Those elements necessarily include that the horse be:

- Engaged in a race
- Stomach tubed on the day of the race
- Stomach tubed during one clear day prior to race

However, there is no need for an amendment to AR.64G as this issue is best dealt with by amending AR.196(5), which already makes it clear that the minimum penalty only applies in respect of a race.

1. Amend sub-paragraph of AR.196(5) as follows:

...

“AR.64G (where the stomach-tubing or attempt to stomach-tube occurred on race day or on the one clear day prior to race day for a horse engaged to run in a race on that race day and other than where the person is not in the opinion of the stewards, or any other person exercising delegated power of the Principal Racing Authority, the principal offender) – 12 months”

...

Date of Effect: 1 August, 2016