



# THE GOVERNMENT GAZETTE OF MAURITIUS

*Published by Authority*

**No. 15**

–

**Port Louis : Saturday 25 February 2023**

–

**Rs. 25.00**

## TABLE OF CONTENTS

### GENERAL NOTICES

- 227 — Legal Supplement
- 228 — Assignment of Duties – Appointment
- 229 — Post Declared Vacant
- 230 }  
to } Notice under the Land Acquisition Act  
232 }
- 233 — Declaration of Vacancy – The Municipal Council of Curepipe
- 234 — Notice for Public Inspection of EIA Report
- 235 — Police Notice – Annual Cavadee and Thimeedee Thiruvizha 2023
- 236 }  
to } Invitation for Bids – Mauritius Prison Service  
237 }
- 238 — Notice under the Prevention of Corruption Act 2002 (PoCA 2002)
- 239 — Change of Name
- 240 — Declaration of Draft Mauritian Standards
- 241 — Declaration of Mauritian Standards
- 242 — Rules of Racing 2023 – Gambling Regulatory Authority
- 243 }  
to } Notice under the National Land Transport Authority  
244 }
- 245 }  
to } Decision of the Commissioners of the Competition Commission – DS 0028/3 - UIL  
246 }
- 247 }  
to } Notice under the Industrial Property Act 2019  
253 }

### LEGAL SUPPLEMENT

*See General Notice No. 227*

*General Notice No. 242 of 2023*

## **RULES OF RACING 2023**

(herein referred to as the Rules)

### **INTRODUCTION**

1. These Rules may be cited as Rules of Racing issued by the Horse Racing Division (hereinafter HRD) under sections 15C and 15D of the Gambling Regulatory Authority (GRA) Act. The Rules of Racing shall apply to all Race Meetings held in Mauritius under the sanction of the HRD and shall also govern any conduct during any Race Meeting, and at any other time.
2. These Rules shall come into operation on 28 February 2023 and any other Rules of Racing repugnant to or inconsistent with these Rules shall be annulled as from that Day, but such annulment shall not affect:
  - 2.1 the previous operation of any Rule so annulled or anything duly done or suffered there under;
  - 2.2 any right, privilege, obligation, or liability acquired, accrued, or incurred;
  - 2.3 any Penalty or disqualification incurred in respect of any offence committed against any Rule so annulled, or
  - 2.4 any investigation, proceeding, or remedy in respect of any such right, privilege, obligation, liability, or Penalty so annulled.
3. Unless determined otherwise by the HRD, any matter or matters, which shall include any decisions, obligations, liabilities, offences, inquiries, appeals, investigations and penalties, arising during the currency of any previous Rules of Mauritian Racing, which are superseded by the Rules, shall hold the same force and effect as under the Mauritian

Rules of Racing as they existed on the date on which any such matter/s arose, and all decisions made under any Previous Rules of Mauritian Racing shall, unless otherwise determined by the HRD, have validity under these Rules.

4. In the Rules, unless inconsistent with the context:
  - 4.1 words referring to one gender shall include a reference to the other genders;
  - 4.2 words importing the singular shall include the plural and vice versa.
5. A sanction imposed in any given Racing Season shall be served to its full extent during that Racing Season and shall, if necessary, be carried forward to the next/following Racing Season.

#### **DEFINITIONS/ INTERPRETATION OF WORDS AND PHRASES**

6. In these Rules the following words and phrases shall, unless the context otherwise require, shall mean:
  - 6.1 "Amateur Jockey" means a Person who does not receive fee or reward and holds a license from the HRD to ride in Races reserved for amateur jockeys or from a Foreign Racing Authority or Federation;
  - 6.2 "Appeal Committee" means the Appeal Committee constituted by virtue of Section 7 (1) (ga) of the Gambling Regulatory Act 2007;
  - 6.3 "Apprentice" means a Person who holds an Apprentice jockey's license granted by the HRD and, any reference in these Rules, to a "Jockey", shall be deemed to include a reference to an "Apprentice";
  - 6.4 "Approved Racing Laboratory" means an analytical laboratory that is accredited by an International Testing Authority and approved by the HRC for A Sample testing;

- 6.5 "Assistant Trainer" means a Person Licensed by the HRD to assist a Licensed Trainer and who replaces the latter in his absence or during his incapacity to act;
- 6.6 "Club" means an HRO;
- 6.7 "Company" means a company incorporated under the Companies Act 2001;
- 6.8 "Confirmed laboratory" is a laboratory approved by the HRC for the purpose of analysing B Samples in terms of the Rules.
- 6.9 "Connections" includes the Persons who are the Owners of a Horse or who otherwise have a legal, beneficial or pecuniary interest in it, a Trainer, a Nominee of a syndicate, legal Authorised Agents of such Persons;
- 6.10 "Cruelty" includes any act or omission as a consequence of which a Horse is mistreated;
- 6.11 "Disqualification" includes the adoption or confirmation in accordance with these Rules of any disqualification; (Disqualify has the corresponding meaning)
- 6.12 "Disqualified Person" means a Person who is Warned Off or Disqualified by the HRD under these Rules or a recognised Horse racing Authority;
- 6.13 "Disqualified" when referring to a Horse, means that the Horse is placed at the rear of the field;
- 6.14 "Excluded", when referring to a Horse, means any Horse, which for any reason, is not allowed to run;
- 6.15 "Arrears" means and includes all dues payable and also includes sums unpaid in respect of fines, compensation, fees, entrance money, stakes, subscriptions, Forfeits and loans, and/or financial assistance of any kind payable to a Trainer, Jockey, HRO or HRD, as the case may be;

- 6.16 “Authorised Agent” means an agent, appointed by a document signed by the Owner, Trainer, or their constituted attorney and lodged at the office of the HRD, or if for use at a single meeting only, lodged with the Stipendiary Stewards. An Authorised Agent can act for an Owner or Trainer in all matters contained in these Rules. The document appointing an Authorised Agent shall remain in place until such time that the same is revoked by the Owner or Trainer in writing and such revocation shall be lodged at the office of the HRD;
- 6.17 “Banned Substance” is as provided for in Rule 71
- 6.18 “Barrier Trials” means an Official Trial held both as an aid to training and as a means of testing a Horse’s tractability in the starting stalls and/or soundness and suitability to race or continue to race;
- 6.19 “Beneficial Interest” means a Person who by agreement or other legal arrangement has the right to some profit, distribution or other like benefit from Ownership of a Horse even though title to the Horse may be in another’s name, or any individual or group of individuals that either directly or indirectly has the power to vote or participate in business decisions in respect of the Horse;
- 6.20 “Bleeder or Bleeding” means the Exercise Induced Pulmonary Hemorrhage (EIPH);
- 6.21 “Bookmaker” is a Person Licensed by the GRA to operate a book on terms and conditions notified by the GRA from time to time;
- 6.22 “Chairman of Stipendiary Stewards” is the Person appointed by the GRA to such position;

- 6.23 “Chief Executive Officer” means the Person designated or appointed by the Board of Directors of an HRO, as per the provisions of the Companies Act 2001, to act as such;
- 6.24 “Clerk of Scales” means the Person engaged or employed to perform that role under the Rules;
- 6.25 “Correct Weight” or “All Clear” means weighed in by a Jockey after the race at the declared weight, including any overweight or allowance, at which the Jockey weighed out by the Clerk of the Scales before the race and the Stewards declaring the result is official;
- 6.26 “Course” means a race course approved by the HRD and includes the property and Premises of an HRO and also such places under the control of the HRO and areas where the Stipendiary Stewards powers extend. This includes a training ground or land over which an HRO has control or management.
- 6.27 “Cup” is a race to be run for a Cup, Salver, Trophy or similar Prize and any such race is still a Cup though money or other Prize is added;
- 6.28 “Day” means a calendar day excluding the first day and including the last;
- 6.29 “Dead Heat” means two or more Horses declared equal placing by the Judge;
- 6.30 “Decision Conclusive” means any act done or decision made by the Stipendiary Stewards in the exercise or intended exercise of any right, power or authority conferred by or under any of the Rules shall, except where otherwise provided in the Rules, be final and conclusive;
- 6.31 Defaulter - an individual who has been determined to be in arrears and/or default and who has been declared to be a Defaulter in terms of RULE 97.

- 6.32 Defaulters' List - the list referred to in RULE 97.
- 6.33 “Drug” or a Prohibited Substance means a substance originating externally whether or not it is endogenous to a Horse that falls in any of the categories contained in the prescribed list in terms of the Rules and/or as published from time to time in the Racing Calendar. Substances include metabolites of that substance and the isomers of the substance and their metabolites. The finding of any scientific indicator of administration or other exposure to a Prohibited Substance is also equivalent to the finding of the substance;
- 6.34 “Equestrian Centre” – Any training centre used for the purpose of educating, housing and/or training horses.
- 6.35 “False Start” means when the Starter announces that a fair Start has not been effected and orders the Jockeys to return to the starting post;
- 6.36 “Foreign Jockey” means a Jockey who is not a citizen of Mauritius under the provisions of the Constitution of Mauritius and the Immigration Act and who does not hold a Mauritian Passport;
- 6.37 “Foreign Turf Authority” means a racing jurisdiction affiliated with the IFHA or the Asian Racing Federation;
- 6.38 “Forfeits” means all overdue and unpaid nomination, acceptance or qualification fees, moneys, stakes, fines, Arrears, subscriptions, Course, track and other fees and Prize money recoverable and unpaid which are:
- 6.38.1 due from or imposed upon any Person:
- 6.38.2 due in respect of or imposed upon any Horse; or
- 6.38.3 published by a Foreign Turf Authority as so due or imposed;

- 6.39 "Gear Register" means the register of all gears or equipment approved by the Chairman Stipendiary Stewards together with conditions for the use of such gear or equipment;
- 6.40 "GRA Act" means the Gambling Regulatory Authority Act of 2007 and includes any such amendments to the Act;
- 6.41 "Handicap Race" means a race in which the weight to be carried by the Horses entered therein are adjusted by the Handicapper for the purpose of equalising their chances of winning;
- 6.42 "Handicapper" means the Person appointed by the GRA to perform the duties allotting weights for Horses in any race and performing as incidental functions thereto;
- 6.43 "Head of Horse Racing Division" is the Licensed Official who is appointed by the GRA and who is in charge of the HRD;
- 6.44 "Handler" means any Licensed Person who handles any Horse at any Race Meeting, trial, jump-out or in training. A Handler includes but not limited to grooms, Trainers, Veterinary Surgeons, farriers and barrier attendants;
- 6.45 "Horse" includes a stallion, rig, mare, gelding, colt and filly measuring 148 centimeters or over at the withers; which is registered under the Rules;
- 6.46 "Horse Racing Authority" means an affiliated member of the International Federation of Horseracing Authorities or the Asian Racing Federation;
- 6.47 "Horse Racing Committee" means the which is a body appointed in accordance with the GRA Act to protect the integrity of horse racing and implement strategies conducive to the development of horse racing. Powers of the Horse Racing



Committee are described in the GRA Act. This committee shall also be referred to as "HRC" in the Rules;

6.48 "Horseracing Division" means the body enacted in accordance with the GRA Act. This division shall also be referred to as "HRD" in the Rules;

6.49 "Horse Racing Organiser" means the body Licensed in accordance with the GRA Act. This body shall also be referred to as "HRO" in the Rules;

6.50 "IABRW" means the International Agreement on Breeding, Racing and Wagering;

6.51 "IFHA" means the International Federation of horse racing Authorities;

6.52 "Illicit Substance" means a substance declared by these Rules to be an Illicit Substance;

6.53 "Interest" in respect of a Horse includes:

6.53.1 the Ownership or leasing of a natural Person in relation to a Horse;

6.53.2 membership of a syndicate which owns or Leases a Horse;

6.53.3 where relevant, membership of a company, unincorporated organisation or syndicate which owns or Leases a Horse, or has any direct or indirect Interest in a company, unincorporated organisation or syndicate which owns or Leases a Horse;

6.53.4 "Inquiry" means an inquiry into or investigation of and the adjudication upon any breach or contravention the Rules by an Inquiry Board

6.53.5 "Inquiry Board" means any board convened in terms of Rule 73

6.54 "Jockey" means a Person Licensed by a Horse Racing Authority to ride in Races and shall include an Apprentice Jockey;

- 6.55 “Judge” means the Person duly appointed as such by the HRD and includes any Assistant Judge similarly appointed in accordance with these Rules;
- 6.56 “Jump-out” means a trial, other than an Official Trial, which is organised by the HRO and supervised as such by the HRD;
- 6.57 “Lay Bet” means betting that a Horse will not win or either place;
- 6.58 “Lease” means and includes an agreement duly lodged and Registered with the HRD in accordance with the Rules whereby the Owner of a Horse permits another Person to race a Horse;
- 6.59 "Legal Person" means a natural Person, company, trust or syndicate that owns a race Horse or Horses;
- 6.60 "License" means and includes any approval, consent, permission or permit granted by the HRC and/or the GRA;
- 6.61 "Licensed Official" means any Person licensed as such in terms of the Rules;
- 6.62 “Maiden” means a Horse, which at the time of Starting, has never won a race other than a Match or Private Sweepstakes at any recognised Race Meeting in Mauritius or any other country;
- 6.63 “Match” is a race between Horses, the property of different Owners on terms agreed by them and to which no money or Prize is added;
- 6.64 "Medication" means any treatment with drugs or any other substances;
- 6.65 "Microchip" means an electronic identifier transponder encoded with a unique unalterable number approved by the HRD for implantation in Horses;
- 6.66 “Month” means a Calendar Month;

- 6.67 "Named Horse" means a Horse which has been Registered with the HRD for racing under these Rules and includes all Horses Registered prior to the commencement of these Rules;
- 6.68 "Natural Person" refers to an individual;
- 6.69 "Nominator" means a Person authorised to nominate a Horse for a race which include:
- 6.69.1 any Owner;
- 6.69.2 if a Horse is Leased, any lessee by or on whose behalf the Horse is entered,
- 6.69.3 any Registered manager for a company,
- 6.69.4 any syndicate manager for a syndicate; and
- 6.69.5 Person exercising the rights of a Nominator under the Rules;
- 6.70 "Nominee" means a Person Registered with the HRD as the Nominee of a Horse owned or Leased by a natural person, a group of natural persons, or a syndicate;
- 6.71 "Objection" means an objection lodged in terms of Rules;
- 6.72 "Objection Board" means any Board convened in terms of Rule 34.
- 6.73 "Official Trial" means a trial approved and advertised by an HRO that is conducted under the Rules, supervised by the Stipendiary Stewards and where official entries are taken and results are officially recorded;
- 6.74 "Foreign Racing Authority" means a body, statutory or otherwise, that has the control or general supervision of racing within a country, state or territory or province other than Mauritius;
- 6.75 "Owner" means a Person Registered as such and under whose name a Horse may be entered in a race and shall include a Partnership or a duly Registered

Syndicate. Owner shall include the Lessee. An Owner is to hold a Personal Management License;

6.76 "Stakeholder" includes:

6.76.1 a Trainer;

6.76.2 a Person employed or contracted by a Trainer in connection with the training or care of a Horse;

6.76.3 an Owner;

6.76.4 a Nominator;

6.76.5 a Jockey;

6.76.6 any Person who provides a service/s connected with the keeping, training, or racing of a Horse;

6.77 "Partnership" in relation to the Ownership of Horses, means an association of co-owners up to a maximum of ten (10) natural and/or legal Persons and Registered as such with the HRD;

6.78 "Passport" means the document issued by a Stud Book Authority or a Horse Racing Authority in relation of the Horse described therein;

6.79 "Perimeter Control" means the perimeter surveillance that will apply to surveillance for Horses that have been carded to run at a Race Meeting. This perimeter surveillance will be in place from immediately after the carded Horses have been tested for Prohibited Substances until all Horses have participated in their respective Races. The Perimeter Control shall include:

6.79.1 24-hour closed-circuit television (CCTV) camera surveillance of common areas and access points to yards;

- 6.79.2 24-hour security monitoring of the CCTV camera surveillance by surveillance Personnel;
- 6.79.3 At least 2 security officers to patrol the perimeter of the stabling complex and common areas; and
- 6.79.4 The HRO will enter into a contract with an independent security company to provide security back up in the event of an emergency or where a transgression of the Rules of racing is suspected;
- 6.80 "Person" includes any natural person or juristic person Licensed in terms of the Rules;
- 6.81 "Personal Management License" is one issued by the HRD under section 93B of the GRA Act permitting a Person to perform duties in relation to horse racing and includes HRO, their administrators and employees, all Licensees, Owners and anyone treating or caring for a Horse;
- 6.82 "Photograph " means the Photograph taken when the Horses pass the winning post by the camera installed under the authority of the HRO and as approved by the HRD;
- 6.83 "Possession" shall have a meaning which includes;
- 6.83.1 an article, substance or thing is in the custody or control of a Person;
- 6.83.2 the Person has and exercises access to the article, substance or thing; and
- 6.83.3 the article, substance or thing is found at any time on the Premises used in any manner in relation to the training or racing of Horses and the Person occupies or has the care, control or management of those Premises or owns, trains or is in charge of Horses at those Premises;

- 6.84 "Premises" includes without limitation, for the purposes of these Rules, any land, building, enclosure, Stable, race track of an HRO or any fixed or movable structure, (including a vehicle) and all such places/areas where any Rule of Racing or regulations are applicable;
- 6.85 "Private Sweepstakes" is (a race) one for which no money or other Prize is added from the fund or by a sponsor or through a HRO and which has not been publicly advertised as to a closing date;
- 6.86 "Prize" includes any monies, cups or trophies or any material gain or benefit capable of being valued in money, earned by a Horse for winning or being placed, from whatever source being awarded to the Owner, Trainer, Jockey or any other Person associated with a Horse in accordance with the conditions of a race, but shall not include any stallion services won in connection with a race under the Rules;
- 6.87 "Prohibited Substance" means a substance specified by these Rules to be a Prohibited Substance, or which falls within any group of the groups or categories of substances specified in these Rules to be a Prohibited Substance unless it is specifically exempted;
- 6.88 "Protected Races" are Races as defined in Rule 17 and the relevant GRA legislation;
- 6.89 "Race" means any horse race organised by or under the aegis of an HRO and regulated by the HRD or any Horse Racing Authority whether or not such race is referred to as a Plate, Cup or "Prix", Stakes or Trophy. It shall include each division of a divided race;

- 6.90 "Race Card" means the official Race Card published by the HRD relating to a Race Meeting held by an HRO;
- 6.91 "Racing Calendar" means the periodical published from time to time under that name by or under the authority of the HRD;
- 6.92 "Race Meeting" means a meeting at which Horses are scheduled to and/or race or participate in events organised by an HRO. This event includes Official Trials and training, at tracks and/or Equestrian Centres as approved by the HRD or any meeting organised by a Horse Racing Authority or any other organisation recognised by the HRD at its sole discretion recognises;
- 6.93 "Racing Season" means the period for racing as recommended by the HRC and approved by the GRA Board.
- 6.94 "Reference Sample" means a reserved Sample or portion of a reserved Sample that is referred to a Laboratory approved by the HRD for confirmatory testing of the original Sample. It is commonly known as "B" Sample;
- 6.95 "Registered" means any registration as required by the HRD for a transaction to be completed;
- 6.96 "Registrar of Race Horses" means any Person employed or engaged to act in that position by and under the direction of the HRD, whose role includes recording information regarding the Ownership, leasing and identity of Thoroughbred Horses racing in Mauritius;
- 6.97 "Rules" means these Rules of Racing or any particular Rule thereof;
- 6.98 "Rules of Betting" means the authorised rules of betting made from time to time by the GRA that are in force within Mauritius;

- 6.99 "Sample" means a Sample or Sample in any quantity taken from the saliva, urine, sweat, breath, blood, hair, tissue, hide, body fluids or any excretion taken from any part or in contact with the body of a human or equine as the case may be;
- 6.100 "Scratching" means the withdrawal of a Horse from a Race, Official Trial or Jump-out, whether by order of the Stipendiary Stewards or by a decision of the connections of the Horse, and includes all communications which convey such withdrawal;
- 6.101 "Screening Limit" means any limit for a particular substance as determined by the IFHA;
- 6.102 "Skull Cap" means a protective riding helmet the standard of which is approved by the Stipendiary Stewards;
- 6.103 Spouse - a husband or wife, or a person with whom another person has a committed and serious relationship akin to a marriage based on objective criteria of mutual dependency and a shared and common household, irrespective of the gender of either party to such a relationship.
- 6.104 "Stable" means the racing stable under the control of a Trainer and includes the Horses under his control as well as the buildings and Premises where they are stabled;
- 6.105 "Stable Employee" means a groom, Licensed as such by the HRD, whether employed or not by a HRO or a trainer, to attend to horses;
- 6.106 "Start" means the location from where the start of a Race is designed to commence;
- 6.107 "Starter" means a Person employed or engaged by a HRO to perform that role under the Rules;



- 6.108 "Statutes" means the Rules of Association of an HRO;
- 6.109 "Stipendiary Steward" means a Person employed and appointed by the GRA with powers and jurisdiction to effect and enforce the Rules on behalf of the HRD;
- 6.110 "Stud" means a Person, company or unincorporated organisation which breeds Horses for racing;
- 6.111 "Surveillance" means Perimeter Control and the provision of closed-circuit vision surveying yards and common areas of the Course, training centres and tracks;
- 6.112 "Suspension" means the temporary withdrawal in whole or in part of any license, registration, permit, permission, right or privilege granted under these Rules; Suspend has a corresponding meaning;
- 6.113 "Sweepstakes" is a race in which stakes are pooled by the Owners of three or more Horses as may be specified by the terms of the race to be paid to the winner or placed Horses and any such race is still a sweepstakes when money or other Prize is added;
- 6.114 "Thoroughbred" is a horse which is recorded in the Thoroughbred Stud Book of the country of foaling, that Stud Book having been granted Approved status by the International Stud Book Committee at the time of its official recording;
- 6.115 "Thoroughbred Identification Card" means the card that has been issued by a Foreign Turf Authority in relation to the identity of the Horse described on it;
- 6.116 "Time of Entry" means the time fixed for closing of entry for any race;
- 6.117 "Trackwork" means any training activity excluding a Barrier Trial or Jump-out undertaken by a Horse in the care of a Trainer on a Course, recognised training track, private training establishment or elsewhere;

- 6.118 "Trackwork Rider" may be any Jockey or any person who holds a Trackwork Rider license from the HRD;
- 6.119 "Trackwork Record" means the Trainer must maintain a daily record of any exercise given to a Horse under their control;
- 6.120 "Trainer" means a Training Partnership or Person Licensed to train Horses, and who is responsible and accountable to them for the training, management administration, supervision, security and control of the Horses under his care;
- 6.121 "Veterinary Surgeon" means a Veterinary Surgeon duly Registered and Licensed with the Veterinary Council under the Veterinary Council Act 2020 and who is duly Licensed by the HRD to render veterinary services to Horses at any time in accordance with the Rules.
- 6.122 "Veterinary Treatment Register" means the recording of any administration of any substance by the oral or naso-gastric route, by injection, by application, by inhalation or by any other means, and includes without limitation Prohibited Substances and anything therapeutic, whether or not administered with the approval and/or the recommendation and/or under the supervision of the Veterinary Surgeon, or any form; of physical therapy, acupuncture or other processes using application of physical therapy devices;
- 6.123 "Void Race" means a race that is declared void in accordance with the provisions of these Rules or is abandoned either before or after the Horses have been declared to start or is never run or a fair result of which, in the opinion of the Stipendiary Stewards, is impossible to achieve;
- 6.124 "Walk Over" occurs where a Jockey is weighed out, mounted his Horse and ridden past the Judge's box, and that Horse is the only runner in the race;

- 6.125 "Warned Off" means a decision or Penalty by the HRD prohibiting a Person from entering any Course or place under the control of any HRO and a Person "Warned Off" shall be subject to the same prohibitions as a Disqualified Person;
- 6.126 "Weight for Age Race" means a race in which the weight to be carried by any Horse is determined according to its age as provided in Rule 16;
- 6.127 "Winning" includes dead-heat for first place, walking over and receiving forfeit, but not running second or a lower place.

## 7. **Horse Racing Division**

- 7.1 In terms of section 15A of the GRA Act the Horse Racing Division, shall have the following powers:
- 7.1.1 to regulate, control and monitor the organisation of horse racing activities;
- 7.1.2 to promote public confidence in the integrity of the horse racing industry by ensuring proper standards of conduct and competence;
- 7.1.3 to ensure that horse racing is fair, clean and free from corruption or malpractice;
- 7.1.4 to ensure that there is a clear and transparent framework for access to participation in horse racing; and
- 7.1.5 to promote the welfare and leisure of the race going public.

## 8. **Horse Racing Committee**

- 8.1 The Horse Racing Division shall be administered and managed by a Horse Racing Committee (HRC) in accordance with 15B of the GRA Act.
- 8.2 Any sitting of the HRC shall only be valid if there is quorum consisting of half of the total number of members plus one member.

- 8.3 The Horse Racing Committee shall:
- 8.3.1 ensure that an HRO effectively discharges its responsibilities regarding the organisation of horse racing in all aspects, including safety, comfort and standards, Race Card, hygiene, security, discipline and prevention of fraud;
  - 8.3.2 ensure that there is transparency and good governance in the organisation of horse racing;
  - 8.3.3 protect the integrity of horse racing;
  - 8.3.4 initiate, develop and implement strategies conducive to the development of horse racing and protection of the public in relation to risks inherent to horse racing;
  - 8.3.5 coordinate with the Police des Jeux for the prevention of illegal acts in connection with horse racing;
  - 8.3.6 be responsible for horse race planning, including the preparation and publication of the Racing Calendar and fixture lists;
  - 8.3.7 conduct disciplinary proceedings that may arise in relation to the conduct of horse racing;
  - 8.3.8 issue Personal Management Licenses under section 93B of the GRA Act;
  - 8.3.9 set and enforce standards of medical care for Jockeys and other Stakeholders in Races;
  - 8.3.10 approve and license Equestrian Centres;
  - 8.3.11 approve the importation of race horses;
  - 8.3.12 set and enforce standards for Courses;

- 8.3.13 conduct research and contribute to the development in equine science and welfare;
- 8.3.14 issue and enforce the Rules, other rules, guidelines and directions;
- 8.3.15 set up a panel of Stipendiary Stewards;
- 8.3.16 register Stables and Owners;
- 8.3.17 register Trainers, Jockeys and other horse racing professionals;
- 8.3.18 employ and issue directions to Course Officials;
- 8.3.19 shall decide on matters relating to the granting, renewal, variation, Suspension, revocation and withdrawal of licenses and permits in respect of Owners, Trainers, Jockeys, Apprentices, amateur Jockeys, grooms and Licensed Officials.
- 8.3.20 issue Rules, directions and guidelines to any HRO to:
  - 8.3.20.1 provide for veterinary services;
  - 8.3.20.2 ensure the safety and security of Horses; and
  - 8.3.20.3 ensure anti-doping measures.
- 8.3.21 license equine Veterinary Surgeons;
- 8.3.22 advise the Minister on any matter relating to the organisation of horse racing;  
and
- 8.3.23 undertake such other functions as may be prescribed.

## 9. **Application of the Rules**

- 9.1 These Rules shall apply to:
  - 9.1.1 All persons who are Licensed in terms of the Rules;

- 9.1.2 All Race Meetings, Barrier Trials, Trackwork and Races organised by and/or held under the aegis of the HRO and all racing control and supervision of matters arising therefrom shall be under the authority of the HRD;
- 9.1.3 Any Premises upon which a Race Meeting and/or Races are conducted and all Persons who are directly or indirectly concerned with matters falling under the purview of the Rules;
- 9.1.4 Any person who has been granted access to any Premises under the control of an HRO; and
- 9.1.5 Any act done or decision made by the HRD, in the exercise or intended exercise of any power conferred on it by or under any of the Rules which shall be final and conclusive except where otherwise provided for in the Rules.
- 9.2 The Rules are entirely subject to the Gambling Regulatory Act 2007 and any directions, regulations and notices issued thereunder.

## 10. **Amendments**

- 10.1 In terms of section 32(3) of the Gambling Regulatory Authority Act, the Rules may be amended as provided by the Act.

## 11. **Duties of Horse Racing Organiser**

- 11.1 An HRO shall have the following duties which shall be for its own account:
  - 11.1.1 implement the Rules, guidelines and directions issued by the HRD;
  - 11.1.2 arrange, not less than 2 Days before a Race Meeting, for the stabling of all Horses on the Race Card in an area monitored by closed-circuit television and security officers;

- 11.1.3 report to the Chairman of Stipendiary Stewards for that Race Meeting, not less than 2 Days before that Race Meeting, the absence of a Horse listed on the Race Card;
- 11.1.4 authorise no Person, other than the Officials of the HRD or Trainers and their approved representatives, to have access to quarantined Horses;
- 11.1.5 under the supervision of the HRD, collect, from the Horses listed on the Race Card, blood, urine, hair or other Sample for immediate remittance to such laboratory as the HRD may approve;
- 11.1.6 monitor and record in a Veterinary Treatment Register, in the presence of a Licensed Official of the HRD and a security officer of the HRO, particulars of all care and treatment given to a Horse on the Race Card;
- 11.1.7 ensure the availability and maintenance of equipment required for the Race Meeting, including starting gates, photo finish, public address system, closed-circuit television, race vision, wagering machines and other electrical equipment;
- 11.2 ensure the Course is in proper condition by providing for:
  - 11.2.1 a smooth and safe racing surface;
  - 11.2.2 safe and secure running and outside rails;
  - 11.2.3 properly trained Starter, an Assistant Starter where appropriate and Handlers;
  - 11.2.4 sanitation of and where required, bedding in sample collection and saddling areas; and
  - 11.2.5 an appropriate animal welfare environment;
- 11.3 ensure compliance with applicable health and safety requirements;

- 11.4 ensure that prompt and rapid medical attention is dispensed to injured Jockeys, grooms and general staff;
- 11.5 ensure that at least one fully equipped ambulance is available at all times during the Race Meeting and at Trackwork;
- 11.6 maintain an alarm system to notify the presence of any unattended Horse on the ground;
- 11.7 provide, at the Course, 2 Days before and 2 Days after the Race Meeting (on call), the services of a Veterinary Surgeon;
- 11.8 provide proper infrastructure, including interview rooms, facilities for viewing of race videos from different angles and any other ancillary infrastructure to assist the Stipendiary Stewards in their duties;
- 11.9 ensure the prompt dissemination of the official results of Races to the HRD, the media, all relevant Persons and the public;
- 11.10 give fair treatment to all Stakeholders, including Owners, Trainers, Jockeys, patrons, betting operators, dart games operators, food and beverage sellers;
- 11.11 organise Race Meetings including addressing such matters as staffing, security, CCTV coverage, wagering facilities and any other matter or thing necessary to stage a Race Meeting;
- 11.12 facilitate the training of Horses as required, this shall include providing safe training facilities;
- 11.13 apply to the HRD for race dates including the conditions subject to which Races are to be run and Prizes to be allotted thereto;



- 11.14 when postponing or cancelling the holding of a Race or Race Meeting it shall seek approval from the Chairman of Stipendiary Stewards;
- 11.15 provide to the HRD a monthly report of Race Meetings that shall include any proposed developments and any completed improvement to its Premises;
- 11.16 submit to the HRD an annual report on such date as the HRD may determine;
- 11.17 comply with the Code of Corporate Governance, guidelines issued under the Financial Reporting Act, as well as fit and proper person guidelines by the Authority;
- 11.18 have and maintain on Course a calibrated breathalyser with the necessary accessories in order to facilitate the Sampling of Jockeys and Persons;
- 11.19 have any scale used by the HRO for the purpose of weighing a Horse, Jockey and/or any other purpose related to racing, such scale shall be calibrated by the Mauritius Standards Bureau before the start of a Racing Season or every time such scale is moved, serviced or dismantled. A Certificate of calibration must be shown to the HRD on request; and
- 11.20 any other facilities reasonably required by the HRC for the proper facilitating of horse racing.

## 12. **General Powers of the Stipendiary Board**

- 12.1 A Stipendiary Board shall be comprised of Stipendiary Stewards who shall be appointed by the GRA Board.
- 12.2 The Stipendiary Stewards shall have the powers to do all things necessary in order to enable them to fulfil their functions and duties. Without derogating from the generality of this provision, the exercising of such powers shall include, to:

- 12.2.1 officiate at Race Meetings and make any determination for the proper control of racing;
- 12.2.2 select and detain any Horse located on a Course, for the purpose of:
  - 12.2.2.1 a veterinary examination; and/or
  - 12.2.2.2 the taking of a Sample for analytical testing.
- 12.3 access, inspect and have unfettered access to search any area where Horses are located, where the training and/or racing of Horses takes place and any property located on such premises. Additionally, the Stewards shall have the power to confiscate any items found and interview any person during the course of any search conducted in terms of the Rules;
- 12.4 authorise any person to assist them in the exercising of their powers, functions and duties;
- 12.5 utilise whilst performing their functions any audio and/or video recording device;
- 12.6 determine the tractability of a Horse to start in a Race;
- 12.7 publish and/or authorise the publication of any Penalty imposed or any decision or any action taken by the Stipendiary Stewards;
- 12.8 scratch and/or suspend any Horse for any reason it determines is appropriate;
- 12.9 scratch from a Race a Horse which does not arrive at the Start timeously;
- 12.10 cause the All Clear be announced if they are satisfied that no Objection has been lodged and the Jockeys have weighed in correctly;
- 12.11 scratch a Horse at any time before a Race if any Sample taken from that Horse is reported as containing a Prohibited Substance;

- 12.12 after consultation with the HRO, postpone or abandon any Race if in their opinion the conditions for racing are unsafe;
- 12.13 alter the distance of a race when they deem such necessary;
- 12.14 exclude from all places under their control or the HRO's control all Warned-Off and Disqualified Persons;
- 12.15 declare any Horse which has not had a fair start to be a non-runner, provided that no Horse that finishes first shall be declared a non-runner;
- 12.16 disqualify or declare to be a non-runner, any Horse which has had an unfair advantage at the Start;
- 12.17 access and control all places and structures used for the purposes of regulating and/or conducting Race Meetings and/or situated on the Course;
- 12.18 determine Objections;
- 12.19 declare void any Race, cancel betting on any Race and/or order a Race to be restarted if in their opinion the circumstances justify such;
- 12.20 adjudicate upon and determine any dispute between Persons arising out of racing related matters, provided that such matters can be substantiated by written evidence;
- 12.21 select any Jockey at any time to provide a Sample for analysis;
- 12.22 enquire into any matter regarding the Rules and all other horse racing related matters;
- 12.23 to take Possession of and examine through any means, any mobile phone, computer, tablet or any other electronic devices they may determine could be relevant to any investigation, inquiry and/or investigation;

- 12.24 order any Jockey be stood down prior to the start of the Race without assigning any reason and if they think appropriate, replace him with another Jockey;
- 12.25 determine any racing related query and take any action they deem appropriate;
- 12.26 inspect any saddlery and general equipment which is to be carried by a Horse in a Race, Barrier Trial, jump-out or Trackwork and where appropriate order such to be removed or replaced;
- 12.27 to take any decisions as they may deem necessary to ensure the safety and/or wellbeing of Persons and/or Horses and in order to ensure that Races are conducted in a manner which fulfils the objectives of the Rules; and
- 12.28 notwithstanding the contents of any other Rules, in the case of an emergency situation, the Chairman of Stipendiary Stewards shall have the power to appoint for any Race Meeting, any Licensed Official.

### **13. Licensed Officials**

- 13.1 The HRC may appoint and/or License the following Persons:
  - 13.1.1 Stipendiary Stewards;
  - 13.1.2 Gambling Compliance Officer;
  - 13.1.3 Handicapper;
  - 13.1.4 Judge;
  - 13.1.5 Security Official;
  - 13.1.6 Veterinary Surgeon;
  - 13.1.7 Betting Supervisor;
  - 13.1.8 Sample Collectors;

13.1.9 Clerk of Scales; and

13.1.10 Where appropriate, assistants to the Persons contemplated under Rule 13.1.

13.2 The HRO shall provide to the HRD a list of the following Persons:

13.2.1 Medical Officer;

13.2.2 Veterinary Surgeon;

13.2.3 Course Farrier;

13.2.4 Analyst;

13.2.5 Sample Collectors;

13.2.6 Security Officers;

13.2.7 Clerk of the Course;

13.2.8 Paddock Official;

13.2.9 Chief Horse Handler and Handlers;

13.2.10 Starter; and

13.2.11 Where appropriate, assistants for the aforementioned Persons.

13.3 The list of Persons contemplated in Rule 13.2 shall be accompanied by supporting documentation as to the qualification of such Persons to hold such position. Upon receipt of this documentation, the HRD must present such to the HRC for approval and for the persons identified in Rule 13.2 to be Licensed.

13.4 No Person shall be a Licensed Official if:

13.4.1 He or his Spouse has been Warned Off under the Rules or by a Foreign Racing Authority; and/or

13.4.2 He or his Spouse is a Bookmaker or employed by a Bookmaker.

13.5 No Licensed Official shall have a direct or indirect interest, in a Race, in any form of whatsoever nature.

**14. Clerk of the Course**

14.1 The Clerk of the Course shall be responsible for facilitating the general requirements of Race Meetings. His duties shall include to ensure that:

14.1.1 all Courses are properly demarcated;

14.1.2 there is a parade ring in the saddling paddock;

14.1.3 only authorised Persons are on the Course as required in terms of the Rules;

14.1.4 only authorised Persons in terms of the Rules are admitted to the jockeys' quarters, the designated trainer's area, the weighing area, saddling paddock and all other restricted areas; and

14.1.5 only the Trainer, his representative, groom and Owner of a Horse are allowed on the Course and/or have reasonable physical access to the Horse after a Horse has won a Race.

**15. Handicapper**

15.1 The Handicapper shall be responsible for the allotment of weight in Races in accordance with the handicapping guidelines as published in the Racing Calendar.

15.2 The Handicapper must decide, in all Races, on the weights which Horses carry in Races, this shall include the top weights that are to be allocated to Horses entered therein, the minimum weights at which Horses will be handicapped and the fixed weights to be carried by Horses in certain Races.

15.3 All weights published shall be final unless the Handicapper:

- 15.3.1 is correcting any error prior to the publication of the Race Card;
  - 15.3.2 is required to allot the weight of a Horse which has erroneously been omitted from the nominations or incorrectly published therein;
  - 15.3.3 compresses the weights in handicap group Races to mitigate against Horses running under sufferance; and
  - 15.3.4 has to adjust the top weight of a Race in order to ensure compliance with the Rules and handicapping guidelines.
- 15.4 Once the Race Card has been published all weights shall be final.

## 16. **Rating of Horses**

- 16.1 All Horses must be rated by the Handicapper before entry.
- 16.2 Applications for rating of Horses must be made to the Handicapper in writing, signed by the Owner or his Authorised Agent after the Horse has been identified and when the Horse is being Registered.
- 16.3 An application for a Horse to be rated shall state the rating for that Horse after its last performance.
- 16.4 Any Horse, which has been removed from the handicapper's rating list, must be re-rated before entry in a race.
- 16.5 No Horse shall be entered in any Race outside its handicap, unless otherwise provided for in the conditions of the Race and/or the handicapping guidelines.
- 16.6 The Handicapper shall have the power to adjust the Ratings of Horses based on its performance either:
  - 16.6.1 after the last run of any Horse;
  - 16.6.2 to correct an error before a Horse is entered for another race; or





16.9 In all Standard Weight for Age Races, an allowance according to the following scale shall be made to all Horses sired in the Northern Hemisphere, foaled between the 1<sup>st</sup> January and the 31<sup>st</sup> July, viz:

Distance	Age	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July
1200m and under	2y	---	---	---	---	---	3	3	3	3	3	3	3
	3y	2.5	2.5	2	2	2	2	1.5	1.5	1.5	1	1	1
	4y	.5	.5	.5	.5	---	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 1200m to 1600m	2y	---	---	---	---	---	3.5	3.5	3.5	3.5	3.5	3.5	3.5
	3y	3	3	2.5	2.5	2.5	2.5	2	2	2	1.5	1.5	1.5
	4y	1	1	1	1	.5	.5	.5	.5	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 1600m to 2000m	2y	---	---	---	---	---	4	4	4	4	4	4	4
	3y	3	3	2.5	2.5	2.5	2.5	2.5	2	2	2	2	2
	4y	1.5	1.5	1.5	1	1	1	.5	.5	.5	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 2000m to 2400m	3y	3.5	3.5	3	3	3	3	2.5	2.5	2.5	2	2	2
	4y	2	1.5	1	1	0.5	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 2400m to 3000m	3y	4	4	3.5	3.5	3.5	3.5	3.5	3.5	3	3	3	3
	4y	2.5	1.5	1	1	0.5	---	---	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---
Over 3000m	3y	---	---	---	---	4	4	4	4	4	4	4	4
	4y	3	2	1.5	1.5	1	0.5	0.5	---	---	---	---	---
	5y	---	---	---	---	---	---	---	---	---	---	---	---

16.10 All Weight for Age Races shall be determined in accordance with the above scale and in terms of the conditions for the Race.

## 17. Protected Races

17.1 Protected Races are defined as:

17.1.1 Races classified as graded or listed;

- 17.1.2 50+ Races, that is, Races where the merit rating of the lowest-rated Horse in the field is 50 or higher; and/or
- 17.1.3 Races forming part of a championship for sprinters, milers, stayers, 3-year-old Horses or 4-year-old Horses.

**18. Provision of information in relation to overseas racing**

- 18.1 If a Horse Registered overseas which had its last start outside Mauritius is to race in Mauritius, the Nominator of that Horse must by nominations closing time provide the following information to the HRD:
  - 18.1.1 the total number of starts the Horse has had;
  - 18.1.2 the Course and date of each start;
  - 18.1.3 the type of race and the distance;
  - 18.1.4 the finishing position and the weight carried; and
  - 18.1.5 total of the prize money offered for each race and the amount received for winning or being placed in each race.
- 18.2 Details of performances in overseas countries must be confirmed by an official of the controlling body of racing in the jurisdiction in which the Horse last raced.
- 18.3 If a Horse Registered overseas has never started in a race, the Nominator of that Horse must provide written confirmation of that to the HRD, by a statutory declaration or a letter from the Foreign Turf Authority or Stud Book where the Horse was last Registered or foaled.
- 18.4 Before a Horse will be allowed to start in any race for the first time in Mauritius; such Horse must be produced before the Veterinary Surgeon Licensed by the Trainer for identification. An Owner or Trainer of a Horse must produce the

Passport / BCN signed by the Secretary of the Foreign Racing Authority under whose rules such Horse has been Registered.

**19. Riding In Races**

19.1 Only the following Persons will be permitted to ride in Races:

19.1.1 Jockeys;

19.1.2 Apprentices; and

19.1.3 Any other Person authorised by the HRC.

**20. Apprentices**

20.1 The HRC may grant an apprentice license to an applicant for the purposes of riding in Races if:

20.1.1 The applicant has attained the age of 16; and

20.1.2 He has signed Indentures with the HRD and a Trainer;

20.2 The terms of the apprenticeship shall be determined by the contents of the Indentures and the Rules.

20.3 An Apprentice shall complete 6 qualifying rides to the satisfaction of the Stipendiary Stewards over 1365m or less prior to being permitted to ride in Races further than 1365m.

20.4 After an Apprentice has completed 10 qualifying rides to the satisfaction of the Stewards, the Stipendiary Stewards will conduct a primary assessment of the Apprentice. In the event that this assessment is not negative, the Stewards may make recommendation to the HRC for the continuation of his License or if negative for his License to be revoked.

- 20.5 An apprentice license shall be renewable at the end of every Racing Season. The HRC shall have the sole discretion regarding whether an apprentice license should be renewed after considering the written recommendations of the Stipendiary Stewards.
- 20.6 In determining whether to recommend the renewal of the apprentice license, the HRC shall consider factors which include:
- 20.6.1 Any period of time during the season when the Apprentice did not ride;
  - 20.6.2 His disciplinary record and conduct with regard to all racing related matters; and
  - 20.6.3 His riding performance for the season which shall include his number of winners, total rides and stakes earned.
- 20.7 Apprentices shall be entitled to the following weight allowances based on the number of winners as stated below:
- 20.7.1 Less than 20 winners – 4 kg;
  - 20.7.2 20 – 29 winners – 2.5 kg;
  - 20.7.3 30 – 39 winners – 1.5 kg.
- 20.8 Apprentices who have ridden 40 or more winners will be regarded as non-claiming.
- 20.9 Without derogating from the provisions of the Rules, Apprentices claiming an allowance at the beginning of the Race Meeting will continue to claim the same allowance throughout the Race Meeting.
- 20.10 The term of apprenticeship shall be five (5) years unless:

- 20.10.1 the Apprentice applies to the HRC which in its sole discretion grants an extension of this term; or
- 20.10.2 the Apprentice rides 50 winners or more prior to the completion of the aforementioned 5 years and applies to the HRC which in its sole discretion, grants permission for his apprenticeship term to be reduced.
- 20.11 A Person who holds an Apprentice License with a Foreign Racing Authority can apply to the HRC to have their License recognised subject to the conditions of the HRC in its sole discretion.

## 21. **Riding Skills Panel**

- 21.1 The HRD may engage a riding skills panel for the purpose of assisting in the mentoring of and provision of remedial or technique training for Jockeys, Trackwork Riders and Amateur Jockeys.
- 21.2 The Stipendiary Stewards may at any time direct a Jockey to the riding skills panel for mentoring, any remedial or technique training as they deem necessary. It shall be an offence for a Jockey not to appear before the riding skills panel when directed to do so by the Stipendiary Stewards.
- 21.3 The Stipendiary Stewards may suspend or limit a Jockey's permission to ride in Races in any way the Stipendiary Stewards think fit if they determine that any aspect of a Jockey's race riding technique, method or practice may be a hazard to that Jockey, other Jockeys or to a Horse's welfare.

## 22. **Jockeys**

- 22.1 The HRC may grant a jockey's license to an applicant for the purposes of riding in Races:

- 22.1.1 if he has satisfactorily completed his apprenticeship as contemplated in the Rules; or
- 22.1.2 if a Person who holds a jockey's license with a Foreign Racing Authority applies to the HRC to have their license recognised subject to the conditions that the HRC may impose in its sole discretion.
- 22.2 No Jockey shall ride at Trackwork and/or in a Race unless:
  - 22.2.1 he is a holder of a valid jockeys' license and has sufficient insurance cover; or
  - 22.2.2 in the case of a Foreign Jockey he:
    - 22.2.2.1 is compliant with the conditions for licensing as per Rule 22.1;
    - 22.2.2.2 has been issued with a work and residence permit by the government of Mauritius where necessary;
    - 22.2.2.3 has entered into a contract with a Trainer, the HRD or an HRO as the case may be;
    - 22.2.2.4 has sufficient insurance cover; and
    - 22.2.2.5 is either a national of a country with which Mauritius has binding extradition arrangements in so far as the extradition of its own nationals are concerned. Failing which he, the Trainer or the Owner who has retained his services, must furnish a security of Rs5 million to the HRD to be held in an account with the HRD until such time as such Jockey is released from riding by the Stipendiary Stewards.
- 22.3 Subject to Rule 22.2.2.3, an HRO shall be entitled to enter into a contract with a maximum of two (2) Foreign Jockeys subject to the approval of such contract by the HRD. Such Foreign Jockeys shall be eligible to ride for any Trainer at a Race

Meeting hosted by the contracting HRO. A Foreign Jockey contracted to an HRO shall not be eligible to ride in Races hosted by another HRO.

22.4 Where in a given Racing Season:

22.4.1 a Stable or Trainer or HRO has terminated the contract of a Foreign Jockey;  
or

22.4.2 the Stable or Trainer or HRO and the Foreign Jockey have terminated their contract by mutual agreement,

that Foreign Jockey shall not ride for another Stable or Trainer or HRO in the same racing season.

22.5 For any given Racing Season, a Foreign Jockey who has a contract with a Stable or Trainer shall not ride in a Race, barrier trial, jump-out or Trackwork for any other Stable or Trainer, except where the Foreign Jockey:

22.5.1 takes part in a Protected Race; or

22.5.2 rides in replacement of another Jockey who, due to an unforeseen event is unable to ride in a given race, in which case permission must be granted by the Stipendiary Stewards.

22.6 A Foreign Jockey who has a contract with a Stable or Trainer may ride for another Trainer in a Protected Race provided that:

22.6.1 the Trainer of the Horse obtains the written permission from the Trainer who employs that Foreign Jockey;

22.6.2 the Stable or Trainer of that Foreign Jockey has no runner in such race; and

22.6.3 a copy of such written permission is provided to the Stipendiary Stewards who shall have the sole discretion to approve such engagement.

- 22.7 The Stable or Trainer with whom a Foreign Jockey has his initial contract shall remain responsible for that Jockey unless such Foreign Jockey is riding for another Stable in which case that Stable shall bear the responsibility for the Foreign Jockey.
- 22.8 Any Foreign Jockey leaving Mauritius must advise the HRD. Upon such notification, the HRD must notify the Passport and Immigration Office, the Mauritius Revenue Authority and the Ministry of Labour, Industrial Relations, Employment and Training.
- 22.9 A Foreign Jockey must seek the permission of the Stipendiary Stewards prior to departing from Mauritius to ride outside Mauritius and provide the Stipendiary Stewards with a clearance letter from such jurisdiction prior riding again in Races and/or Trackwork in Mauritius.
- 22.10 Any contract entered into between a Stable or Trainer and a Jockey and Jockey and an HRO must be in a form approved by the HRD, upon the recommendation of the HRC, and duly Registered with the HRD. With regard to:
- 22.10.1 Any disagreement between a Trainer and his Jockey relating to the contract of employment shall be referred to the Stipendiary Stewards for determination and their decision shall be final.
- 22.10.2 Any disagreement between a Jockey and his Trainer arising at or in connection with a Race Meeting, shall be referred to the Stipendiary Stewards for final determination and their decision shall be final.
- 22.10.3 A Jockey must seek the authorisation from the Stipendiary Stewards if they wish to leave Mauritius to take up employment abroad.



- 22.11 The riding fees for Jockeys shall be prescribed by the HRC unless the HRC has approved a special agreement in relation to Jockey's fees.
- 22.12 A Jockey riding at a Race Meeting shall present himself to the Clerk of Scales and be in the jockey's quarters at least one (1) hour prior to his first engagement unless, other permission is granted by the Stipendiary Stewards.
- 22.13 A Jockey shall not leave the jockey's quarters other than to:
- 22.13.1 Ride in the Race for which he has been engaged; or
- 22.13.2 With the permission of the Stipendiary Stewards.
- 22.14 After leaving the jockey's quarters, a Jockey must not come into contact or communicate with any Person other than the Trainer and/or Owner of the Horse he is carded to ride in that Race, this shall include communication with other Jockeys behind the starting stalls and/or on the Track except for safety reasons.
- 22.15 No Jockey shall bet or be involved in betting either directly or indirectly on a Race.
- 22.16 No Person other than the Owner and/or Trainer of a Horse which the Jockey rides in a Race, may offer or give that Jockey any incentive whether in cash or otherwise except where such is provided by the HRO for winning or being placed in a Race.
- 22.17 No Jockey shall declare or allow himself to be declared on more than one runner in a race. Should such a dual engagement occur, the Jockey's first engagement shall take priority. If the Stipendiary Stewards are unable to ascertain which engagement was entered into first, they may prohibit the Jockey from riding in that Race.

- 22.18 No Jockey shall ride in Trackwork, Barrier Trials or in a Race after a fall unless, he produces a medical clearance to the Stipendiary Stewards prior to riding;
- 22.19 Where a Jockey is unable to fulfil his engagement and has been stood down by the course medical officer, he shall be immediately prohibited from riding in Races and Trackwork until presenting a medical report to the Stipendiary Stewards documenting his fitness to ride.
- 22.20 It shall be the sole responsibility of a Jockey to ensure that he weighs out at the correct weight and carries the correct weight in the Race which shall be confirmed by him weighing back in at the correct weight in terms of the Rules.
- 22.21 If a Jockey makes contact with the ground during the running of a Race and still has contact with a Horse, such Horse shall be deemed to have not carried the correct weight during the running of the Race and shall be Disqualified after an Objection is lodged in terms of the Rules.
- 22.22 A Jockey is required to fulfil his riding engagement in terms of the Rules and where he is unable to fulfil such engagement, must immediately inform the Stipendiary Stewards.
- 22.23 Unless permitted by the Stipendiary Stewards, when mounted on a Horse a Jockey must not hold or use any mobile phone, radio or other electronic appliance, apparatus, instrument or equipment capable of receiving, transmitting or playing information. Additionally, after presenting himself to the Clerk of Scales he shall not be entitled to be in Possession of or use any electronic device, cell phone or communication device.

- 22.24 No Jockey who has been suspended for more than 20 weeks, either consecutively or cumulatively during the same season, shall be authorised to ride for the remaining part of the season.
- 22.25 If a Jockey has not served, either fully or in part, his Suspension by the end of the Racing Season, the remaining part of the Suspension shall be served in the following racing season.
- 22.26 The date of commencement of a Suspension or disqualification of any license will apply for a specified period as determined by the Stipendiary Stewards. A Suspension date shall be calculated after the completion of the Days allowed for an Appeal unless, a Jockey waives his right of appeal and requests permission to take his Suspension with immediate effect. Any Race Meeting/s postponed or abandoned during a Suspension period will not increase such period.
- 22.27 No Jockey shall be present in the betting ring or an area wherein the bookmakers operate their business or in the vicinity of a tote desk without the permission of the Stipendiary Stewards.
- 22.28 No Jockey shall be authorised to carry to carry lead in any other place other than the saddle of his Horse in a Race.
- 22.29 Where a Jockey appeals against a Penalty imposed under the Rules, he shall do so in accordance with the regulations imposed by the Gambling Regulatory Authority.

## 23. **Racing Equipment**

- 23.1 No Person shall use or attempt to use defective or unauthorised equipment in any Race, Barrier Trial, Jump-out or Trackwork.

23.2 If, after the arrival of the Horses at the Start for a race, a Jockey reports to the Starter that any article of his equipment, that can be replaced without affecting his weight, as broken or defective, the Starter may replace such broken or defective equipment at the Start, from the full kit of equipment provided by the HRO for all Race Meetings. The Starter shall report any action taken under this Rule to a Stipendiary Steward and shall hand the broken or defective article to such Stipendiary Steward.

23.3 Spurs may not be used in a race.

**24. Hoods, Blinkers, Pacifiers, Nosebands, Tongue Straps**

24.1 When hoods, pacifiers or blinkers are used, they may not be of the nature of blinders and shall be worn under the bridle, be securely fastened, and permit the Horse to have an unobstructed view to the front.

24.2 When a Horse is to race wearing cheek pieces, blinkers, pacifiers, ear muffs, a tongue tie or tongue strap this shall be declared at final declarations and the Horse shall run so equipped unless an order to the contrary is made by the Stipendiary Stewards.

24.3 If a sheepskin noseband is used it shall not impair the vision of the Horse and shall be approved by a Stipendiary Steward.

24.4 The use of a tongue strap or a tongue tie is permitted provided its use is approved by a Stipendiary Steward or the Veterinary Surgeon.

**25. Martingales, Reins and Bits**

25.1 The bridles of all Horses taking part in a race must be fitted with rings, except for a martingale bridle. Bridles with buckles or hooked reins must be fitted with stoppers.

25.2 Only rubber covered reins of a type approved by the Stipendiary Stewards may be used and the rubber covering shall extend to not less than 450mm from the bit.

25.3 The use of the following is prohibited:

25.3.1 leather or rubber covered leather reins during a race;

25.3.2 cheek bits; and

25.3.3 standing martingales.

26. The use of any martingale or rings in a Race or at Trackwork when the reins are buckled on the bridle is prohibited unless stoppers are placed on the reins.

27. **Racing Plates**

27.1 The Trainer of a Horse shall be responsible for ensuring compliance with this Rule and Horses shall only race:

27.1.1 shod on all four hooves;

27.1.2 shod on both fore hooves; and

27.1.3 shod on both hind hooves.

27.2 A Horse may be shod with aluminium or steel shoes to a maximum weight of 600g a set.

27.3 Should the shoes of any Horse:

27.3.1 presented to take part in a race require variation or removal, such decision shall be taken by a Stipendiary Steward, in consultation with the Veterinary Surgeon and the Trainer of the Horse; or

- 27.3.2 be damaged or lost after it has left the parade ring and before the race is started, the Veterinary Surgeon may take such action as he deems necessary and shall report any action so taken to the Stipendiary Stewards.
- 27.4 The following types of racing plates are prohibited:
- 27.4.1 shoes where all the edges of the fullering are not on the same level or if they have only one fullering edge;
- 27.4.2 re-enforced shoes where the re-enforcement is not securely fixed or protrudes in any way above the ground bearing surface of the shoe;
- 27.4.3 shoes which have nail heads projecting more than 2mm above the ground bearing surface of the shoe;
- 27.4.4 shoes with projections other than those which protrude medially, laterally and/or posteriorly at the heel up to a maximum of 2mm, no shoes with any dangerous protrusions will be permitted;
- 27.4.5 shoes which have in the opinion of the Stipendiary Stewards been modified, altered or manufactured in such a way as to gain an unfair advantage.
- 27.5 tips must cover at least one third of the perimeter of the hoof;
- 27.6 except in the case of approved therapeutic plates approved by the Stewards which may weigh up to 160g;
- 27.7 plates and tips must be securely and properly fitted and must not protrude beyond the perimeter of the hoof;
- 27.8 plates must be secured by a minimum of 5 nails and tips by a minimum of 3 nails;
- 27.9 bar plates are permitted, provided that the entire plate including the bar is in one piece;

- 27.10 cutting plates, grippers or any other form of plates or tips which, in the opinion of the Stewards, may be dangerous, are not permitted;
- 27.11 hoof pads must be of a material, design and weight approved by the Veterinary Surgeon.
- 27.12 The following special shoes are permissible: -
- 27.12.1 shoes with caulkins in the shape of a wedge. The vertical section of the rear of the shoe, including the wedge, shall be no greater than 15mm high, sloping to the ground bearing surface of the shoe. The length of the slope must be a minimum of 30mm from the rear edge of the shoe to the flush binding. No sharp edges are permissible;
- 27.12.2 Bar shoes with a single flat straight or round bar, provided the ground bearing surface of the bar is flush with the ground bearing surface of the shoe and such bar is made of the same material as the shoe;
- 27.12.3 any other shoes prescribed by a Veterinary Surgeon or farrier will be considered as special surgical shoes. Such shoes must be presented to the Stipendiary Stewards for examination and weighing and the approval by the HRD's Veterinary Surgeon before they are fitted to the Horse.
- 27.12.4 any other shoes prescribed by a Veterinary Surgeon, provided they do not contravene any of the provisions of the Rules.

## 28. **Skull Caps**

- 28.1 Only Skull Caps which are approved by the HRD shall be worn in terms of these Rules.

28.2 Any individual riding a Horse shall wear a serviceable Skull Cap. The Person in charge of such Horse shall ensure compliance with this Rule.

28.3 Any Person or individual when mounted on a Horse shall ensure that the chinstrap of the Skull Cap is securely and firmly fastened.

28.4 All Handlers of Horses at the Start of a Race shall wear a serviceable Skull Cap.

29. **Whips**

29.1 Only whips of the type approved by the Stipendiary Stewards shall be used by a Jockey in Trackwork riding and in all Races.

29.2 No Jockey shall misuse or use his whip in an excessive, unnecessary or improper manner, or use the whip on any part of the Horse's head. Without limiting the provisions of this Rule, whip misuse shall include striking a Horse:

29.2.1 to the extent that it causing injury the Horse;

29.2.2 with the whip when a Horse is clearly winning;

29.2.3 when the Horse has no reasonable prospect of improving or losing its position;

29.2.4 with a Jockey's arm above shoulder height;

29.2.5 more than once on consecutive strides;

29.2.6 with excessive force;

29.2.7 without giving it time to respond;

29.2.8 which is showing no response;

29.2.9 which is past the winning post;

29.2.10 whilst the Jockey is dismounted;

29.2.11 out of its stride pattern;



- 29.2.12 on the flank;
  - 29.2.13 more than 7 times prior to the 150m, after which a Jockey shall have the discretion to use whip as necessary subject to the provisions of this Rule;
  - 29.2.14 in a manner where the seam of the flap is the point of contact with the Horse, unless the Jockey satisfies the Stewards that that was neither deliberate nor reckless; and
  - 29.2.15 down the shoulder whilst in the drawn position.
- 29.3 The Jockey of a Horse shall be guilty of an offence if he drops his whip during a Race.
- 29.4 Unless otherwise approved by the HRD, whips carried in Trackwork and in all Races shall conform to the specifications as set out in the Racing Calendar.
- 29.5 It shall be an offence for a Trainer, Owner or their Authorised Agent to give instructions to a Jockey regarding the use of the whip which, if carried out, might result in a breach of this Rule.

### 30. **Body Protector**

- 30.1 Only types of body protectors which are approved by the HRD shall be worn by Persons.
- 30.2 Any Person who is mounted on a Horse, whether for the purposes of riding in a Race, Barrier Trial, Jump-out or Trackwork, must wear a properly fastened Body Protector.
- 30.3 No Person shall have in his Possession a Body Protector that does not comply with the requirements of Rules.

30.4 Unless the Stipendiary Stewards are satisfied that there is sufficient artificial and/or natural light for Trackwork to be conducted, when mounted on a Horse during darkness, a Jockey must wear:

30.4.1 a Body Protector that complies with the Rules; and

30.4.2 over that Body Protector, or over clothing worn over that Body Protector, a harness that contains safety warning lights of a type approved by the HRD or a Skull Cap which contains a safety warning light.

**31. Eye Protection and Apparel**

31.1 Every Jockey, in all Races shall:

31.1.1 wear riding boots of a type approved by the HRD;

31.1.2 wear eye protection;

31.1.3 wear breeches of a type approved by the Stipendiary Stewards, unless written permission has been granted by the HRD to wear breeches of a different colour or type.

31.2 No Jockey shall wear or omit to wear any apparel or equipment which has not been approved by the Stipendiary Stewards.

**32. Clerk of Scales - Weighing Out of Jockeys**

32.1 The Clerk of Scales shall ensure that, prior to weighing out any Jockey, the Jockey is:

32.1.1 Permitted to ride in terms of the Rules; and

32.1.2 Is in Possession of an approved serviceable Skull Cap; and

32.1.3 Is wearing an approved Body Protector.

32.2 With the exception of the saddle cloth, Skull Cap, goggles, blinkers, pacifiers, tongue tie, tongue strap, whip, neck strap, bridle including pricker and noseband, rings, muzzle, breastplate, sectional timing device and anything worn on the Horse's legs or hooves, everything carried or worn by the Jockey and by the Horse in a race shall be included in the Jockey's weight and shall be put onto the scales by the Jockey when weighing out and when weighing in, and recorded by the Clerk of Scales.

32.3 The Clerk of Scales shall ensure that:

32.3.1 the Jockey of each Horse shall be weighed out in the weighing area at least 20 minutes before the carded time for a Race;

32.3.2 a clean saddle cloth is provided for every Horse for which a Jockey presents himself to be weighed out;

32.3.3 after the weighing out process is completed; the weights are published on the designated notice board;

32.3.4 The names of the Jockeys weighed out, the draws of the Horses and the weights at which each Jockey weighed out at are published on the designated notice board;

32.3.5 All Jockey's weights are deemed to be 1kg less than the weight measured on the scale on account of their obligation to wear a body protector;

32.3.6 fractions of 0.5kg of overweight shall be disregarded in the weighing in and weighing out process. Therefore, these fractions shall not be deemed overweight and shall not be declared as such;

32.3.7 After the deduction of an Apprentice allowance, should a Jockey weigh out for a Race at more than 1kg over the carded weight, such excess shall either be

removed and the Jockey re-weighed or such overweight shall be declared to the Clerk of Scales who shall make a recording and report such to the Stipendiary Stewards who will act subject to Rules;

32.3.8 A Jockey shall not weigh out below the allocated weight;

32.3.9 No Horse shall carry more than 1kg over the weight allocated to it by the Handicapper unless:

32.3.9.1 Such overweight is declared at the time of declarations; or

32.3.9.2 The Stipendiary Stewards have granted permission for such in terms of the Rules; and

32.3.10 No Jockey shall leave the jockey's quarters after presenting himself to ride, until authorised by the Stipendiary Stewards.

32.4 If a Jockey has been reported to the Stipendiary Stewards as having weighed out at more than 1kg in excess of the allocated weight, the Stipendiary Stewards shall in their sole discretion either grant the necessary permission for the Horse to run in the Race with such overweight, after consultation with the Trainer, or refuse to grant such permission and the Jockey shall not be permitted to ride the Horse and the Trainer will be afforded the opportunity to replace the Jockey or in the event that a suitable replacement Jockey cannot be found, the Stipendiary Stewards may scratch the Horse.

32.5 Where a Jockey has failed to present himself to be weighed out or is for some reason unable to ride, such Jockey shall be replaced on that Horse, subject to the approval of the Stipendiary Stewards.

### 33. **Weighing In of Jockeys**

- 33.1 Every Jockey who has participated in a Race shall, unless rendered unable to comply with this Rule by reason of accident or illness, immediately after pulling up, ride his mount to the designated dismounting area, dismount and proceed back to the weighing area without coming into contact with any Person or thing other than his own equipment.
- 33.2 Should a Jockey become incapacitated and be unable to weigh in, his Horse must not be Disqualified if in the opinion of the Stipendiary Stewards, the Jockey carried the correct weight in the Race.
- 33.3 The Clerk of Scales shall:
- 33.3.1 ensure that every Jockey who has participated in a Race is weighed in and report any instances of non-compliance and/or irregularity to the Stipendiary Stewards regarding the weighed in weights; and
- 33.3.2 check the weights carried by the Jockeys of the Horses against the weighed-out weights and refuse to pass as correct the weight of any Jockey:
- 33.3.2.1 which is more than 0.5kg under the weight at which he weighed out at; or
- 33.3.2.2 1.0kg over the weight at which he weighed out at unless the Stipendiary Stewards are satisfied that the excess weight has been caused by exceptional and uncontrollable circumstances or due to a replacement of equipment in terms of the Rules; and
- 33.3.3 Where a Jockey weighs in at more than 0.5kg under the weight at which he weighed out at, the Clerk of the Scales must lodge an Objection.
- 33.4 For the purposes of these Rule, the definition of weighed out weight shall be the weight of the Jockey after fractions of 0.5kg have been discarded.

33.5 Any Jockey who fails to present himself to be weighed in, if found guilty by an Inquiry Board, shall be suspended for period of not less than 180 Days.

34. **Objections**

34.1 All Objections must be heard by an Objection Board.

34.2 An Objection Board shall be constituted by a member of the Stipendiary Board and shall consist of a minimum of 3 Stipendiary Stewards unless 3 Stipendiary Stewards are unavailable in which case, the Stipendiary Stewards, may co-opt as many Persons as required to constitute such Board.

34.3 The Objection Board shall appoint one of its members as the chairman. The chairman shall have a casting vote in the event of an equal vote with the other members.

34.4 There shall be no Appeal against any decision of an Objection Board.

35. **Lodgement of an Objection**

35.1 An Objection may only be lodged by one of the following Persons:

35.1.1 A Licensed Official;

35.1.2 The Jockey of the Horse in the Race concerned;

35.1.3 An Owner of the Horse concerned; or

35.1.4 the Trainer or Trainer's Authorised Agent for the Horse concerned.

35.2 The Objection Board shall adopt any procedure required in order to facilitate the processing of an Objection. These procedures may include to order interviews with and releasing from attendance, the requisite parties.

35.3 The provisions of 73.1.12 shall apply mutatis mutandis shall apply in relation to Objections.

## 36. **Objection Time Frames**

36.1 Objection before the race:

36.1.1 Any Objection shall be lodged before a Race on the following grounds:

36.1.1.1 The Race was run over a distance which was different from that which was designated; or

36.1.1.2 All Horses which are due to run in the Race are carded to carry the incorrect weight.

36.2 Objections to be notified immediately:

36.2.1 Any Objection lodged shall be made to the Stipendiary Stewards, in writing and in the prescribed form within five (5) minutes from the time the Horses enter the unsaddling enclosure.

36.2.2 The following shall constitute grounds for an immediate Objection:

36.2.2.1 The race was run over the wrong distance and/or over the wrong Course;

36.2.2.2 A placed Horse lost its position as a result of being bumped, crossed, jostled, intimidated or interfered with by another Horse or Jockey;

36.2.2.3 A Jockey has weighed in at more than 0.5 kg below the weight at which he weighed out;

36.2.2.4 A Jockey failed to weigh in except as provided for in term of the Rules;

36.2.2.5 Equipment prohibited in terms of the Rules was used on a Horse in a Race;

36.2.2.6 A Horse left the Course during the running in Race;

36.2.2.7 A part of the Jockey touched the ground during the running of the race; and

36.2.2.8 A Horse ran in a race for which it was not entered.

36.3 Objections to be Notified within 14 Days:

36.3.1 Any Objection lodged shall be made to the Stipendiary Stewards, in writing and in the prescribed form by 16.00 on the 14<sup>th</sup> Day after the Race.

36.3.2 The following shall constitute grounds for a 14 Day Objection:

36.3.2.1 The Owner of a Horse was ineligible to hold such a privilege;

36.3.2.2 A Horse was not qualified to be entered in terms of the conditions of a Race;

36.3.2.3 The Horse was suspended;

36.3.2.4 A contravention of the Rules regarding registrations and ownerships has occurred; and

36.3.2.5 A Horse ran in a Race for which it was not entered.

37. **Decision of an Objection Board**

37.1 An Objection shall not be upheld unless the Objection Board is satisfied that:

37.1.1 A placed Horse which was interfered with would have finished ahead of the placed Horse and/or Jockey which caused the interference but for such interference; or

37.1.2 A placed Horse which was interfered with by another Horse and/or Jockey to such an extent that the interference warrants the disqualification of the Horse and/or Jockey which caused the interference.

37.2 When an Objection is upheld in terms of Rule 36.2.2.3, the Horse concerned shall be Disqualified.

37.3 Any Person lodging an Objection which is determined by the Objection Board to be frivolous, may be fined an amount not exceeding Rs20000.



- 37.4 For the purposes of this Rule, a placed Horse shall be defined as any Horse placed in the first six in that Race as determined by the Judge.
- 37.5 Where an Objection to a Horse which has won or been placed in a Race is sustained, the Horse:
- 37.5.1 may be Disqualified, or
- 37.5.2 may be placed immediately after the Horse it interfered with.
- 37.6 Where the Prize has been paid over prior to the lodging of an Objection and an Objection is subsequently lodged and upheld, the Prize together with the prescribed fees and percentages paid to the Trainer and Rider of such Horse shall be returned to the HRD within 5 Days after the decision on the Objection Board, and shall be redistributed to the appropriate Persons.
- 37.7 Should any or all of the monies referred to in Rule 37.6 not be returned to the HRD, the HRO shall make up the shortfall and shall distribute the equivalent Prizes to the Persons ultimately declared to be entitled to such Prizes. Any Person who fails to return a Prize shall be in default and placed on the Defaulters' List.

### 38. **Reporting of Circumstances**

- 38.1 Any Person who reasonably suspects that an offence has or is likely to be committed under the Rules, shall as soon as practically, possible report such to the Stipendiary Stewards.
- 38.2 The Trainer, Owner, Jockey, Person in charge or the Veterinary Surgeon of a Horse shall report to the Stipendiary Stewards as soon as practically possible after a Race:

- 38.2.1 Anything which may have affected the performance of a Horse;
- 38.2.2 Anything which may affect the performance of a Horse in that Race, in which case, he shall hold the Horse in the Saddling Area until the Veterinary Surgeon examines and when appropriate releases the Horse; and
- 38.2.3 Anything which could have had a bearing on the past or future performance of his Horse.
- 38.2.4 Should the saddle of any Horse slip during or after the running of a race, no Person shall remove such saddle until inspected by the Stipendiary Stewards or the Veterinary Surgeon.

**39. Injury To, Humane Euthanasia and Death of a Horse**

- 39.1 Should any Horse while on the property of the HRO sustain an injury, such Horse may be treated and/or euthanised without reference to the Owner, Trainer or Person in charge of the Horse if the Veterinary Surgeon determines such is necessary.
- 39.2 If a Horse is euthanised as per rule 39.1, the reason for such shall be furnished in writing to the Stipendiary Stewards.
- 39.3 Where a Horse has undergone surgery and/or any other procedure and has not raced for 90 Days or more, the Owner, Trainer or Person in charge of the Horse shall within 7 Days report the matter to the Stipendiary Board the details of such surgery.

**40. Restricted Access Areas on a Course**

- 40.1 Weighing Room:

40.1.1 No Person other than authorised Licensed Officials in the Course of their duties, Jockeys, Trainers, Assistant Trainers and Stable Supervisors shall enter the weighing room.

40.2 Stipendiary Stewards Boardroom:

40.2.1 No Person other than authorised Licensed Officials in the Course of their duties and Persons granted permission by the Stipendiary Stewards, shall enter the Stipendiary Stewards Boardroom.

40.3 Jockeys' Quarters

40.3.1 Only Jockeys who are carded to ride at the Race Meeting, Licensed Officials in the Course of their duties and the course medical officer shall enter the jockeys' quarters.

40.3.2 A Jockey with riding engagements must present himself to the Clerk of Scales 60 minutes before the carded time of his first ride and thereafter, remain in the jockeys' quarters or weighing area until he is given permission by the Stipendiary Stewards to leave the Course.

40.3.3 No Jockey shall have in his Possession nor make use of any type of telephone, cellular device, transmitter or any other device for communication purposes whilst in the jockeys' quarters, weighing area and/or during the Race Meeting.

40.3.4 A Jockey once presenting himself to the Clerk of Scales, shall not leave the jockeys quarters or come into contact with any Person outside the jockeys' quarters unless such is provided for by the Rules or permission is granted by the Clerk of the Scales.

40.4 Saddling Paddock

- 40.4.1 Only Licensed Officials, the Jockey, Trainer and his Licensed Assistant Trainer and/or Stable Supervisor, Owner, groom of an engaged Horse in the Race and Persons who have received permission from the Stipendiary Stewards, may enter the saddling enclosure.
- 40.4.2 All participating Horses shall be in the saddling paddock 25 minutes before the start of a Race and be saddled in the designated area and presented in the paddock 12 minutes before the carded starting time of the Race unless permission to the contrary is granted by the Stipendiary Stewards.
- 40.4.3 Prior to each Race, all Horses engaged therein must be led around the saddling paddock, unless permission to the contrary is given by the Stipendiary Stewards.
- 40.4.4 A Jockey engaged to ride in a Race must proceed to the saddling paddock immediately upon being so instructed by the Clerk of the Scales.
- 40.4.5 Upon being instructed to do so by the Clerk of the Course, all Horses shall be mounted by their Jockeys prior to leaving the saddling paddock, direct their mounts to canter in front of the grandstand and proceed to the Start without undue delay.
- 40.5 Sample Collection Area
  - 40.5.1 No Person shall enter or be permitted to enter the Sample collection area other than:
    - 40.5.1.1 A Sample Collector;
    - 40.5.1.2 The Veterinary Surgeon;
    - 40.5.1.3 Licensed Officials in the Course of their duties; and

40.5.1.4 The groom of the Horse selected for a Sample to be taken.

#### 40.6 Arrival Times of Trainers and Horses

40.6.1 The Trainer or Person in charge of a Horse shall be on Course at least 60 minutes prior to the Horse's first engagement and shall not leave the Course without the permission of the Stipendiary Stewards before the completion of the Race Meeting.

### 41. **Starting**

41.1 Every Horse which Races in Mauritius must have been certified as tractable in the starting stalls. This certification shall be at the sole discretion of the Stipendiary Stewards.

41.2 Should a Trainer wish to race a Horse with specific equipment as provided for in terms of the Rules, he is required to enter the Horse for a Barrier Trial or gallop the Horse with such equipment to the satisfaction of the Stipendiary Stewards prior to declaring such equipment.

41.3 Every Horse shall be loaded into the starting stalls at the discretion of the Starter and as per the allocated barrier draws. Where a Horse is scratched in a Race, the barrier draws for the Horses shall be adjusted down accordingly where possible.

41.4 It shall be the obligation of the Jockey to ensure that his Horse enters the correct starting stall.

### 42. **Procedure for arrival and loading at the Start**

42.1 There shall be no communication by Jockeys at the Start unless for safety reasons.

- 42.2 All Horses must proceed to the Start at a trot or canter in order to not delay the Start of a Race.
- 42.3 All Horses must parade in front of the grandstand and no Horse shall be led to the Start unless permission to the contrary is granted by the Stipendiary Stewards.
- 42.4 The Jockey of a Horse shall have his feet in the stirrup irons when riding his Horse in front of the grandstand unless permission to the contrary is granted by the Stipendiary Stewards.
- 42.5 Unless permission to the contrary is granted by the Stipendiary Stewards, only Licensed Officials, starting staff and Jockeys in a Race are allowed to be located at the Start.
- 42.6 A Jockey shall only dismount from his Horse after leaving the saddling enclosure and when he is conducting a mandatory check on his saddle and equipment upon arriving at the Start.
- 42.7 The Starter shall ensure that:
  - 42.7.1.1 No Person other than the Starter and/or his Assistant Starter shall be permitted to be on the starter's stand during the Start of a Race;
  - 42.7.1.2 When the Horses have arrived at the Start, the Starter shall call out the names of the Jockeys and the order of the draw as close to the carded time of the Race as possible;
  - 42.7.1.3 Any loading processes for the Horses is compliant with the guidelines for such as published in the Racing Calendar;

- 42.7.1.4 He instructs his staff in a manner which is compliant with the Rules and affords every Horse the opportunity of a fair start;
- 42.7.1.5 He and his team arrive at the Start timeously and check that the draws and Horse numbers are correctly allocated on the gates. Additionally, the Starter must ensure that he is in Possession of the required equipment and such equipment is in working order; and
- 42.7.1.6 He defines the size of the pre-loading area relative to the size of the field and the grading of the Horses.
- 42.8 Save where otherwise provided in the Rules, all Starts shall be effected by means of starting stalls as approved by the HRD.
- 42.9 Where the starting stalls become defective and cannot be replaced, after approval from the Stipendiary Stewards, the Horses shall be loaded into the gates and the Start shall be effected by means of a flag.
- 42.10 Should one or more of the starting stalls become defective, the Starter shall inform the Stipendiary Stewards of such and where appropriate, the Stewards may order that the defective Starting stall/s not be used and the Horses be loaded in the remaining Starting stalls.
- 42.11 The Starter shall be provided with a siren, a white flag and red flag by the HRO.
- 42.12 Should a Starter determine that through the faulty action of the Starting stalls or from any other cause, a fair start has not been effected, he may declare a False Start.
- 42.13 If the Starter has declared a False Start and recalls the Jockeys, the Starter shall sound the siren, the attendant who has been allocated the red flag and located in a predetermined area on the Course, shall waive the flag to indicate such.

- 42.14 In the event that a False Start has been called by the Starter, each Jockey must immediately restrain his mount and return to the starting area without causing a delay.
- 42.15 If the Starter does not declare a False Start the Stipendiary Stewards may after considering the evidence in the matter, declare any Horse, which was impeded by a faulty starting stall, a non-runner provided that such Horse was not declared first.
- 42.16 Subject to Rule 42.17, if the actions of a Handler result in a Horse being prevented from starting in a Race and/or being impeded and losing a significant distance and the Starter does not declare a False Start, the Stipendiary Stewards may after considering the evidence in the matter, declare any Horse which was impeded by a Handler, a non-runner provided that such Horse was not declared first in a Race.
- 42.17 Where a Horse has been impeded and lost a significant distance as contemplated by Rule 42.16 such Horse shall not be declared a non-runner if, in the sole discretion of the Stipendiary Stewards, such impediment and subsequent loss of distance was as a consequence of the Horse's own behaviour.
- 42.18 If the Starter has declared a False Start to a Race, such Race shall not be reinstated thereafter. The Race shall either be abandoned or re-run as determined by the Stipendiary Stewards.
- 42.19 After the running of each Race, the Starter shall report to the Stipendiary Stewards, any Horses which jumped slowly, were unruly or misbehaved in any way at the Start.



- 42.20 Any Jockey who commits a misdemeanour at the Start, may be fined by the Starter an amount of not more than Rs10000, such a fine shall be confirmed by the Stipendiary Stewards. If the Starter considers the fine of Rs10000 to be insufficient, he may request that the Stipendiary Stewards open an Inquiry into the matter.
- 42.21 Subject to the Rules, all Horses which are in the Starting stalls when the Start of the Race is effected shall be deemed to have Started the Race, unless the Horse:
- 42.21.1 was unmounted at the time the Start was effected; or
- 42.21.2 was encumbered by the Starter's equipment.
- 42.22 When the Starter commences the loading process, a Jockey must comply with all instructions from the Starter, direct his mount towards its designated Starting stall and endeavour to prevent his mount from backing away.
- 42.23 Should a Horse unduly delay the Start of the Race, prove unruly when loading, refuse to load and/or be a danger at the Start, such Horse may be withdrawn by the Starter or the Stipendiary Stewards.
- 42.24 Upon completion of the loading process, the Starter's designated Person shall raise a white flag to indicate that he is satisfied that the back gates of each of the stalls are securely closed. Thereafter, the Starter after having satisfied himself that there are no Handlers in front of the stalls and all hoods are removed, instruct the Handlers to raise their hands and start the Race.

### 43. **The Race**

- 43.1 The Jockey of a Horse shall ensure that his mount is ridden on its merits.
- 43.2 The Jockey of a Horse shall:

- 43.2.1 Take all reasonable and permissible measures throughout the running of the race in order to ensure that his Horse is given a full opportunity to win or obtain the best possible placing in that Race;
  - 43.2.2 Ensure that he does not cause interference, intimidation, bunching and/or constitute a source of danger to another Horse and/or Jockey;
  - 43.2.3 Take all reasonable measures to ensure he rides to the instructions given to him by an authorised Person;
  - 43.2.4 Ensure he does not make an excessive celebratory gesture either before or after the finish;
  - 43.2.5 Not ride in a manner which in the opinion of the Stipendiary Stewards was dangerous, improper, reckless, incompetent and/or careless;
  - 43.2.6 not alter his mount's Course so as to benefit another Horse;
  - 43.2.7 Ride his mount out to the end of the Race to the satisfaction of the Stipendiary Stewards;
  - 43.2.8 Not abuse, ill-treat or mis-handle his Horse before, during or after the running of a Race;
  - 43.2.9 not excessively slow, reduce or check the speed of his Horse, thereby causing interference directly or indirectly to any other Horse in the race; and
  - 43.2.10 follow his Trainer's instructions unless, for good cause, he cannot do otherwise.
- 43.3 A Trainer shall be responsible for ensuring Horses trained by him are ridden and perform in a consistent manner wherever possible.

44. **Dead Heats**

44.1 A dead heat shall not result in a run off. The Prizes for the relevant places shall be divided equally as per the prescribed distribution of stakes for the Horses and such Horses shall be liable as winners for the full amount of any weight Penalty incurred by the Handicapper as would have been the case had it been the sole winner.

**45. Prizes**

45.1 The awarding of Prizes shall be in accordance with the procedure prescribed by the HRD and as published in the Racing Calendar from time to time.

**46. Judge and photo-Finish**

46.1 The Judge or his authorised assistant are the only Persons authorised to occupy the judge's box at the start of the Race and shall remain in this box until the Horses have crossed the winning post and the All Clear has been given.

46.2 The Judge or his authorised assistant shall not have any contact with any Person during the running of the Race and until he has given the final decision on the placings of a race.

46.3 The Judge or his authorised assistant shall ensure that no Person other than an appointed photo-finish operator enters or is present in the photo-finish room until the result of the Race has been declared and the numbers exhibited.

46.4 The Judge or his authorised substitute shall:

46.4.1 As soon as reasonably possible, announce the finishing position of the first 6 Horses past the post or such number as requested by the Stipendiary Stewards. The Judge's placings shall remain final unless:

- 46.4.1.1 an Objection is lodged in terms of the Rules and such Objection is upheld;  
or
- 46.4.1.2 the Judge is timeously correcting an error after obtaining the approval of the Stipendiary Stewards;
- 46.4.2 Declare a dead heat if there is no discernible difference between two or more Horses;
- 46.4.3 Base his decision on the placings of Horses exclusively on the Horse's nose except where the Horse's nose is not visible and there is a discernible difference between the Horses, he shall not declare a dead heat;
- 46.4.4 satisfy himself as to the correctness of the placings from the Photograph and use the mirror image as a reference only. If there is no Photograph available due to a failure of the photo-finish camera or if, in the sole opinion of the Judge, the images on the Photograph are unclear, then the Judge may have regard to the race film to satisfy himself as to the correctness of the placings. If there is no race film available, the Judge shall, to the best of his ability determine the placings as he has Personally observed them. The Judge's decision shall be final and binding; and
- 46.4.5 prepare a report for the Stipendiary Stewards after each Race which report shall record the time taken, the result and the distance between the Horses in the race.

#### **47. Trainers, Assistant Trainers and Stable Supervisors**

- 47.1 Only the following Persons may train Horses to be run at Race Meetings:
  - 47.1.1 a Trainer;

- 47.1.2 where the Trainer is absent an Assistant Trainer who has, obtained the written permission of a Stipendiary Stewards to act during a period of absence of the Trainer who employs him; and
- 47.1.3 where a Trainer and Assistant Trainer is absent, a Stable Supervisor who has obtained the written permission of the Stipendiary Stewards to act during a period of absence of the Trainer who employs him.
- 47.2 No Person may act as a Trainer, Assistant Trainer or Stable Supervisor unless such Person has been granted a license by the HRC.
- 47.3 An application for a license or permit to train shall not be granted unless the Stipendiary Stewards in their sole discretion have approved the applicant's stables.
- 47.4 A Trainer shall be responsible and strictly liable for the care, treatment and training of all Horses under his control. This responsibility shall not be derogated from even where a Trainer has another Person acting on his behalf in terms of the Rules.
- 47.5 Where a Trainer does not have an Assistant Trainer or Stable Employee and is absent from Races by way of illness or otherwise, such Person may under exceptional circumstances, apply to the Stipendiary Stewards for one Owner to act on his behalf at a Race Meeting, provided that such Owner does not have a runner with another Stable in the same race. Where a Trainer has failed to nominate any Person to act on his behalf at a Race Meeting, the Stipendiary Stewards may scratch the Horse.
- 47.6 A Trainer shall only be entitled to train under his own name.

- 47.7 A Trainer shall be responsible for and exercise sole control over the Stables in which his Horses are stabled.
- 47.8 Any closed-circuit vision in yards and Perimeter Control does not in any way discharge the onus of the Trainer in relation to their Stable yard and Horses.
- 47.9 A Trainer's responsibilities shall include, to:
- 47.9.1 notify the Stipendiary Stewards within two (2) Days of any Horses which have:
    - 47.9.1.1 left or arrived at his Stables;
    - 47.9.1.2 died; and/or
    - 47.9.1.3 been gelded;
  - 47.9.2 ensure the Horse carries the correct equipment as required by the Rules;
  - 47.9.3 ensure a Horse which has been diagnosed with an infections or contagious disease is sufficiently quarantined;
  - 47.9.4 notify the Stipendiary Stewards of any circumstances which could lead to the Scratching of a Horse as soon as reasonably possible and/or where necessary timeously scratch such Horse which is carded to run in a race;
  - 47.9.5 possess, maintain and accurately record in the Veterinary Treatment Register any preparations or treatments conducted on Horses;
  - 47.9.6 Make available for inspection his Veterinary Treatment Register upon request by the Stipendiary Stewards;
  - 47.9.7 ensure that the Veterinary Surgeon concerned immediately endorses the Passport that the Horse has been castrated or de-sexed;
  - 47.9.8 manage and administer his racing Stables;

- 47.9.9 ensure the welfare of his Horses;
- 47.9.10 ensure he provides adequate instructions to Jockeys;
- 47.9.11 ensure the number cloth on a Horse is fully visible on both sides after saddling;
- 47.9.12 ensure all Horses imported to Mauritius are identified by a Stipendiary Steward, against the Passport of such Horse within 14 Days of arrival;
- 47.9.13 ensure that once a Veterinary Treatment Register is completed, it is returned to the HRD;
- 47.9.14 ensure his Horse is trained in order for it to obtain the best possible placing in a race;
- 47.9.15 ensure only Veterinary Surgeons inject and otherwise treat Horses;
- 47.9.16 ensure all Medication in his Possession are accurately labelled with:
  - 47.9.16.1 date of prescription;
  - 47.9.16.2 dosage and administrated;
  - 47.9.16.3 the signature of the Veterinary Surgeon; and
  - 47.9.16.4 details of the treating Veterinary Surgeon and his practice number;
- 47.9.17 manage his Stable in the interest of his Owners, Horses and in compliance with the Rules;
- 47.9.18 All Medication in his Possession and at his stables which are older than 60 Days are discarded;
- 47.9.19 Maintain records of payments whether in whole or part, all charges and/or documents administered by the Stable;

- 47.9.20 ensure Owners pay their respective share of keep money by cheque, cash or electronic transfer to the bank account of the HRD;
- 47.9.21 ensure that any intra-articular and phenylbutazone preparation used is administered a minimum of 8 Days prior to racing unless otherwise advised by the HRD Licensed Veterinary Surgeon; and
- 47.9.22 ensure that where a Trainer has two (2) or more horses in a Race, he attends, with permission, the Stipendiary Stewards Boardroom in order to give his instructions before the Stipendiary Stewards;
- 47.9.23 Any change of racing pattern on a Horse is reported to the Stipendiary Stewards, prior to the commencement of the Race.
- 47.10 Any Horse Owned by a Trainer or his Spouse shall be trained by that Trainer.
- 47.11 Where a Trainer's estate is or has been sequestrated and he has not been rehabilitated, such Trainer shall be Disqualified and his license shall be automatically terminated.

#### **48. Training in Partnership**

- 48.1 A Person shall be entitled to train in a Training Partnership provided that:
  - 48.1.1 The Training Partnership shall consist of not more than two (2) partners at any time;
  - 48.1.2 Each partner's name shall be reflected in the Race Card when the Training Partnership Horses run;
  - 48.1.3 both Trainers are not Training individually in Mauritius or in other country; and
  - 48.1.4 The Stipendiary Stewards approve in writing that such a Training Partnership would not be prejudicial to racing.



48.2 The partners in a Training Partnership, shall joint and severally hold the same responsibilities as that of an individual Trainer and said Rules shall apply mutatis mutandis.

#### 49. **Vaccinations**

49.1 All Horses shall be vaccinated by a Veterinary Surgeon against equine influenza in accordance with the program of vaccinations as published in the Racing Calendar.

49.2 No Horse shall be Trained or stabled in a Trainer's yard or a private centre unless it has been vaccinated in accordance with the Rules.

49.3 A Trainer and/or any other Person responsible for the treatment or care of Horse who fails to ensure that a Horse is vaccinated in terms of the Rules, shall be guilty of an offence.

49.4 The Stipendiary Stewards shall hold the sole discretion in order to determine whether a Horse has been vaccinated in accordance with the Rules. Where the Stipendiary Stewards determine that a Horse has not been vaccinated in terms of the Rules, such Horse may be barred from participating in a Race.

#### 50. **Notifiable Diseases or Conditions**

50.1 The HRD must be immediately notified of the following diseases and/or conditions:

50.1.1 African Horse sickness (AHS);

50.1.2 Anthrax;

50.1.3 borna disease;

50.1.4 contagious equine metritis;

- 50.1.5 dourine;
- 50.1.6 epizootic lymphangitis;
- 50.1.7 equine encephalomyelitis (Eastern and Western);
- 50.1.8 equine encephalomyelitis (Venezuelan);
- 50.1.9 equine encephalosis;
- 50.1.10 equine herpes-virus 1 (abortigenic and neurological strains);
- 50.1.11 equine infectious anaemia;
- 50.1.12 equine influenza;
- 50.1.13 equine piroplasmosis (babesiosis);
- 50.1.14 equine viral arteritis;
- 50.1.15 getah virus;
- 50.1.16 glanders;
- 50.1.17 hendra virus;
- 50.1.18 Japanese encephalitis;
- 50.1.19 potomac fever;
- 50.1.20 screw-worm fly - New World (*cochliomyia hominivorax*);
- 50.1.21 screw-worm fly - Old World (*chrysomya bezziana*);
- 50.1.22 strangles;
- 50.1.23 surra (*trypanosoma evansi*);
- 50.1.24 trichinellosis;
- 50.1.25 warble fly myiasis;

- 50.1.26 West Nile virus infection;
  - 50.1.27 Eastern Equine Encephalomyelitis; and
  - 50.1.28 Western Equine Encephalomyelitis
- 50.2 A person who owns or is in charge of, or has in his Possession, a horse which the person is aware, suspects, or should reasonably suspect is infected with a notifiable disease or condition, must report this to the HRD immediately and must take all steps to keep that horse separated from other horses or animals not infected.
- 50.3 If the Stipendiary Stewards reasonably suspect any Premises, place, area and/or property to be contaminated with a notifiable disease or condition, they may by written order declare it to be an “infected place”. An order declaring any premises, place or area to be an infected place must be given to the Person in charge or in apparent control of the premises, place or area to which the order relates. The Stipendiary Stewards shall have the power to place a restriction of such area as they deem necessary.

## 51. **Registration of Horses and Owners**

- 51.1 The following Information must be provided for a Horse to be Registered with the HRD:
- 51.1.1 its date of foaling;
  - 51.1.2 its sex;
  - 51.1.3 its colour;
  - 51.1.4 its pedigree;
  - 51.1.5 any brands and markings;

- 51.1.6 its Microchip number;
- 51.1.7 its Foal Identification Card; (if applicable)
- 51.1.8 any disqualifications incurred;
- 51.1.9 the name, date of birth, address and signature of each Owner or if the Horse is owned by a juristic person, the name of the juristic person and the name and address of the nominee of the juristic person and if the juristic person is a company, the name of the company and its registered address;
- 51.1.10 a certificate of identification stating the horse's age, sex, colour, Microchip number (if any) and any brands and markings by which the Horse may be identified, as certified by a Veterinary Surgeon approved by the Stipendiary Stewards; and
- 51.1.11 any other information that HRD considers necessary.
- 51.2 The fees payable for Registration of a Horse will be determined from time to time by the HRC and published in the Racing Calendar.
- 51.3 It shall be an offence for a Person to provide incorrect information in an application to register a Horse with the Horse racing Division.
- 51.4 The HRD may, in its discretion, accept or reject any application for the transfer of Ownership of a Horse.
- 51.5 If a transfer application is accepted, the HRD must as soon as practicable (following the payment of any prescribed fee) amend the official Ownership records.
- 51.6 The HRD may request proof of purchase of any Horse being Registered or transferred.

- 51.7 All transfers of Ownership will be processed if the majority of the Ownership completes and signs the prescribed forms.
- 51.8 The HRD shall process applications for the Registration of a new Owner of a transferred Horse as follows:
- 51.8.1 If a Registered Horse is transferred to a new Owner, that new Owner must apply for registration of the transfer to HRD using the prescribed form;
- 51.8.2 An application for the Registration of a Horse purchased by or transferred to a syndicate must be signed by the syndicate nominee or authorised representative of the syndicate;
- 51.8.3 The HRD or the Stipendiary Stewards may conduct inquiries into the circumstances of the transfer of a Horse as they see fit and whether or not the transfer has been effected;
- 51.8.4 On proper cause, including but not limited to lack of bona fides of the transaction or the identity of the Persons or Horses concerned, or a determination that they or any of them are subject to any Penalty or restriction under the Rules, the HRD or the Stipendiary Stewards may:
- 51.8.4.1 reject an application for the registration of a transfer of an Interest in a Horse; and/or
- 51.8.4.2 if a transfer has been effected, set aside the transfer.
- 51.9 Until a transfer of a Horse or Ownership Interest in a Horse is Registered, a Horse cannot start in a race.

## 52. Replacement of Horse identification documents

52.1 The HRD may, upon payment of the prescribed fee to it, issue a Person with a replacement copy of a document of registration or other official registration or identification document as it deems appropriate under the circumstances.

53. **Use by Owners of intellectual property associated with a Horse**

53.1 As a condition of, and in consideration for, the registration of a Horse or an Interest in a Horse, each Owner (including future Owners):

53.1.1 authorises the HRD and a HRO to use the names, images, jockey silks and other indicia of Horses for the purposes of administrating, promoting and reporting on Horse racing;

53.1.2 accepts that the HRD owns all rights, title or Interest (including but not limited to copyright, goodwill and reputation) in the name, image, Jockey silks and any other indicia associated with a Horse, whether existing before or after the Horse is Registered;

53.1.3 assigns to the HRD – to the extent the Owner owns, by force of law, any right, title or Interest (including but not limited to copyright, goodwill and reputation) in the name, image, Jockey silks and any other indicia associated with the Horse, whether existing before or after the Horse is Registered – any and all such intellectual property rights;

53.1.4 undertakes not to apply, or authorise any other Person to apply, to register the name, image Jockey silks or any other indicia associated with a Horse as a trademark; and

53.1.5 undertakes not to assert or bring or to authorise any other Person to assert or bring, any claim of Ownership of any intellectual property rights in the name, image, Jockey silks or any other indicia associated with the Horse.

53.2 In consideration for the assignment and undertakings as provided for under Rule 53, the HRD grants to all Owners of the Horse a non-exclusive, royalty-free and non-transferable license to use the name, image, Jockey silks and other indicia associated with the Horse for any purpose related to racing, training, promoting, merchandising, and otherwise in connection with the Horse.

#### 54. **Age of Horses**

54.1 The age of a Horse shall be determined as follows:

54.1.1 If the foal is born between 1 July and 31 December such Horse shall take its age from 1 August in the year in which it is foaled (Southern Hemisphere);

54.1.2 If the foal is born between 1 January and 30 June, it shall take its age from 1 January in the year in which it is foaled (Northern Hemisphere).

54.2 Any doubt or dispute in relation to a Horse's age shall be determined by the HRD Licensed Veterinary Surgeon.

#### 55. **Race Horse Names**

55.1 The name of an imported Horse shall not be changed unless:

55.1.1 permission for such is granted by the HRD and subject to such conditions as published in the Racing Calendar; and

55.1.2 subject to the approval of the Stud Book Authority of the country where the Horse was foaled.

55.2 No Horse shall have a similar name to a previous horse of the year and/or classic winner in Mauritius. Under such circumstances the HRD, with the consent of the Stud Book Authority of the country where the Horse was foaled, will change or vary the name.

55.3 The HRD may change any Horse's Registered name where it deems it necessary.

55.4 Unless approved by the HRD, a Horse cannot be Registered with the same name as any other Horse previously Registered in Mauritius until the later of:

55.4.1 15 years of the birth of the Horse with the same name; or

55.4.2 20 years after the birth of the youngest produce of the Horse with the same name.

55.5 Where a Horse has been imported, it shall only be permitted to be trained and/or participate in Races in Mauritius if:

55.5.1 it is Registered in the Stud Book of its country of origin; or in such other register kept for race horses in its country of origin as the HRD may approve;

55.5.2 it has been Microchipped or identified by a method approved by the HRD;

55.5.3 its Ownership has been Registered with the HRD;

55.5.4 it is older than two years and complies with the Rules;

55.5.5 it has been named; and

55.5.6 it has been imported with the consent of the HRD.

55.6 A Horse born in Mauritius may take part in racing after obtaining the permission of the HRC which must be provided with proof of the Horse's pedigree, parentage, birth, covering and identification.

## 56. **Abandoning Of Horses**

56.1 Without derogating from any the powers of the Stipendiary Stewards, a Trainer who abandons his Horse shall under no circumstances be eligible for the granting of a trainer's license under these Rules. The Stewards, after due enquiry, may



also take disciplinary action against the Owner, as deemed fit, for such abandoned Horse which action may include, but is not limited to, withdrawal of permission to own Horses.

## 57. **Leasing of Horses**

57.1 A Person who Leases a Horse must, as soon as practicable after agreeing to a Lease and before entering the Horse for any race, lodge, with the HRD, an original of the relevant Lease on the prescribed form and other documents detailing the Lease agreement.

57.2 Both a lessor and lessee shall hold an obligation to immediately inform the HRD of the cancellation of a Lease if such Lease is cancelled before the end of its term.

57.3 The HRD shall have the power to:

57.3.1 refuse to accept a Lease for the purposes of Registration;

57.3.2 order that a Lease contains certain terms; and

57.3.3 prohibit the inclusion of terms that it considers inappropriate.

## 58. **Deaths of named and unnamed Horses to be reported**

58.1 Upon the death of a Named Horse which has not been retired from racing, either the Trainer or Owner of such Horse must within two (2) Days of the Horse becoming deceased, notify the HRD of such by completing the prescribed death notification form.

58.2 Upon the death of an unnamed Horse, the Trainer or Owner of such Horse must within 7 Days of the Horse becoming deceased, notify the HRD of such by completing the prescribed death notification form.

**59. Failure to provide information in relation to Interests in a Horse**

59.1 No Person shall:

59.1.1 fail to declare any share or Interest in a Horse;

59.1.2 misrepresent or provide any misleading or inaccurate information, to the HRD, about the Ownership of a Horse; or

59.1.3 be a party to any breach of this rule.

**60. Sold with and without engagements**

60.1 In the absence of any agreement to the contrary when a Horse is sold, its existing engagements are transferred with the Horse unless such agreement documents that the sale is without engagements.

**61. Conditions for Race Meetings**

61.1 The conditions of every race shall be published not less than five (5) Days before the Day of the Race Meeting. The conditions of the Race shall state the distances, conditions and Prize money. Notwithstanding the contents of this Rule, the HRD reserves the right to amend the conditions of Races at any time, if it determines such will be in the best Interests of racing.

61.2 All entries, declarations or forfeit, acceptance, non-acceptance, or Scratching must be made prior to the time as the deadline for when they are required in the prescribed form as published in the Racing Calendar.

61.3 All declarations are required to be accompanied by the required fee or payment unless determined otherwise by the HRD.

**62. Nominations**

- 62.1 The nomination of a Horse shall be made in accordance with the procedure for nominations as published in the Racing Calendar.
- 62.2 Every nomination of a Jockey or a Horse shall be subject to the approval of the Stipendiary Stewards.
- 62.3 Upon receipt of the nominations, the Handicapper shall allocate weights to each Horse nominated.
- 62.4 A Horse may only be scratched from the nominations by a Veterinary Surgeon or by the Stipendiary Stewards where the Trainer is able to show good cause.

### 63. **Declarations**

- 63.1 A Trainer shall submit his declarations in accordance with the procedure prescribed by the HRD, which shall be published in the Racing Calendar.
- 63.2 The Handicapper shall determine the final fields for a Race. Where a Race is oversubscribed, the runners in that Race shall be determined using the handicapping guidelines and the balloting of Horses where necessary.
- 63.3 Every Horse must be finally weighted by the Handicapper at the time of declarations.
- 63.4 After a Horse is weighted and the final fields are determined, every Horse shall be allocated a barrier draw for that Race.
- 63.5 The process for eliminations, balloting of Horses and conducting the allocation for the barrier draws shall be determined by the HRD and published in the Racing Calendar.

- 63.6 Any Objections to the balloting process shall be made to the Handicapper who may correct any error or omission prior to the publication of the Race Card or reject such Objection.
- 63.7 A Horse is not to be Disqualified from a Race because of any defect in relation to its Registration or entry if the Stipendiary Stewards order the defect to be corrected before the start of the race.
- 63.8 The barrier draws at the time of the Declarations must be done manually unless otherwise specified. Trainers have the right to be present at the time of declarations if they wish to witness the draws.

**64. Prohibited Substances**

- 64.1 Any Person who administers or allows, incites, causes, attempts or conspires with another to administer a Horse which has been entered for a race with any Prohibited Substance shall be guilty of an offence under the Rules.
- 64.2 The following shall constitute Prohibited Substances:
- 64.2.1 Substances or agents capable at any time of causing either directly or indirectly an action or effect, or both an action and effect, within one or more of the following mammalian body systems the:
- 64.2.1.1 nervous system;
  - 64.2.1.2 cardiovascular system;
  - 64.2.1.3 respiratory system;
  - 64.2.1.4 digestive system;
  - 64.2.1.5 urinary system;
  - 64.2.1.6 reproductive system;

64.2.1.7 musculoskeletal system;

64.2.1.8 blood system;

64.2.1.9 immune system, except for Licensed vaccines against infectious agents;

64.2.1.10 the endocrine system;

64.3 Substances falling within, but not limited to, the following:

64.3.1 acidifying agents; adrenergic blocking agents; adrenergic stimulants; agents affecting calcium and bone metabolism; alcohols; alkalinizing agents; anabolic agents; aesthetic agents; analgesics; antianginal agents; antianxiety agents; antiarrhythmic agents; anticholinergic agents; anticoagulants; anticonvulsants; antidepressants; antiemetics; antifibrinolytic agents; antihistamines; antihypertensive agents; anti-inflammatory agents; anti-nauseates; antineoplastic agents; antipsychotic agents; antipyretics; anti-rheumatoid agents; antispasmodic agents; antithrombotic agents; antitussive agents; blood coagulants; bronchodilators; bronchospasm relaxants; buffering agents; central nervous system stimulants; cholinergic agents; corticosteroids; depressants; diuretics; erectile dysfunction agents; fibrinolytic agents; haematopoietic agents; haemostatic agents; hormones (including trophic hormones) and their synthetic counterparts; hypnotics; hypoglycaemic agents; hyperlipidaemic agents; immunomodifiers; masking agents; muscle relaxants; narcotic analgesics; neuromuscular agents; plasma; volume expanders; respiratory stimulants; sedatives; stimulants; sympathomimetic amines; tranquillisers; vasodilators; vasopressor agents; vitamins administered by injection and oxygen carriers;

- 64.4 Agents that are capable, at any time, of directly or indirectly causing an action or effect on, and/or manipulating, gene expression in any mammalian body, including but not limited to gene editing agents with the capacity to alter genome sequences and/or the transcriptional, posttranscriptional or epigenetic regulation of gene expression;
- 64.5 Natural or herbal substances or remedies and/or drugs which have any of the following properties:
- 64.5.1 antipyretic, analgesic and anti-inflammatory properties;
- 64.5.2 the property of affecting blood coagulation;
- 64.5.3 cytotoxic properties; and
- 64.5.4 any substance naturally produced by a Horse which is administered or intended for the administration to a Horse;
- 64.6 Any endogenous or other substance the concentration of which equals or exceeds the threshold and/or concentration determined by the International Federation of Horseracing Authorities and incorporated in the International Agreement on Breeding and Racing as published in the Racing Calendar;
- 64.7 Any masking agent of a Prohibited Substance;
- 64.8 Any scientific indicator of administration of a Prohibited Substance; and
- 64.9 Any Illicit Substance.

**65. Illicit Substances**

- 65.1 Without exception, a Person shall be guilty of an offence if an Illicit Substance is administered to a Horse or if a Sample taken from a Horse at any time contains an Illicit Substance, or if the concentration thereof exceeds the threshold

determined by the International Federation of Horseracing Authorities and incorporated in the International Agreement on Breeding and Racing, as published from time to time in the Racing Calendar.

65.2 An Illicit Substance is any substance, metabolite of a substance, isomer of a substance or metabolite, or a pro-drug of the substance, the administration of which is not allowed at any time. A list of such substances will be published in the Racing Calendar by the HRD.

65.3 If a Horse is known to have been administered an Illicit Substance, or if a Sample taken from that Horse contains an Illicit Substance or exceeds the threshold for this substance, such Horse shall be banned from racing for a period of 180 Days, provided that such substance is not an anabolic steroid.

65.4 If a Horse is known to have been administered with an Illicit Substance, or if a Sample taken from that Horse contains an Illicit Substance or exceeds the threshold for this substance, and such substance is an anabolic steroid, the Horse shall be banned from racing for a period of 365 Days.

65.5 It shall be an offence for any Person to attempt to obtain, obtain or be in Possession of an Illicit Substance.

## 66. **Prohibition on use of Genetic Therapy**

66.1 Subject to Rules, no Person shall or attempt to use genetic therapy, on a Horse.

66.2 Genetic therapy, is defined as including any therapy, method or process which involves the use or administration of:

66.2.1 oligomers or polymers of nucleic acid;

66.2.2 nucleic acid analogues;

- 66.2.3 genetically modified cells; and
- 66.2.4 Gene editing agents which are capable, at any time, of directly or indirectly causing an action or effect on, and/or manipulating, gene expression in any mammalian body, including but not limited to gene editing agents with the capacity to alter genome sequences and/or the transcriptional, post-transcriptional or epigenetic regulation of gene expression and are prohibited.
- 66.3 Without derogating from the Rules, the following are not defined as a Genetic Therapy for the purpose of the IABRW:
  - 66.3.1 the use or administration of autologous conditioned serum; and
  - 66.3.2 “platelet-rich plasma” treatments which do not involve the transfer of whole cells and/or DNA.
- 66.4 Without derogating from the contents of the Rules, genetic therapy may be used or administered to a specific Horse with the express prior approval of the HRD if that Genetic Therapy is used to treat an injury or disorder formally diagnosed by a Veterinary Surgeon:
  - 66.4.1 is not capable of modifying a Horse’s heritable genome;
  - 66.4.2 does not pose a threat to the welfare of Horse; and
  - 66.4.3 does not pose a threat to the integrity of racing, either by having the potential to enhance or harm the performance of a Horse in a race.
- 66.5 If genetic therapy is conducted in terms of the Rules, the Owner or Trainer has the responsibility in respect of the control and recording of such treatment, in this regard he must:



- 66.5.1 inform and obtain the approval of the HRD of any intended Genetic Therapy to a Horse prior to such treatment, irrespective of whether it is to be administered before, in or out of training; and
- 66.5.2 the Owner or Trainer must maintain full and accurate records of all such therapies – which must be kept for a minimum of five years and be readily available for inspection by regulatory officials when requested.

**67. Prohibition on Gene Editing**

- 67.1 Gene editing is defined as any process or treatment in respect of a Horse which involves the insertion, deletion and/or replacement of DNA at a specific site in the genome of the Horse.
- 67.2 No Person shall use on, or administer or apply to, any Horse of gene editing at any time.

**68. Prohibition on Genome Editing**

- 68.1 Genome editing is defined as any process or treatment in respect of a Horse which involves the insertion, deletion and/or replacement of DNA in the genome of the Horse.
- 68.2 No Person shall use on, or administer or apply to, any Horse of genome editing at any time.

**69. Prohibited Substances Offences**

- 69.1 The Trainer of a Horse shall be guilty of an offence if a Sample taken from a Horse:
- 69.1.1 when it is presented on a Course to run or runs in a Race;

- 69.1.2 at any time within 72 hours preceding the Day of the Race in which it is or was due to run;
- 69.1.3 at any time on the Day, prior to the running of a Race in which it is or was due to run;
- 69.1.4 at any time on the Day when it is presented for the purpose of determining whether a Suspension should be lifted or for the purpose of a fitness gallop;  
or
- 69.1.5 at any time contains a Prohibited Substance, the administration of which has not been accurately recorded in the Veterinary Treatment Register,  
  
discloses upon analysis the presence of a Prohibited Substance.

**70. Taking and Analysis of Samples**

- 70.1 The Stipendiary Stewards may order that any Horse be selected and/or detained for the taking of Samples for analysis or if the Horse has died, the Stipendiary Stewards may order the Horse be detained for a post mortem to be conducted or Sample to be taken.
- 70.2 No Person shall interfere with any Person or the Stipendiary Stewards when Horses are selected and/or detained for a Sample.
- 70.3 The Trainer, his Licensed stable representative or an Owner of a Horse or Jockey, as the case may be, may observe the taking, sealing and marking of a Sample provided that this does not cause an undue delay.
- 70.4 The Stipendiary Stewards shall in their discretion request the assistance of certain persons when Samples are taken, these may include a sample collector and Veterinary Surgeon.

- 70.5 All Samples taken may be frozen or otherwise dealt with prior to being dispatched to the Approved Racing Laboratory. No Sample shall be disposed of unless ordered by the Stipendiary Stewards.
- 70.6 Samples taken shall be spilt into an A Sample and B Sample.
- 70.7 The A Sample shall be the primary Sample upon which analysis is conducted on by the Approved Racing Laboratory. The B Sample shall be retained by the Stipendiary Stewards in a secured restricted access area, pending the result of the analysis of the A Sample.
- 70.8 If upon analysis of the A Sample by the Approved Racing Laboratory, a Prohibited Substance is detected, the Stipendiary Stewards shall be notified of such in writing by the Approved Racing Laboratory. Thereafter, the Stipendiary Stewards shall inform the Trainer of the Horse of the findings.
- 70.9 A Trainer who has been informed of the findings contemplated in Rule 70.8, shall have the right, within 48 hours of being informed by the Stipendiary Stewards, to request in writing, that the B Sample be dispatched to a Confirmed Laboratory, nominated by him, for analysis. The Trainer shall bear all expenses associated with the analysis of the B Sample.
- 70.10 Should a Trainer fail to make a request to have the B Sample dispatched in terms of the Rules or fail to comply with the requirements for dispatch, the Trainer shall lose such opportunity and the B Sample may be ordered to be disposed of by the Stipendiary Stewards.
- 70.11 In the case of a Trainer having properly made a request for dispatch of the B Sample, the Stipendiary Stewards shall attend to such request and the Trainer shall have the right to witness any sealing and dispatch process.

- 70.12 If the Approved Racing or Confirmatory Laboratory is unable to analyse a Sample for any reason, the Stipendiary Stewards may, in the case of an A Sample, order the Sample or any portion of the Sample be dispatched to another Approved Racing Laboratory and in the case of a B Sample, the Trainer shall be advised of such and afforded the opportunity to have the Sample or any portion of the Sample to be dispatched to another Confirmatory Laboratory with the total expenses still being incurred by him.
- 70.13 Where a Trainer signs the prescribed acceptance form that an A Sample contained a Prohibited Substance, then it shall be conclusively proved that such Sample contained that Prohibited Substance.
- 70.14 It shall not be a defence if the reason the Prohibited Substance was disclosed was due to a veterinary administration or on the advice of a Veterinary Surgeon.
- 70.15 Where the HRD receives a certificate and/or report from a Confirmatory Laboratory stating that a Sample taken from a Horse discloses upon analysis the presence of a Prohibited Substance such certificate or report shall be conclusive evidence that the Horse was under the influence of such substance at the time the Horse ran in such Race.
- 70.16 If a finding is made by an Inquiry or Appeal Board which results in a Horse being Disqualified, such Horse shall be suspended from racing until the Trainer provides the Stipendiary Stewards with the result of an elective test which confirms the clearance of any Prohibited Substance from the Horse's body.
- 70.17 Should a Horse be disqualified, the procedure of Prizes in terms of Rule 37.6 and 37.7 shall apply mutatis mutandis.

71. **Banned Substances – Jockeys**

- 71.1 The Stipendiary Stewards may order that any Jockey who is located on the Course for the purpose of a gallop, Trackwork and fulfilling his riding engagement at a Race Meeting, be selected to be Sampled.
- 71.2 A Jockey shall commit an offence if:
- 71.2.1 Any Sample of blood, breath, hair or urine taken from him contains a Banned Substance;
- 71.2.2 he neglects, refuses and/or fails to present himself to be Sampled after being ordered to do so by the Stipendiary Stewards;
- 71.2.3 He attempts to interfere with, intimidate or mislead any Licensed Official or person who is designated to take his Sample or the Stipendiary Stewards; or
- 71.2.4 He fails to provide a Sample within a reasonable period of time after being ordered to do so by the Stipendiary Stewards.
- 71.3 Where a Jockey neglects, refuses and/or fails to present himself to be Sampled or fails to provide a Sample within a reasonable period of time as contemplated by the Rules it shall:
- 71.3.1 Be deemed that the Jockey was under the influence of a Banned Substance;  
and
- 71.3.2 Notwithstanding the findings, of any of an Inquiry Board, result in the Jockey being suspended from riding in Races and Trackwork until such time that he provides the Stipendiary Stewards evidence that a Sample from him, upon analysis, disclosed he was not under the influence of a Banned Substance.

- 71.4 A Banned Substance is any one or any combination of the following substances or any of the metabolites of such substance or combination of substances or any isomer of a substance or any isomer of a metabolite:
- 71.4.1 Alcohol - at or above a screening limit of 10 micrograms of ethanol per 100 millilitres of breath or 20 milligrams of ethanol per 100 millilitres of blood;
  - 71.4.2 Amphetamines and amphetamine – like substances including the "Ecstasy" group and excluding Pseudoephedrine and Phenylpropanolamine;
  - 71.4.3 Barbiturates;
  - 71.4.4 Benzodiazepines and Benzodiazepine – like substances;
  - 71.4.5 Cannabinoids and/or Synthetic cannabinoids and/or — at or above a screening limit of 15 nanograms of delta-9-tetrahydro-11-nor-cannabinol-9-carboxylic acid per millilitre in urine;
  - 71.4.6 Cocaine;
  - 71.4.7 Clenbuterol, Benzylpiperazine, Ketoamphetamines, Cathinone and their derivatives or other similar substances, whether naturally occurring, synthetic or semi-synthetic;
  - 71.4.8 Ephedrine — at or above a screening limit of 10 micrograms of ephedrine per millilitre in urine;
  - 71.4.9 Ketamine and Tiletamine;
  - 71.4.10 Lasix (Furosemide) and other diuretics;
  - 71.4.11 Lysergic Acid Diethylamide (LSD);
  - 71.4.12 Methyl ephedrine — at or above a screening limit of 10 micrograms of methyl ephedrine per millilitre in urine;

- 71.4.13 Methylphenidate;
  - 71.4.14 Opioids, excluding the normal use of Codeine with a screening limit of 2000 nanograms per millilitre, Dextromethorphan, Dihydrocodeine, Ethyl morphine, Pholcodine, Propoxyphene and Tramadol;
  - 71.4.15 Phencyclidine;
  - 71.4.16 Masking Agents; and
  - 71.4.17 Tryptamine derivatives.
- 71.5 Any Jockey under a Course of medical treatment prescribed or administered by a medical practitioner for recognised medical purposes shall, prior to the commencement of a Race Meeting or Trackwork where he is riding, make full disclosure to the Stipendiary Stewards of such prescription or administration. The same duty of disclosure shall apply where any Medication is obtained from any pharmacy and used as "self-prescribed" Medication.

## 72. Taking of Samples

- 72.1 The provisions of Rule 70.2-70.16 shall apply mutatis mutandis to any Sample taken from a Jockey.

## 73. Inquiries

- 73.1 Inquiry Proceedings
  - 73.1.1 Where the Stipendiary Stewards deem such appropriate, any breaches of the Rules by any Person shall be adjudicated upon by an Inquiry Board.
  - 73.1.2 An Inquiry Board, may order the attendance of a Person at the proceedings and to remain in attendance until excused.

73.1.3 Any Person who disobeys an order of the Stipendiary Stewards and does not appear before an Inquiry Board as requested, may have such Inquiry proceed in their absence and may be liable to a fine.

73.1.4 An Inquiry Board shall have the power to investigate any alleged breach or contravention of the Rules. An Inquiry Board shall be entitled to make a finding and impose a Penalty on any Person who has been found to have contravened the Rules.

73.1.5 Any Inquiry Board shall have the power to impose one or more of the following penalties:

73.1.5.1 Reprimand;

73.1.5.2 Caution;

73.1.5.3 Fine;

73.1.5.4 Warning;

73.1.5.5 Suspensions;

73.1.5.6 Disqualify;

73.1.5.7 Warning off;

73.1.5.8 Cancel any privilege or registration; and/or

73.1.5.9 Any Penalty which in the opinion of the Inquiry Board would be in the best interests of Horse racing in Mauritius.

73.1.6 An Inquiry Board may consist of the following Persons:

73.1.6.1 One or more Stipendiary Stewards who may have officiated at the Race Meeting where the reason for the Inquiry arose;



- 73.1.6.2 Any Person who has been co-opted by the Inquiry Board; and
- 73.1.6.3 Any Person who has been appointed in terms of the law of Mauritius.
- 73.1.7 Notwithstanding the contents of Rule 73.1.6, the quorum for an Inquiry Board shall be one.
- 73.1.8 During its conducting of proceedings, an Inquiry Board shall have the power to adopt any processes and formalities in order to facilitate the hearing of the matter. This shall include the power to adjourn or postpone proceedings based on the circumstances of a matter.
- 73.1.9 Where a member of the Inquiry Board has absented himself from any part of the proceedings, he shall not take any further part in the Inquiry and shall not be replaced. Notwithstanding the member's absence, the validity of the proceedings shall not be affected.
- 73.1.10 Any Person required to appear before an Inquiry Board shall have to right to be advised of the venue, date and time the proceedings will be held.
- 73.1.11 No Person required to appear before an Inquiry Board, shall be entitled to any representation other than an interpreter who shall not be a member of the legal profession, a Jockey or Trainer. Notwithstanding the contents of this Rule, the HRD shall have the right to representation before an Inquiry Board where such is deemed necessary and an Inquiry Board shall have the power to allow representation of a Person under exceptional circumstances provided that such representative is not a legally qualified person nor a Jockey where the Person being inquired into is a Jockey.
- 73.1.12 Any film, video-tape or other mechanical recording of any Race shall in an Inquiry, itself constitute evidence of the running of the Race and the riding of

the Jockeys involved in that race, without any supporting evidence or corroboration whatsoever from any Person or individual. Similarly, at any Inquiry, the evidence of any Person reading the film, video or other mechanical recording of the Race shall constitute admissible evidence at such Inquiry.

#### **74. Records**

- 74.1 All Inquiry and Objection proceedings shall be recorded either manually or by means of recording equipment.
- 74.2 All Persons will be strictly prohibited from using any device to record audio and/or video (including mobile phones) during any meeting or an Inquiry conducted by Licensed Officials and/or HRD staff without the prior consent of the Chairman of Stipendiary Stewards. A contravention of this Rule may lead to the sanctioning of a Licensee or person even if the device is in the Possession of their spokesperson or Lawyer.

#### **75. Appeals**

- 75.1 Any Person who is aggrieved by any decision of the HRD or HRO under these Rules, may complain by way of an Appeal against that decision, to the Appeal Committee in terms of section 7(1) (ga) of the GRA Act, and the Regulations made under sections 7(1) (ga) and 164 of the GRA.
- 75.2 All parties shall be entitled to legal representation at any Appeal to the Appeal Committee.

#### **76. Cost and Indemnity**

76.1 The HRD nor any of its Licensed Officials shall be liable for any expenses incurred by any Person or individual arising out of and/or relating to an Inquiry and/or Objection.

76.2 Every Person who is Licensed in terms of these Rules and the prevailing legislation in Mauritius is deemed to know, understand and accept the terms and conditions imposed under the Rules.

## 77. **Disqualifications and Warning Off**

77.1 Any Person who has been Warned Off or Disqualified, shall not be permitted:

77.1.1 Access to the Course, training tracks or any other property used by the HRO and/or the HRD;

77.1.2 Own or have an Interest either directly or indirectly in a Horse; and/or

77.1.3 Be employed by a Licensed Person.

77.2 Any Person who has any dealings whether directly or indirectly with a Person who is Warned Off shall be guilty of an offence.

## 78. **Suspensions**

78.1 Any Person who has been suspended in terms of the Rules shall be prohibited from participating in Races and/or horse racing to the extent determined by an Inquiry Board or the HRD.

78.2 Where a Person other than a Jockey has been suspended, such Suspension shall be effective after the expiry of the time period allowed for that Person to Appeal unless he elects to waive his right of appeal, in which case the Suspension shall be effective immediately.

78.3 A Jockey's Suspension shall be effective as follows:

78.3.1 Where a Jockey has been suspended, it shall be effective after the expiry of the time period allowed for a Jockey to Appeal unless he has waived his right of appeal in which case the Suspension shall be effective immediately;

78.3.2 Where a Jockey has appealed and such appeal has been rejected, he shall immediately serve his Suspension, except where he has:

78.3.3 already been carded in the Race Card, in which case he shall serve his Suspension immediately after his last carded ride; or

78.3.4 elected to defer a Suspension for one Race Meeting. In which case he shall notify the Chairman of Stipendiary Stewards in writing within two (2) Days from the Day on which the sanction was intended to take effect.

78.4 A Horse may be suspended:

78.4.1 by the HRD or an Inquiry Board on such terms and for such period as they may determine, provided that a Horse shall not be suspended because of disease, infirmity, unsoundness or unfitness except on the report of a Veterinary Surgeon. Any Suspension imposed on a Horse shall be with immediate effect;

78.4.2 if it has participated at an unauthorised Race Meeting;

78.4.3 if it is associated with a Warned Off or Disqualified Person;

78.4.4 if it is intractable or unruly;

78.4.5 if its behaviour constitutes a source of danger;

78.4.6 if its full traceability cannot be established up to 6 Months prior to the date of query; and

78.4.7 if the decision of a Foreign Racing Authority is being ratified.

78.5 Regarding a Horse which has been Suspended due to epistaxis, the following periods of Suspension shall apply:

78.5.1 On the first occurrence for the season, the Horse shall be suspended for at least 30 Days;

78.5.2 On a second occurrence for the season, the Horse shall be suspended for at least 45 Days;

78.5.3 On the third occurrence for the season, the Horse shall be suspended for at least at least 45 Days and on such conditions as determined by the Stipendiary Stewards on the advice of the Veterinary Surgeon; and

78.5.4 On the fourth occurrence, the Horse shall be automatically retired.

## 79. **Fines**

79.1 All fines incurred in terms of the Rules shall be paid to the HRD.

79.2 Should any fine be unpaid after 30 Days, such Person may be Suspended or Defaulted from racing without an Inquiry.

## 80. **Admission of Guilt**

80.1 The Stipendiary Stewards may authorise the signing of an admission of guilt in respect of any contravention of the Rules.

80.2 No Person who signs an admission of guilt which is accepted by the Stipendiary Board shall have the right of Appeal against any fine or Suspension which may be imposed.

80.3 The Penalty following the signing of an admission of guilt shall be effective from the date of signature.

## 81. **Prohibited Practices**

- 81.1 Without in any way derogating from the provisions of the Rules, no Person shall:
- 81.1.1 for any dishonest or unlawful purpose in connection with Horse racing, give, offer and/or promise, whether directly or indirectly, any inducement, reward or bribe of whatsoever nature, to any Stakeholder or person and/or accept any such inducement, reward or bribe;
  - 81.1.2 without a proper or acceptable reason:
    - 81.1.2.1 withdraw or encourage the withdrawal of a Horse from a Race; and/or
    - 81.1.2.2 fail to ensure that any Horse which has been declared for a Race, is in the security area as prescribed in the Rules;
  - 81.1.3 enter or start, or attempt to enter or start in any race, a Horse which he is aware is ineligible for that race;
  - 81.1.4 be in any manner involved, directly or indirectly, in a Horse running in a race for which it has not been entered;
  - 81.1.5 enter or start a Horse for or in a race when he is aware he is not entitled to do so in terms of the Rules;
  - 81.1.6 enter or cause any Horse to be entered in a race or cause a Horse to run in a race, when such Horse is not owned or Leased by the Person in whose name it is so entered to run or runs;
  - 81.1.7 accept payment of any training fee and/or charges, in whole or in part, in respect of any Horse entered for, or run in a Race from any Person other than from the HRD;
  - 81.1.8 if he is aware that any Horse is not eligible to run in a race, omit to notify the Stipendiary Stewards before the race;

- 81.1.9 tamper with, abuse or ill-treat any Horse;
- 81.1.10 permit a Horse to be ridden by a Jockey making use of spurs;
- 81.1.11 interfere with or threaten any Stakeholder or an employee in any racing Stable in connection with horse racing;
- 81.1.12 improperly obtain information about a trial, or about any Horse in training from any Owner, Trainer, Jockey or anybody else employed in a racing or a Stable or in the services of the Owner or Trainer of such Horse, and improperly make such information available;
- 81.1.13 try, exercise or work together Horses from different Stables however, it shall not be an offence to allow Horses to take part in Barrier Trials, fitness trials or training starts, from starting stalls operated by a Licensed Official and supervised by the Stipendiary Stewards and a Licensed Veterinary Surgeon and where such Horses do not run for more than 1000 metres from the starting stalls before being pulled up; and
- 81.1.14 use or be party to the use of directly or indirectly, or be in Possession of any electric, electronic, mechanical or galvanic apparatus or equipment (whether in working condition or not), on or in relation to any Horse, which may adversely impact or affect the welfare of the Horse;
- 81.1.15 fail to register any matter which is required to be Registered in terms of the Rules or submit any false or misleading information when registering any matter which is required to be Registered in terms of the Rules;
- 81.1.16 interfere with, tamper with or intimidate anybody (including any witness) or anything (where applicable) involved or concerned with any Inquiry,

- investigation, Objection, appeal or review, held or to be held in terms of the Rules;
- 81.1.17 mislead the Stipendiary Stewards or the members of any board, appointed in terms of the Rules;
- 81.1.18 abuse, swear at, mislead, intimidate, threaten or interfere with any Stakeholder including any official involved with the administration or the control of racing;
- 81.1.19 commit, incite or conspire with anybody to commit any corrupt, fraudulent, dishonest or prohibited practice in relation to the racing, breeding, buying and/or selling of Horses in any country;
- 81.1.20 allow anybody who is Warned Off or is a Defaulter to be present at or on his property, whether owned or leased;
- 81.1.21 have any dealings, directly or indirectly, with anybody who is Warned Off or Defaulted;
- 81.1.22 auto transfuse blood from a Horse by drawing a quantity of blood from such Horse and then transfusing it back to the same Horse at any time;
- 81.1.23 administer any substance topically, orally, by injection, by inhalation, by drenching, by infusion or any other method other than normal feed and water by mouth, to a Horse at any time prior to the Race on the Day of the Race Meeting at which the Horse is due to run except where such substances have been authorised by the HRD;
- 81.1.24 misbehave himself or conduct himself in an improper manner on any Course, at any time;



- 81.1.25 behave or conduct himself in such a manner which has or might have the effect of discrediting horse racing or bringing into disrepute horse racing, the HRD or an HRO;
- 81.1.26 without lawful reason be a party to or incite any other Person or individual to perform any act, or by omission, create a circumstance which does or might lead to the abandonment, postponement or interruption of any Race or Race Meeting;
- 81.1.27 commit any negligent or fraudulent act with regard to weights or weighing;
- 81.1.28 place a bet or bets on a Horse with the intention of altering the totalisator pool so as to create a favourite, which in the absence of such a bet or bets, would not be a favourite;
- 81.1.29 be on any premises occupied by an unlicensed or licensed Bookmaker or totalisator operator or any party operating as a bookmaker or laying bets;
- 81.1.30 place a bet with an unlicensed Bookmaker or totalisator operator;
- 81.1.31 fail to appear, before the Stipendiary Stewards, attend or remain in attendance at any inquiry, investigation or Objection Board when required to do so in terms of the Rules;
- 81.1.32 do or fail to do anything, which may have the effect of preventing a Horse from winning a race or obtaining the best possible placing in a Race or from running;
- 81.1.33 do or fail to do anything, which may render a Horse a source of danger or interference to another Horse or to Persons taking part in a Race or to other persons present at a Course;
- 81.1.34 tamper or interfere with a Sample;

- 81.1.35 place a bet in contravention of Rule 22.15;
- 81.1.36 fail or refuse to comply with any reasonable order, direction or requirement of any Licensed Official;
- 81.1.37 without a proper or acceptable reason treat any Horse of which he is not either the Owner or the Trainer at the time of treatment;
- 81.1.38 at any time, misbehave himself or conduct himself in an improper, disrespectful or abusive manner at the hearing of any inquiry or any other hearing which may be provided for in terms of these Rules;
- 81.1.39 at any time publish, communicate or utter words or statements or post on any social media platform or channel any material, content or comment or conduct himself in a manner which could reasonably be construed to be either obscene, offensive, defamatory, racist, threatening, harassing, discriminating, sexist or abusive to any other Person or entity involved in the racing industry or bring the HRD into disrepute or the good name of any Person or entity in the industry;
- 81.1.40 present a Horse to race where the Horse in question is not the Horse identified in the Passport and/or is not the Horse carded for the Race in question;
- 81.1.41 race a Horse or present a Horse for certification of fitness, soundness or tractability within 7 Days from the date of treatment of any form of shockwave therapy;
- 81.1.42 apply thermocautery to the skin over the musculoskeletal structures to cause a counter-irritant effect. Where such an action has been committed, the Foreign Racing Authority and/or HRD may, in its discretion:

- 81.1.42.1 suspend, make ineligible to race or otherwise make any order in relation to such Horse; and/or
- 81.1.42.2 take any disciplinary action against the Trainer and/or any other relevant Person;
- 81.1.43 apply a substance to cause severe or unnecessary vesiculation of the skin and/or underlying tissues. Where such an action has been committed, the Foreign Racing Authority and/or HRD may, in its discretion:
  - 81.1.43.1 suspend, make ineligible to race or otherwise make any order in relation to the Horse; and/or
  - 81.1.43.2 take any disciplinary action against the Trainer and/or any other relevant Person.
- 81.1.44 use on, or administer or apply to, any Horse any therapy, method or process which involves Gene Editing or Genome Editing.

## 82. **Ownership**

- 82.1 Subject to the Rules, every Owner shall:
  - 82.1.1 Be Registered with the HRD and have a written agreement with a Trainer or the HRD regarding the Training of his Horses;
  - 82.1.2 only hold Colours if such is Registered with the HRD; and
  - 82.1.3 if they do not have their own Colours, be permitted to use the Stable Colours at a fee as published in the Racing Calendar.
- 82.2 No Trainer shall nominate or declare a Horse to race unless the Owner is Registered with the HRD and such registration accurately reflects the ownership of the Horse.

- 82.3 Where a Horse has more than one Owner, the Trainer shall state in writing at the time of declarations in which Owner's Colours the Horse will run in.
- 82.4 Any Owner who enters into an agreement with a Trainer for the Training of his Horse and who completes the prescribed HRD registration form, agrees for a Trainer to exercise an authority on his behalf regarding training, keep, security, maintenance, treatment and racing of such Horse.
- 82.5 Every Owner shall pay a monthly keep fee which shall be proportional to their percentage of Ownership in the Horse. Any keep fee paid shall be determined by the HRD.
- 82.6 The process for determining the payment of the keep fee shall be published in the Racing Calendar.
- 82.7 Any Owner who neglects and/or fails to pay his keep shall constitute breach of the Rules.
- 82.8 No Person or his spouse utilise the services of more than three (3) Trainers for the training of their Horses.
- 82.9 An Owner may have a maximum of two (2) racing colours.

**83. Registration**

- 83.1 Subject to the provisions of the Rules, only the following categories of Colours may be Registered with the HRD:
- 83.1.1 Individual - in the name of a natural Person;
- 83.1.2 Estate - in the name of the estate of a natural Person if he had Colours Registered in his name at the time of death;

83.1.3 Partnership - in the name of the Partnership or in the names of the individuals, syndicates, and/or Juristic Persons comprising the Partnership which shall be restricted to a maximum of 10 persons;

83.2 Juristic Persons which shall include:

83.2.1 Syndicate – in the name of the syndicate which shall comprise of not less 5 and not more than 100 natural persons and/or Juristic Persons; and

83.2.2 Company - in the name of the Company;

83.3 Trust - in the name of a Trust; and

83.4 Stable Colours.

#### 84. **Restrictions**

84.1 The HRC shall have the sole discretion to refuse to grant Colours. Additionally, Individual or Partnership Colours shall not be granted to or held by anyone unless he has attained the age of eighteen years and shall not be granted to or held by any of the following Persons or their Spouses:

84.1.1 a Jockey;

84.1.2 a Licensed Official;

84.1.3 any employee of the HRD;

84.1.4 anyone whose estate is sequestrated, wound up or liquidated or who is an unrehabilitated insolvent or any Company which is wound up or in liquidation; and

84.1.5 an individual or Person who has a criminal record, is Warned Off, Disqualified, suspended or whose name is on the Defaulters' List.

84.2 In the event that an Owner falls into one of the categories contemplated in Rule 84.1 such Colours shall automatically lapse.

84.3 In the event that a colour holder or his estate is provisionally sequestrated or provisionally liquidated, such Person's Colours shall be cancelled automatically.

84.4 The provisions of Rule 84 shall apply mutatis mutandis to Stakeholders in a Partnerships, Juristic Person and Trusts.

**85. Stable Colours**

85.1 The HRD may register in respect of every trainer, colours to be known as Stable Colours where:

85.2 The Stable Colours may, with the permission of the Stipendiary Stewards, and on payment of a fee of Rs.1,000 for each race, be used by members of the respective stable who have no colours registered under their name.

**86. Description and Design**

86.1 A Horse shall run in the Registered Colours of its Owner and the Owner and/or Trainer of a Horse shall ensure that such Colours are available. Where the Colours are not available for any reason, the Stipendiary Stewards may allow such Horse to race in the Horse racing Organiser's Colours however, the Trainer and/or Owner shall be liable for a fine.

86.2 Colours shall be designed and described so as to be easily distinguishable.

86.3 If any Colours in a Race are indistinguishable in the opinion of the Stipendiary Stewards, the Clerk of the Scales or the Stipendiary Stewards shall order one or more sets to be changed, without Penalty, for the Race concerned.

**87. Death of a Person Holding Individual Colours**

87.1.1 The Horses owned by a Person who has died shall remain Registered with the HRD for a period not exceeding 180 Days from the date of death.

87.1.2 The heir to an estate or a Person who holds same legal capacity, shall be entitled to register the deceased's Colours in his name after payment of the prescribed fee to the HRD or in the event that the executor of the estate seeks to continue racing the Horses after 180 Days, he shall apply to the HRD for the estate to be granted Colours.

## 88. Partnership Colours

88.1 A Horse which is Owned in a Partnership, shall Race either under the name of the Nominee or in Partnership Colours.

88.2 All the partners of a Partnership shall be joint and severally liable for any offence in relation to any Horse owned in the Partnership.

88.3 Should any Partner retire, be Warned Off, Disqualified, or his name be placed on the Defaulters' List or the Partnership be dissolved for any reason, including but not limited to a partner withdrawing from the Partnership, the Colours of the Partnership shall automatically lapse.

88.4 Each partner shall be joint and severally liable for all actions of the Nominee of the Partnership and/or any member of the Partnership.

## 89. Juristic Persons

89.1 All names of Juristic Persons shall be approved by the HRC.

89.2 Each Juristic Person shall appoint, in writing, one of its Stakeholders as a Nominee and only he shall exercise the powers of an Owner in respect of the Juristic Person.

- 89.3 The Nominee shall be responsible and may be held liable for the actions of the Juristic Person or for any offence in relation to any Horse owned by the Juristic Person.
- 89.4 Notwithstanding the provisions of Rule 89.3 all Stakeholders in a Juristic Person shall be bound by the Rules and shall be joint and severally liable for any offence in relation to any Horse owned or Leased by the Juristic Person.
- 89.5 The Nominee of a Juristic Person and its Stakeholders shall have access to those restricted areas on a Course to which only Owners are admitted subject to any restriction by the HRO and with the permission of the Stipendiary Stewards.
- 89.6 A Horse owned by a Juristic Person shall be raced in the Colours of such Juristic Person, and in the name of the Juristic Person represented by the Nominee.
- 89.7 Should the Nominee of a Juristic Person die or retire, or be removed as Nominee by the remaining Stakeholders (through simple majority), the remaining Stakeholders shall forthwith apply for the appointment of a Person eligible in terms of the Rules to be the Nominee of the Juristic Person.
- 89.8 No Horses Registered in the name of the Juristic Person shall be entered for or be permitted to run in any Race until a Juristic Person has appointed a Nominee.
- 89.9 Any changes to the Registration of a Juristic Person must be through completing the prescribed forms of the HRD.
- 89.10 The assignment by a Stakeholder in a Juristic Person of any part of his share or interest in the Juristic Person shall be deemed to be a change in the Stakeholders and such Juristic Person shall be required to complete the requisite forms to be properly registered. .



89.11 No Colours shall be Registered in the name of a Juristic Person, nor shall a Juristic Person be permitted to Race if:

89.11.1 more than one Trainer is a Stakeholder in the Juristic Person; and

89.11.2 a Trainer is a Stakeholder in the Juristic Person and any Horse owned by the Juristic Person is trained by another Trainer.

89.12 Subject to these Rules a Nominee of a Horse may be removed or replaced from that position by written noticed signed by the Owners, lessees or Syndicate members representing a simple majority of the Ownership of the Horse.

89.13 A Nominee of a Horse is of their own right (and without separate express authorisation by the Owners, lessees or Syndicate members) entitled to:

89.13.1.1 Enter, nominate, accept or scratch a Horse from any race;

89.13.1.2 Engage a Jockey to ride a Horse in any race;

89.13.1.3 Receive any Prize or trophy won by a Horse; and

89.13.1.4 Act for and represent the Owners, lessees or Syndicate members in relation to the Horse for the purpose of these Rules.

89.13.2 The Trainer of a Horse who enters, nominates, accepts, declares or scratches a Horse is, absent proof of an agreement between the Trainer and Owners to the contrary, deemed to have done so with the authority of the Nominee and all other Nominators.

## 90. **Simple Majority to determine Ownership decisions**

90.1 The simple majority Ownership of a Horse, shall determine any dispute or decision to be taken between Owners in a Horse.

## 91. **The Defaulters' List**

- 91.1 The HRD shall keep and maintain the Defaulters' List which list shall record the names of Persons who have been declared as Defaulters and the date from which such declaration took effect.
- 91.2 The HRD shall give notice to any Person who is alleged to be a Defaulter and shall request him to make representations, in writing within 5 Days, as to why he should not be declared a Defaulter. After consideration of such representations, if any, the HRD shall have the sole power to determine:
- 91.2.1 whether any unpaid sums notified to it constitute Arrears and defaults;
  - 91.2.2 whether any Arrears or defaults warrant that it declares a Person it determines is responsible for such Arrears or defaults to be a Defaulter; and if so
  - 91.2.3 the date on which such Person is declared to be a Defaulter and is to be placed on the Defaulters' List.