



# BRITISH HARNESS RACING CLUB

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## Committee Update

### **Rule Changes**

The rule changes that were voted on in January were up for a final viewing and signing off. Some debate was had over the TCO2 threshold and whether 35mmol/l was in line with other international bodies, the penalties stemming from TCO2, the training periods for sampling Stewards and also the proposed introduction of rule Q18, whereby if there are outstanding costs pertaining to a horse then the horse nor any progeny can race until the sums are settled. It was thought that this rule may be visiting the sins of the trainer upon the owner, so we are to seek a legal opinion.

All other rules were given the final approval and shall appear in the rule book:

### Section B -

**Open Preferred Handicap** - Is a race open to any horse. Horses starting position is determined by monies won as appearing in the BHRC handicap system.

### Section E -

**E1.** [b] **Regional Steward** - An Official appointed by the BHRC to represent that body at any racecourse who is ~~ex officio~~ a member of the Council but not a Director of the Company. One of the principal duties of the Regional Steward is to determine, assist and operate within the integrity testing programme.

[d] **Deputy Regional Steward** - An Official appointed by the BHRC Council, there to assist/deputise for the Regional Steward. This person carries the same obligations, rights and duties as the Regional Steward but does not have a vote on the BHRC Council.

[e] **Integrity Officer** - An Official appointed by the BHRC Council, authorised and empowered to collect samples of hair, urine, excreta and/or sweat.

**F9.** [b] No penalty may be imposed upon a licence holder without granting a hearing.

[c] Track Stewards and BHRC Stewards must give appropriate notice to licence holders of their intention to hold a hearing or enquiry. In the case of Track Stewards on a race day this will be notification to the licence holder by the public address system and/or personal notification. In the case of BHRC Stewards where the hearing or enquiry is set down to be resolved at a later date not less than 7 days notice shall be given in writing by email where possible and by first class, recorded delivery post. Failure to attend a hearing or enquiry has serious consequences, see Section U6.

**M8.** [b] Any driver kicking a horse in a race will incur an automatic suspension and a fine.

### PENALTIES

#### SECTION M

#### RACING AND TRACK RULES

M8 [b]

Automatic 2 month suspension and £200 fine

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**M12.** No driver or licence holder shall intentionally strike, with his whip or otherwise, any other person or horse (other than the horse a driver is driving). Any licence holder who fails to comply and intentionally strikes another horse, licence holder, official or any other person, shall be subject to a mandatory fine of not less than £1,000 and warning off for not less than one year.

**N3.** [b] Any horse that has not raced or qualified in the previous season.

- P1.** Under exceptional circumstances or if the weather causes the track to be in an unfit state the Track Stewards, BHRC Stewards, Land Owners and/or Promoters have the power to postpone or abandon a Race-meeting.
- Q9.** Horses not under lease must race in the name of the bona fide owner. Horses under lease must race in the name of the lessee and a copy of the lease agreement must be filed with the BHRC. Failure to lodge a copy of the lease agreement with the BHRC within 7 days of its finalisation shall incur a fine of £250, payable by both the lessor and lessee.
- Q12.** [d] Imported horses must qualify before racing, unless they have raced or qualified in the previous season.
- S1.** [a] All participants in Harness Racing under BHRC rules are required to obtain the appropriate licence from the BHRC.  
 [b] All licence holders are required to complete a form agreeing to abide by the Rules and Regulations of the BHRC and where fines/costs are levied against them, undertake to pay both those fines and costs.  
 [c] All participants licensed by a recognised Governing Body will be required to complete a form agreeing to abide by the Rules and Regulations of the BHRC and where fines/costs are levied against them, undertake to pay both those fines and costs.
- S11.** [a] If in the opinion of the Track Stewards, a driver/licence holder is for any reason unfit or incompetent to drive or refuses to comply with the directions of the Stewards, or is reckless in his conduct and endangers the safety of horses or other drivers in the race, he may be removed.  
 [b] All drivers who have reached the age of 65 may, at the discretion of the BHRC Council, have to undergo a medical examination at their own expense.
- U2.** An owner, trainer, authorised agent or driver of one of the participating horses in the race may appeal the decision and rules of the Track Stewards. The appeal may be taken upon any question pertaining to the conduct of a race, interpretation of the rules, decisions relative to the outcome of a race, application of penalties, or other actions affecting owners, drivers or horses, but it must be based upon a specific charge, which, if true, would warrant modification or reversal of the decision. Provided that no appeal shall lie against any decision which:  
 [a] by these rules is declared to be conclusive or final, or otherwise not subject to appeal, or  
 [b] Notwithstanding [a] an appeal may be lodged against any action deemed to be against a person's rights under the Human Rights Act of 1998.
- U3.** [a] Notice of intent to appeal a decision of Track Stewards must be made in writing to the BHRC within 72 hours of receipt of notice of the decision or ruling.  
 [b] Notice of intent to appeal a decision of BHRC Stewards must be made in writing to the BHRC within 14 days of receipt of notice of the decision or ruling.  
 [c] A deposit of £250 must be lodged with the BHRC by the appellant, which may be forfeited if the appeal is dismissed.
- U6.** Appeals must be convened within 28 days of receipt of Notice of Appeal by the BHRC Office. The appellant will be notified of the Appeal Hearing in writing by first class recorded post (and email where possible), giving seven days clear notice. Failure to attend may result in dismissal of the appeal.
- W37.** [a] Trainer's licenses will only be issued to named persons and not to racing, farm, corporate, stable names or trading names.  
 [b] Where a person is a trainer in name only, a possible reason for this being to allow another person not licensed or suspended or warned off to train, then that trainer shall be fined not less than £1,000 and warned off for a period of not less than one year.
- W38.** [f] A Public Trainers licence will be issued at the discretion of the BHRC Council.

- X1.** [i] In presenting a programme of racing the Race Secretary shall use exclusively the following types of races:
- [a] Grade 0 to 12 Races
  - [b] Open Handicap Races
  - [c] Free For All Races
  - [d] Open Preferred Handicap Races
  - [e] Claiming Races
  - [f] Classic Races
  - [g] Match Races
  - [h] And such other races as may be permitted from time to time by the BHRC.
- [ii] Trotters and Pacers are not permitted to race together, except for Grade 0 and Grade 1 which may race with Pacers at the Promoters discretion.

## **Section Y : Part Eight - Medication and Drug Control**

### **Objective**

- Y1.** With the objective of protecting the integrity of harness horse racing, through controlling the use of substances capable of giving a horse an advantage or of causing it to be disadvantaged in a race, contrary to the horses inherent merits, the Stewards or the Track Stewards are empowered to order a dope test on any horse competing.

### **Definition**

- Y2.** For the purposes of these rules, any reference to a sample testing positive for a Prohibited Substance is where a Certificate of Analysis for the sample reports:
- [a] in the case of a substance for which a threshold level is specified the concentration of the substance present in the sample is at, or in excess of, the concentration specified within these rules
  - [b] otherwise, that a Prohibited Substance has been identified in the sample

### **Sampling**

- Y3.** To establish whether a prohibited substance is present and/or to confirm the identity of a horse, samples may be taken at any time from any horse at any location, that have run, or are scheduled to run in any race under BHRC Rules, are in training, at rest, have paid a Visitors Fee and/or have been registered as a Standardbred or Trotting horse by any accepted registering body. A sample in relation to a horse means a quantity of any body fluid, tissue, excreta, hair or skin scrapings or of items in contact with any part of the horse taken at the discretion of the person conducting the examination and may involve the removal of implants.
- The following are deemed to be an infringement of these rules:
- [a] Any refusal and/or lack of co-operation by a licence holder to facilitate the testing of a horse chosen to be tested by BHRC Officials, at any time, at any location.
  - [b] Any removal, or attempt to remove, a horse chosen by BHRC Officials to be tested from the secure chain of custody
  - [c] If a horse chosen to be tested by BHRC Officials is substituted by another horse
  - [d] If a licence holder does not attend a hearing under the provision of Section Y, and there are no mitigating circumstances accepted as such by the BHRC, that licence holder will become suspended until such a hearing is held
  - [e] If a drug listed as Class 1 to 4 has not been administered by a Veterinary Surgeon and is not recorded as such in the horses passport.
- Y4.** Samples may be collected by a Regional Steward, Deputy Regional Steward, BHRC Steward or BHRC Integrity Officer providing that within the last three years that person has been trained to take samples by the Horse Race Forensic Laboratory (HFL) or have received training at a Stewards Seminar being trained by two Stewards or an Integrity Officer (who have been on the course within the last three years). Blood samples must be collected by a Veterinary Surgeon.

- Y5.** The Trainer may be present to witness the collection of a sample, either in person or by a representative qualified to enter the sampling area. If a Trainer or his representative chooses not to witness the collection of a sample, he must sign a declaration before the sample is taken in which he agrees that the integrity of the sampling procedure will not be questioned at a later date.
- Y6.** [a] In the event that a sample tests positive for a prohibited substance the Governing Body may direct that the horse be further examined by a person appointed by the Governing Body. In the event that the Governing Body does not make such a request, the owner or trainer of the horse may request it. [b] In the event that a sample has been stored at the approved laboratory, the Governing Body reserves the right to carry out retrospective analysis on that sample if and whenever they see fit. Should at this later date, a sample test positive for a Prohibited Substance the Governing Body is entitled to take sanctions out in accordance with these rules.
- Y7.** A sample collected under a secure chain of custody shall be split into A sample and B sample. If the A sample is reported to contain a prohibited substance or substances, a further test on that sample can be called for by the Governing Body producing a full spectrum analysis. The B sample will be securely stored and be available for further tests and may be analysed for those substances at the trainer's or owner's request and expense. A request for the B sample to be analysed must:  
[a] be made within fourteen days of the Governing Body sending notice of the report to the trainer or owner.  
[b] state whether such analysis is to be carried out at the same laboratory (HFL) or another approved laboratory (Laboratoire Des Courses Hippiques - France (LCH) or Deutsche Sporthochschule Koln Institut for Biochemie - Germany (DSKIB)).
- Y8.** In the event of the Governing Body finding a prohibited substance in a sample taken from a horse which is entered or has run in a race within its jurisdiction but which is trained abroad, that Governing Body where the horse is trained is to be informed, and shall provide assistance when requested.
- Y9.** If a horse at a racecourse (whether racing or not) dies, its body shall be offered to a BHRC Steward or Regional Steward, immediately for Post Mortem examination. If the horse tests positive for a banned substance the owner/trainer will bear the costs of disposal and testing. Failure to comply with this rule will incur a penalty.

### **Sanctions**

- Y10.** A horse shall be disqualified and suspended whenever a sample taken, either after or before it has raced, contains a prohibited substance. The trainer and/or owner of the horse if appropriate shall be penalised following a hearing in accordance with the rules and regulations of the Governing Body. The horse will remain suspended until a negative test is achieved after any suspension is exhausted. Once a horse has been tested, any prize money due will be held by the Promoter until the result of any test is known.
- Y11.** Where a sample taken from a horse at any other time contains a prohibited substance, the Governing Body may, according to their own rules, impose sanctions on the horse, trainer, owner or other persons.
- Y12.** The costs incurred subsequent upon the finding of a positive sample shall be borne by the owner/trainer of the horse concerned unless the Stewards of the BHRC should direct otherwise.

### **Responsibilities of the Trainer**

- Y13.** The trainer shall always be responsible for:  
[a] The feeding, management, protection and security of the horses in his care taking all reasonable precautions with the horses in his care to avoid their exposure to prohibited substances contrary to the rules of the Governing Body.  
[b] Presentation of horses in his care, to BHRC Officials, if and when chosen to be tested.

## **Race Day Regulations Regarding Medication**

- Y14.** With the exception of veterinarians authorised by the Stewards or the Governing Body, no person shall bring into the racecourse on a race day either a prohibited substance or any means of administering such a substance.
- Y15.** After a horse has raced and before it is discharged from any requirements for post race sampling, no treatment with prohibited substances shall be allowed without official permission.
- Y16.** All winnings of such horse in a race in which an offence was detected under any section of this rule shall be forfeited and paid over to the BHRC for redistribution among the remaining horses in the race entitled to same. The Stewards shall notify the BHRC in writing of the redistribution of winnings, giving the following information:
- [a] The name and registration number of the horse charged with the positive test
  - [b] Names of horses and registration numbers of all horses affected by the redistribution of purse
  - [c] The amount of money to be added or subtracted from each horses earnings
- Y17.** The penalty for violation of any rules within this section, unless otherwise provided shall be a fine and/or suspension and/or loss of licenses and/or warning off. The sanctions shall commence following the determination of a hearing/s by Officials of the BHRC and such hearing/s to be initiated within 10 days of the owner and or trainer of the subject horse being notified in writing by the BHRC Office of an infringement. The penalties applicable are set out in Appendix X Section Y.

## **Part A - Prohibited Substances**

### **Y18. Prohibited Substances:**

means a substance originating externally whether or not it is endogenous to the horse, which falls in any of the categories contained in the List of Prohibited Substances published from time to time in the Rule Book and/or the Calendar. "Substance" includes the metabolites of the substance and the isomers of the substance and metabolites.

Prohibited substances can include substances capable at any time of acting on or having an effect on one or more of the following:

Substances acting on or having an effect on the nervous system

#### ***Substances acting on the cardiovascular system***

Substances acting on or having an effect on the respiratory system

Substances acting on or having an effect on the digestive system

Substances acting on or having an effect on the urinary system

Substances acting on or having an effect on the reproductive system

Substances acting on or having an effect on the musculo-skeletal system

Substances acting on or having an effect on the blood system

Substances acting on or having an effect on the immune system other than those in licensed vaccines

Substances acting on or having an effect on the endocrine system; endocrine secretions and the synthetic counterparts

For the purposes of clarity these include:

Anti-pyretics, analgesics and anti-inflammatory substances

Cytotoxic substances

Antihistamines

Diuretics

Local anaesthetics

Muscle relaxants

Respiratory stimulants

Sex hormones, anabolic agents and corticosteroids

Substances affecting blood coagulation

- Y19.** Any sample collected from a mare or filly that tests positive for Regumate, will not be actionable so long as that drug has been prescribed by a Veterinary Surgeon and is recorded in the horses passport, notified to the BHRC and recorded on the racecard with ~~(R)~~

## Masking Agents

**Y20.** A finding of a prohibited substance means a finding of the substance itself or a metabolite of the substance or an isomer of the substance or an isomer of a metabolite. The finding of any scientific indicator of administration or other exposure to a prohibited substance is also equivalent to the finding of the substance.

## Part B - Thresholds

**Y21.** Thresholds can only be adopted for:

- [a] Substances endogenous to the horse.
- [b] Substances arising from plants traditionally grazed or harvested as equine feed
- [c] The Governing Body shall determine such thresholds from time to time.

**Y22.** Substances below the following thresholds are not actionable:

<i>Substance Name</i>	<i>Threshold</i>
Arsenic .....	0.3 microgram total arsenic per millilitre in urine
Carbon Dioxide .....	35 millimoles available carbon dioxide per litre in plasma
Dimethyl Sulfoxyde .....	15 micrograms dimethyl sulfoxyde per millilitre in urine or 1 microgram dimethyl sulfoxyde per millilitre in plasma
Hydrocortisone .....	1 microgram hydrocortisone per millilitre in urine
Nandrolone .....	free and conjugated 5 $\alpha$ -estrane-3 $\beta$ ,17 $\beta$ -diol to free and conjugated 5 $\alpha$ [10]-estrane-3 $\beta$ ,17 $\beta$ -diol in urine at a ratio of 1
Salicylic acid .....	750 micrograms salicylic acid per millilitre in urine or 6,5 micrograms salicylic acid per millilitre in plasma
Testosterone .....	0,02 microgram free and conjugated testosterone per millilitre in urine from geldings or free and conjugated testosterone to free and conjugated epitestosterone in urine from fillies and mares at a ratio of 1B
Theobromine .....	2 Micrograms theobromine per millilitre in urine

## Y23. TCO2 Sampling:

- [a] Samples taken may be analysed by the BHRC or a qualified Veterinary Surgeon using an approved blood gas analyser or may be forwarded to HFL or another recognised testing laboratory for analysis
- [b] In the event that a blood gas analyser records a reading of 36 millimoles per litre in plasma or above, the horse tested will not be permitted to compete in any ensuing races until any or all hearings are concluded.
- [c] In the event that a blood gas analyser records a reading of 36 millimoles per litre in plasma or above, the owner/trainer may request a second analysis and/or confirmatory analysis by a recognised testing laboratory such as HFL, such analysis to be initiated within 24 hours of the initial test carried out. If the second test shows a reading of 36 millimoles per litre in plasma or above, the costs of that analysis will be borne by the owner/trainer.

## Y24. TCO2 Sanctions

In the event that a sample records a reading of 36 millimoles per litre in plasma or above, sanctions will be applied as follows:

*First Offence:*

Fine £2,000, plus 24 month suspension

*Second Offence:*

Fine £4,000, plus 48 month suspension

**Y25.** For any finding of a prohibited substance of endogenous nature, the Governing Body may decide either itself or at the owner's or trainer's request to examine the horse further.

**Y26.** With the objective of preventing infringements, the Governing Body may at their discretion:  
Make available detection times  
Give forewarning of new or modified tests

**PENALTIES**  
**SECTION Y**

**MEDICATION AND DRUG CONTROL**

Y3	[a], [b] [c], [e]	Fined £1,000. Suspension of all licences of the offending licence holder for 365 days
Y8		Fined £1,000. Suspension of all licences for 12 months
Y24		<i>First Offence:</i> Fined £2,000 plus 24 month suspension <i>Second Offence:</i> Fined £4,000 plus 48 month suspension

***Subject to Legal Approval:***

**Q18.** Where there are costs outstanding, having been levied by the BHRC or other recognised affiliated body and those costs involve the naming of a horse, for example testing costs incurred in the Integrity Testing Regime on that horse, then neither the horse, nor progeny conceived after the costs were incurred and publicised, will be permitted to race until those costs (which may incur interest) are paid in full.

**Handicapping**

There was representation made to the Council that item two of the Handicapping Rules and Regulations regarding the entry fees was not needed, this was seen as an extra incentive for the winners and did not aid those horses that were uncompetitive and in need of help. After debate and voting the rule was altered to:

2. System is based on monies won, and includes any place money or prizes (all non-monetary prizes above £100 in value to be included).

Representation was also made regarding the lift system. Suggestions included reintroduction of the end of season £30 per run, an increase to £50 per run and also 10% of band per run with the caveat that a horse must run so many times to qualify.

General opinion was that though there is merit in the end of season poundage per run system, it does not address the issue of horses that are uncompetitive needing help and reassessment. Again the issue of Conditioned and Selling races was discussed, and again thought to be the best option for such horses. Promoters and Race Framers should and will be encouraged to stage these races, they are needed to keep the horses on the track that have peaked within the handicap system.

Discussion was had on reforming a handicap panel (no takers!) and it was agreed that no one wanted to permit a lift system in haste that would not address the main objective of helping uncompetitive horses. The Council through the season, with full consultation of the Committee, will view any suggestions and ideas regarding the aiding of horses that are no longer competitive with the hope of finding the best solution.

## Totalisator Gambling . . . . A Personal View

What I am writing here is my personal take on this matter, not necessarily the BHRC view but mine. Some of the comments made will find favour others will probably upset one or two people. Tough.

I have been a staunch supporter of Totalisator Gambling ever since it was explained to me by Terry Burroughs (of The Saddler GB fame) in the mid -70s. I was very enthusiastic of the BHRC initiative a bit later to get the Tote but sadly disillusioned when it was not our Tote. That was then, this is now.

What we are looking at is a Totalisator Gambling facility on track (via a little kiosk at a permanent track and a portable trailer unit for grass meetings hooked up by either a phone line or satellite dish) and by way of live stream internet based delivery off track. The rest of the horse racing world has this, except us. We of course have good, competitive racing, with very low prize money. Racing elsewhere is financed through gambling and bookmakers are either totally absent or in very small numbers, save for Britain and Ireland.

We have established, through expert advice that the big bettor will nearly always bet with a bookie, but the small gambler and those seeking exotic bets will go to a Totalisator. So the project gives a better offer to the race goer. We have no Off Track facility at present but we do know that the William Hill series was very profitable for the bookmaker, so there is evidence that people will bet on our sport away from the track.

We have tried, over the last 50 odd years everything except this. We are no further forward in terms of prize money than we were in 1970, maybe worse off in real terms. So if we want to progress we have to try something different. Benjamin Franklin said in the late 18<sup>th</sup> Century there are no certainties in life except death and taxes and so it is for us, but the advantages identified so far are:

- a) an alternative gambling opportunity on track especially favourable to families
- b) a new source of revenue
- c) opening the sport up to a wider audience via the Internet
- d) allowing the established gambling industry an opportunity to see just how good we are. Turf TV are losing some product later this year, are interested in us and watching how we fare with this project. If they pay us a quarter to a third of what they pay for a Thoroughbred race that will put something in the order of £1000-£1500 in to a race (not a race meeting).

If this project works we will change from an underfunded sport to one with a viable financial future. If it doesn't work we will have a very useful on track totalisator facility.

Where we stand is that we have an offer to operate this project by E Tote, with a clear understanding of the financial side of it. Heads of terms have been sent and forwarded to all promoters. In total we have had three meetings with E tote, discussion at two BHRC Meetings, Anthony Fettah's meeting at Carlisle, numerous Club/Association meetings and a major meeting at Hall Green dog Track on Saturday 12<sup>th</sup> March. I think this is the situation:

- 1) There is an appetite to take this forward
- 2) York and Corbiwood are full on for this with funds in place
- 3) Amman Valley is very interested
- 4) Tir Prince is not interested
- 5) The Northern Grass Tracks are committed to find ways to make it happen and have made major steps to secure money
- 6) Wales and western counties vary from being totally committed to sitting on the fence or being non committal.

What we need to do :

The BHRC is looking at setting up a Trading Company to run the project which will have operational and tax advantages.

Refinement needs to be done to costings. At present it seems a hard track will need to spend £7500-£10,000. The portable units will cost between £15-£20,000.

Work needs to be done on supply of pictures/information via either Satellite or ADSL phone line.

Legal advice is needed on a number of issues.

Money needs to be raised and a variety of options are being looked at.

A small select team of people (probably 5) needs to be set up to ~~down~~ this project, sort the problems and take it forward.

Those involved need to decide very quickly if they are on board or not. If not, OK we know where we stand.

But if you are on board, put your money up, get involved and make it happen.

We will never be ready to do this if we are not ready now. So either we do it or walk away and stay the way we are. I can't do any more. It's up to you, all of you.

*Gordon Garnett*