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March 30, 2001

STANDBRED DIRECTIVE NUMBER 1 – 2001 RULES OF STANDBRED RACING 1999

The Ontario Racing Commission at its meetings of Thursday, January 25, 2001, Wednesday, February 21, 2001 and Thursday, March 29, 2001, resolved that the Rules of Standardbred Racing 1999 be amended by the promulgation of the changes to the following rules effective immediately.

Chapter 1 MANDATE AND PRELIMINARY

Rule 1.02

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

Chapter 3 LICENCES

Rule 3.03 (a)

An applicant for a licence shall complete a written application, pay any fee required by the rules, submit satisfactory evidence of identity, including fingerprints and photographs, and furnish evidence of financial responsibility. Every person licensed by the Commission is deemed to have agreed to abide by the conditions set out in the application for the licence, the licence itself, the Act, **the rules** and regulations thereunder.

Rule 3.04

A licensee must serve the Executive Director and the Commission with a written notice of any change in permanent address not later than five (5) days after the change.

Rule 3.08 – DELETE

Rule 3.09

The **Director** of Racing and/or the Supervisor of Standardbred Racing, may suspend the licence of any licensee who has accumulated unpaid obligations relating to racing, become bankrupt, or otherwise displayed financial irresponsibility reflecting on the sport. No such action shall be taken unless and until the **Director** of Racing or the Supervisor of Standardbred

Racing, as the case may be, is presented with a judgement or judgements from a court or courts having competent jurisdiction over the matter and the **Director** of Racing or the Supervisor of Standardbred Racing is satisfied that the participant is indebted and has been adjudged a debtor in a matter relating to Standardbred Racing in any of its forms.

In the case of a licensee who has become bankrupt, the **Director** of Racing may license such participant to work for wages for another licensed participant. However, the bankrupt licensee may not carry on **his/her** trade or calling as an independent business or operate as a public stable without the permission of the trustee in bankruptcy and the **Director of Racing**.

Rule 3.10

Where the licensee is suspended by the Director, the Judges or Thoroughbred Stewards or by the pari-mutuel regulatory agency of another province or state recognized by the Commission, or Standardbred Canada or the United States Trotting Association, the suspended licensee shall be prohibited from participating in any activity regulated by the Commission. The suspension shall, in addition, render ineligible for declaration or starting, every horse in which the suspended licensee has any ownership interest or trainer responsibility. Eligibility for affected horses in such cases may be restored by transfer of the suspended licensee's interest or responsibilities to another licensed person, if approved by the Judges of the meeting. Any licensee suspended by the operation of this provision may ***request a hearing before the Commission as prescribed by the rules or the Act as the case may be.***

Chapter 6 **VIOLATIONS, FINES, SUSPENSIONS & EXPULSIONS**

Rule 6.14

Where a trainer is suspended by reason of a positive drug test or violation of Rule 22.38 relating to a horse trained by him or her, all horses trained by the suspended trainer may be permitted to compete provided during the suspension the horses are transferred to another trainer approved by the Judges. Upon a second or subsequent offences by the trainer, the horse or horses to which the violation applies shall be suspended and ineligible to start in any race for such period of time as the Judges or Commission may order.

Rule 6.28

The Judges, the **Director** of Racing or **his/her** authorized representative, may interrogate any licensee and may require him/her to make statutory declarations or statements in writing and provide documentary evidence of any agreements or transactions, financial or otherwise,

respecting to any suspected crime or violation of these rules, ***the Act***, or any matter which, in the opinion of the Judges, ***the Director of Racing, or his/her authorized representative***, is not in the best interest of racing. ***Failure of any participant to comply will result in immediate suspension.***

Rule 6.29

Whenever reasonable grounds exist for a belief that any participant can give material evidence that would aid in the detection or exposure of any fraud or wrongdoing concerning racing, such participant shall, on the order of the Judges or other authorized official, be compelled to testify by deposition, affidavit ***or to provide documentary disclosure***. Failure of any participant to comply will result in immediate full suspension.

Chapter 8 COMMISSION VETERINARIANS, OFFICIAL VETERINARIANS AND OTHER VETERINARIANS

Rule 8.02 (e)

The Commission Veterinarian or Official Veterinarian shall:

- (e) maintain a list called the Veterinarians' List (Long Term or Short Term – see Rules 20.01 and 20.02) on which the Commission Veterinarian or Official Veterinarians shall enter the name of any horse considered unfit, unsound, or not ready for racing. A horse on the Long Term List shall be refused declaration until a Commission Veterinarian or Official Veterinarian removes its name from the list. Horses on the Short Term List are automatically removed after ***seven (7)*** clear days in accordance with the Rule 20.04.

Rule 8.06

Any owner or trainer whose horse has been placed on the Long Term Commission Veterinarians' List may have a veterinarian certify in writing that the horse is ***fit to race*** prior to the horse being declared to race, and file such certification in writing with the Commission Veterinarian or Official Veterinarian at the raceway where the horse is declared to race. Such certification shall be to the satisfaction of the Commission Veterinarian or Official Veterinarian.

Rule 8.13 – DELETE

Chapter 11 HORSES PERMITTED TO RACE

Rule 11.01

A horse shall not be eligible to be declared in to race at any raceway unless:

- (i) if a mare has been spayed, ***or a horse has been gelded***, Standardbred Canada has been notified in writing by the owner, trainer or veterinarian;

Rule 11.02

If a horse meets the conditions of Rule 11.01 it will be considered qualified and eligible to be declared to added money event races provided it has obtained a clean charted line in a purse, qualifying or schooling race, not more than 30 clear days before the closing of declarations and its individual time in any one of its last three charted lines, not more than 30 clear days before the closing of declarations, meets the following standards for age and gait for the size of the track where it raced or qualified after the Judges have given the appropriate allowances for track conditions on that day:

	Half Mile Tracks	5/8 Mile Tracks and Greater
TWO YEAR OLDS:		
Pacers	2.05	2.03
Trotters	2.12	2.09
THREE YEAR OLDS:		
Pacers	2.03	2.01
Trotters	2.07	2.04

Chapter 15 CLAIMING RACES

Rule 15.07

Any person or the authorized agent of such person who holds a current valid Commission licence may claim any horse or any person who has properly applied for and been granted a claiming certificate shall be permitted to claim any horse. Any person or authorized agent eligible to claim a horse shall be allowed access to the grounds of the association in order to effect a claim at the designated place of making claims and to take possession of the horse claimed.

Rule 15.20.1

In the event that the sex of a claimed horse has been inaccurately described in the ***racing*** program, the claimant or ***his/her*** authorized representative ***must notify the ORC Judges of the error within a one half (½) hour from the time that the horse is physically retrieved by the claimant or his/her authorized representative*** whether he/she wishes to retain the horse. If the claimant or ***his/her*** authorized representative fails ***to notify the Judges of the error within this prescribed time***, the claimant shall be deemed to have accepted the horse so claimed.

Chapter 17 DECLARATIONS AND DRAWING OF POST POSITIONS

Rule 17.12 Renumber 17.12.1

Horses shall be coupled as an entry for pari-mutuel purpose where:

- (a) a person is the owner or part owner of two or more horses in a race, or
- (b) the spouse of a person who is the owner or part owner of one horse in a race is the owner or part owner of another horse in that race.

Rule 17.12.2

If 17.12.1 (a) or (b) applies to an owner, the horse may race as a separate betting interest, with the approval of the Judges, if the owner is not required to be licensed under the rules.

Chapter 18 PLACING AND MONEY DISTRIBUTION

Rule 18.10

Purses earned outside of North America will be calculated in **U.S.** dollars based on the ***conversion rate as at January 1st of the year the foreign earnings are amassed.*** Winnings in the United States will be deemed to be at par with Canadian funds.

Chapter 20 JUDGES' AND VETERINARIANS' LISTS

Rule 20.04

- (a) When a horse has been placed on the Judges' List, it shall be recorded in the official performance records by an authorized person. The owner or trainer shall be notified of the reason for such action being taken and it shall be their responsibility to scratch the horse from races for which the horse may have been declared in to start.
- (b) A horse which has been scratched as a result of a veterinarian's slip or by order of the Commission Veterinarian or Official Veterinarian shall not be permitted to race, other than to added money events ***or qualifiers*** for seven (7) clear days from the date of the race from which it was scratched.
- (c) A horse that has been scratched twice consecutively as a result of a veterinarian's slip or by order of the Commission Veterinarian or Official Veterinarian must qualify to race. Such qualifying race must be more than seven (7) clear days from the date of the second race from which it was scratched.
- (c) A horse scratched in accordance with 20.01 (g) shall not be permitted to race other than to added money events, for seven (7) clear days from the date of the race from which it was scratched.

Chapter 21 POSTPONEMENT AND CANCELLATION

Rule 21.09

If the track **or weather** conditions are questionable for the warming up or racing of horses, the Judges shall convene a meeting with the representative of the drivers and trainers and a representative of management. If required by the Judges, the representative of the drivers and trainers shall conduct a secret ballot of the drivers and trainers of horses participating in that program of racing to determine whether racing should be conducted. If the vote of the drivers and trainers determines that more than 50% vote against racing, the card shall be cancelled. If more than 50% and less than 75% vote to race, trainers will be allowed to withdraw horses without penalty. If more than 75% vote to race, the regular rules of withdrawal and scratching of horses will apply. ***If the drivers vote alone is more than 50% to cancel they should be allowed to withdraw their services without penalty.*** The foregoing does not prevent racetrack management from canceling the races due to track or weather conditions without consultation with the Judges and the horsemen's representative.

Chapter 22 RACING RULES

Rule 22.03 (j)

The starter shall have control of the horses from the formation of the post parade until a start has been determined. For purpose of this rule, the determination of the start is when the horses have passed the starting point and have been released by the starter.

(j) ***A fine not to exceed \$500.00 and/or a suspension not to exceed five days may be applied by the starter or by the Judges for any of the following violations contained in subsections (i)-(vii). In addition, the Judges may place the offending horse for a violation of subsections (j)(iii), (iv) or (vi) of this Rule.***

- (i) Delaying the start;
- (ii) Failure to obey the starter's instructions;
- (iii) Allowing a horse to pass the inside or the outside wing of the gate;
- (iv) Coming to the starting gate in the wrong position;
- (v) Crossing over before reaching the starting point;
- (vi) Interference with another horse or driver during the start;
- (vii) Failure to come into position or remain in position on the gate;

Rule 22.23

Whipping shall be allowed provided that:

- (a) there are no blatant or exaggerated movements of the whipping arm which may result from raising the elbow above the driver's shoulder height and/or allowing the hand holding the whip to reach behind the driver during the encouragement (whipping) of the horse;
- (b) the whip strikes the horse between, inside and above the level of the shafts of the sulky only;
- (c) the horse appears to be advancing through the field;
- (d) a line is kept in each hand until the head of the stretch.

Penalties for violating proviso (a) of Rule 22.23 are as follows:

1. For the first offence:
 - in a race with a total purse of \$5,000 or more, a fine of \$100 shall be assessed
 - in a race with a total purse of less than \$5000, a fine of \$50 shall be assessed.
2. For the second offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a fine of \$300 shall be assessed
 - in a race with a total purse of less than \$5000, a fine of \$150 shall be assessed.
3. For the third offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a minimum fine of \$500 plus a suspension for 3 days shall be assessed
 - in a race with a total purse of less than \$5000, a minimum fine of \$250 plus a suspension for 3 days shall be assessed.
4. For the fourth offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a minimum fine of \$1000 plus a suspension for 5 days shall be assessed
 - in a race with a total purse of less than \$5000, a minimum fine of \$500 plus a suspension for 5 days shall be assessed.

Penalties for violating proviso (b) and (c) of Rule 22.23 and for violating Rule 22.23.1 shall be as follows:

1. For the first offence
 - in a race with a total purse of \$5000 or more, a fine of \$100 plus a suspension for 3 days shall be assessed
 - in a race with a total purse of less than \$5000, a fine of \$50 plus suspension for 3 days shall be assessed.
2. For the second offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a fine of \$300 plus a suspension for 5 days shall be assessed
 - in a race with a total purse of less than \$5000, a fine of \$150 plus a suspension for 5 days shall be assessed.
3. For the third offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a minimum fine of \$500 plus a suspension for 15 days shall be assessed
 - in a race with a total purse of less than \$5000, a minimum fine of \$250 plus a suspension for 15 days shall be assessed.

4. For the fourth offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a minimum fine of \$1000 plus a suspension for 30 days shall be assessed
 - in a race within a year of the first offence in a race with a total purse of less than \$5000, a minimum fine of \$500 plus a suspension for **30** days shall be assessed.

Penalties for violating proviso (d) of Rule 22.23 shall be as follows:

1. For the first offence
 - in a race with a total purse of \$5000 or more, a fine of \$100 shall be assessed
 - in a race with a total purse of less than \$5000, a fine of \$50 shall be assessed.
2. For the second offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a fine of \$300 shall be assessed,
 - in a race within a year of the first offence in a race with a total purse of less than \$5000, a fine of \$150 shall be assessed.
3. For the third offence within a year of the first offence **and within 750 drives** of the first offence
 - in a race with a total purse of \$5000 or more, a minimum fine of \$500 shall be assessed
 - in a race with a total purse of less than \$5000, a minimum fine of \$250 shall be assessed.
4. Each additional offence within a year of the first offence **and within 750 drives** of the first offence shall be assessed at the third offence rate.

Rule 22.33

If, in their opinion, the Judges are unable to properly judge the running or finish of a race they may declare the race to be "No Contest". When a race has been declared "No Contest" by the Judges, all monies wagered on that race will be distributed in accordance with the provisions of the *Pari-Mutuel Betting Supervision Regulations* of the *Criminal Code*. No purse distribution is to be made to any of the horses that started in such race except as provided for in Rule 18.09 **or with the approval of the Ontario Racing Commission**. The line for the race will be charted by the charter to the best of **his/her** ability to indicate the performance of each horse in the race, however, such charted line shall not be used for the determination of preference dates or eligibility to any future race. In the event that the race that is declared "No Contest" is a claiming race the provisions of Chapter 15 of these rules are applicable, and notwithstanding a determination that the race is "No Contest", title to the horse shall be deemed to have passed to the claimant if the claimed horse is behind the gate when the field is released at the starting point by the starter.

Rule 22.38.6

Penalties

Where the TCO₂ level in a horse is determined to equal or exceed the levels set forth in 22.38 above, and it is not determined that such TCO₂ levels are physiologically normal for that particular horse pursuant to 22.38.7 below, the Judges shall assess penalties in accordance with the *Guidelines, Penalties for Equine Drug and TCO₂ Offences, effective March 30, 2001*.

Chapter 24 APPEALS

Rule 24.03

An appeal lodged in accordance with Rule 24.01 must be based upon specific **grounds** which would warrant modification or reversal of the decision. As a result of hearing an appeal, the Board of Appeal may uphold, rescind, modify or increase any penalty imposed ***unless the penalty is prescribed in the rules. The Commission may uphold, rescind, modify or increase any penalty imposed.*** After due notice, any appellant who fails to appear at the hearing of **his/her** appeal without good cause may be fined or suspended.

Rule 24.08

If after holding the hearing the Board of Appeal is of the opinion that the request for the hearing was frivolous, the Board may order a penalty against the person requesting the hearing in an amount prescribed by the Regulations in addition to any other penalty for which the person may be liable.

Rule 24.11

At the conclusion of an appeal to the Commission, the Commission may uphold, rescind, modify, or increase the penalty imposed by the Board of Appeal, the Judges, or delegated official. ***In addition, if after holding the hearing, the Commission may order a penalty against the person requesting the hearing in an amount prescribed by the Regulations in addition to any other penalty for which the person may be liable.***

Chapter 28 RACING FARM, CORPORATE OR STABLE NAME

Rule 28.01

Stable names, multiple ownership and estates may be licensed to race provided the stable name, multiple ownership or estate is first registered with Standardbred Canada or the United States Trotting Association and licensed by the Ontario Racing Commission.

Where the owner of a horse is a stable name, multiple ownership or an estate, the following persons must apply for and be granted licences:

- (a) the case of a corporation with less than 10 shareholders:

- (i) the corporation
 - (ii) every director, and
 - (iii) every shareholder;
- (b) in the case of a corporation with 10 or more shareholders, but less than 50:
 - (i) the corporation
 - (ii) every director, and
 - (iv) every shareholder holding or controlling a number of shares giving him/her **5** percent or more of the voting rights in the corporation
- (c) in the case of a corporation with 50 or more shareholders or which is registered with a Canadian stock exchange;
 - (i) the corporation
 - (ii) every director or every member of the executive committee of the board of directors,
 - (iii) every person acting as chairperson, secretary or holding a similar office,
 - (iv) the person responsible within the corporation for the activities for which the licence is required, and
 - (v) every shareholder holding or controlling a number of shares giving him/her **5** percent or more of the voting rights in the corporation;
- (d) in the case of a general partnership:
 - (i) the partnership, if 5 or more partners,
 - (ii) the manager or any person holding a similar office, and
 - (iii) every partner;
- (e) in the case of a limited partnership:
 - (i) the limited partnership,
 - (ii) the general partner and where the general partner is a corporation or a general partnership, the persons covered by sub-sections (a), (b), (c) and (d) of this section, and
 - (iii) the manager or the general partner or any person holding a similar office;
- (f) in the case of a registered stable name:
 - (i) the stable name:
 - (ii) the owner or owners of the stable;
- (g) in the case of an estate,
 - (i) the estate, and
 - (ii) the executors or the estate;
- (h) the foregoing provisions of this section do not apply with respect to any shareholder of a corporation, to a maximum of 2 shareholders per corporation, not otherwise in violation of this rule, if each of the one or two such shareholders:
 - (i) legally holds shares in a corporation merely in order to meet the statutory requirements of the jurisdiction in which the corporation is incorporated and otherwise has no beneficial interest in the corporation, or
 - (ii) is not an active participant in the management of the affairs of the corporation, apart from being a director, or
 - (ii) holds less than one (1) percent of the issued and outstanding shares of the corporation.

Chapter 33 PATROL JUDGES

Rule 33.01

An association shall appoint a patrol judge. In all cases the patrol judge will be strategically located by the judges. The starter may, with the permission of the judges, be designated as a patrol judge. Further the starter may, when acting as a patrol judge, follow the field in the starting gate, weather and track conditions permitting.

Chapter 35 ONTARIO STANDARDBRED EXERCISE INDUCED PULMONARY HAEMORRHAGE PROGRAM

Rule 35.01

All licensees owning or training a horse or horses participating in the E.I.P.H. Program shall complete, in full, the E.I.P.H. Certification Forms 1 or 2 as applicable. Form 1 is that form to be used for horses ordinarily competing in Ontario and Form 2 is that form for horses shipping in to compete in Ontario. Each form shall contain certification by a **licensed** veterinarian in Ontario, or as provided in Form 2, from any other jurisdiction recognized by the Ontario Racing Commission, to the effect that the subject Standardbred horse had bled sufficiently in that veterinarian's opinion into its upper respiratory system to justify the use of Furosemide in pari-mutuel racing with the program adopted by the Ontario Racing Commission. In instances where Form 2 is applicable, the Judges must also be provided with a signed statement from a **licensed** veterinarian in the foreign jurisdiction who fulfills the duties ordinarily performed by a Commission Veterinarian or Official Veterinarian in Ontario certifying the horse has qualified for the E.I.P.H. Program in the jurisdiction in which it is enrolled. The certification form and any other applicable form(s) must be filed with and accepted by the Judges prior to the time of entry (subject to any time extension permitted by Rule 35.03).

(original signed)

BY ORDER OF THE COMMISSION

Jean Major, Executive Director