

**Ontario
Racing
Commission**

9th floor
20 Dundas Street West
Toronto ON M5G 2C2
Tel (416) 327-0520
Fax (416) 325-3478

**Commission
des courses
de l'Ontario**

9e étage
20 rue Dundas ouest
Toronto ON M5G 2C2
Tél (416) 327-0520
Téléc (416) 325-3478



April 5, 2002

**THOROUGHBRED DIRECTIVE NUMBER 5 – 2002
RULES OF THOROUGHBRED RACING 2001**

The Ontario Racing Commission at its meeting of Thursday, March 28, 2002, resolved that the Rules of Thoroughbred Racing 2001 be amended by replacing Rule 15.09.1 by the following rule effective July 1, 2002:

**Chapter 15
ILLEGAL AND CORRUPT PRACTICES**

15.09.1 Any act or omission in business practices related to Thoroughbred horse racing in any or all of its forms, which, when measured against generally accepted standards of good conduct would be regarded as dishonest, unfair or unsportsmanlike or contrary to the public interest, shall be deemed to be an illegal practice under these Rules and shall be dealt with accordingly at the discretion of the Stewards. The ruling and subsequent publication regarding penalty shall include the specific part of the Rule which the licensee violated.

In determining whether any act or omission offends this Rule, regard may be had to any Code of Ethical and Professional Business Conduct that may have been adopted by a horsemen's association.

The following subparagraphs of this Rule provide particulars of conduct contemplated by this Rule but are not meant to be exhaustive.

(a) Without limiting the generality of the foregoing, the relationship between an owner and trainer shall be based on integrity, disclosure, maintaining the health and welfare of the horse and acting in the best interests of racing. Conduct unbecoming an industry participant also refers to conduct that occurs outside of the business of horse racing but which brings the industry into disrepute.

(b) Any person who may gain a benefit, financial or otherwise, directly or indirectly, in connection with the sale, purchase, lease or claiming of a racehorse shall disclose in writing to all affected parties involved in the transaction the details of such benefit or the existence of any arrangement that would lead to such a benefit.

- (c) All of the terms of a trainer's engagement should be set out in a written contract between the owner and trainer. At minimum, a trainer shall advise an owner in written form as to the services to be provided by the trainer for which the owner is to be financially responsible, the trainer's rate schedule including day rate and commissions on purses earned by the horses and the terms of payment.
- (d) A trainer shall ensure that an owner is advised as soon as it is practical to do so of any material problems affecting an owner's racehorse in his/her care that could affect its racing potential or ability to be trained on a continuous basis.
- (e) If an oral offer is presented to a trainer to purchase or lease any interest in an owner's horse, the trainer shall request that such offer be reduced to writing. A trainer shall immediately notify the owner of any written offer received.
- (f) A trainer shall maintain records relating to the particulars of any medications administered to horses in his/her care. For the purposes of this Rule, the term medication shall mean a medication that could result in a positive test. All documentary evidence provided under this Rule shall be kept confidential by the Ontario Racing Commission. At any hearing before the Stewards, the Industry Board of Appeal (Thoroughbred Division) or a panel of the Commission, all such documents shall remain confidential unless otherwise ordered.
- (g) A trainer shall not put his/her interest above the interests of his/her owner.
- (h) An owner who wishes to cease using the services of a trainer and transfer some or all of his/her racehorses to another trainer, shall pay prior to the time of transfer the outstanding account of the said trainer to the date of the transfer with respect to the horses being transferred.
- (i) The Director of Racing, the Supervisor of Thoroughbred Racing and/or the Stewards may require a licensee to provide documentary evidence of any transaction or record referred to or contemplated by this Rule. Refusal or failure to comply may result in immediate suspension of the licence.
- (j) Any act or omission which contravenes this Rule shall be dealt with at the discretion of the Director of Racing, the Supervisor of Thoroughbred Racing and/or the Stewards and may include fine and/or suspension.

BY ORDER OF THE COMMISSION

Jean Major
Executive Director